

Preparations for WTO Accession

Experience of Kazakhstan

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Content:

- ❑ Coordination of state bodies and agencies
- ❑ Decision making procedure

Coordination of state bodies and agencies

- **Resolution of the Government of the Republic of Kazakhstan No. 211 "On Accession of the Republic of Kazakhstan into the World Trade Organization" of 19 February 1996:**
- To submit application on behalf of the Republic of Kazakhstan on joining the WTO;
- Establish Intergovernmental Commission on WTO Issues (hereinafter - IGC);
- IGC composition;
- IGC, with involvement of interested ministries and other central executive bodies, shall prepare all necessary documents for the WTO accession of Kazakhstan;
- Payment of membership fee;
- The Ministry of Economy and Trade of Kazakhstan, together with the interested ministries and other central executive bodies, shall make proposals on bringing the legislative framework and foreign trade regime in-line with the WTO agreements;
- Ministries and agencies shall coordinate all issues, statements and proposals on WTO accession with the IGC.

IGC structure (in 1996)

Chair

Deputy Prime-Minister

Members

Minister of Economy
and Trade – Deputy
Chair

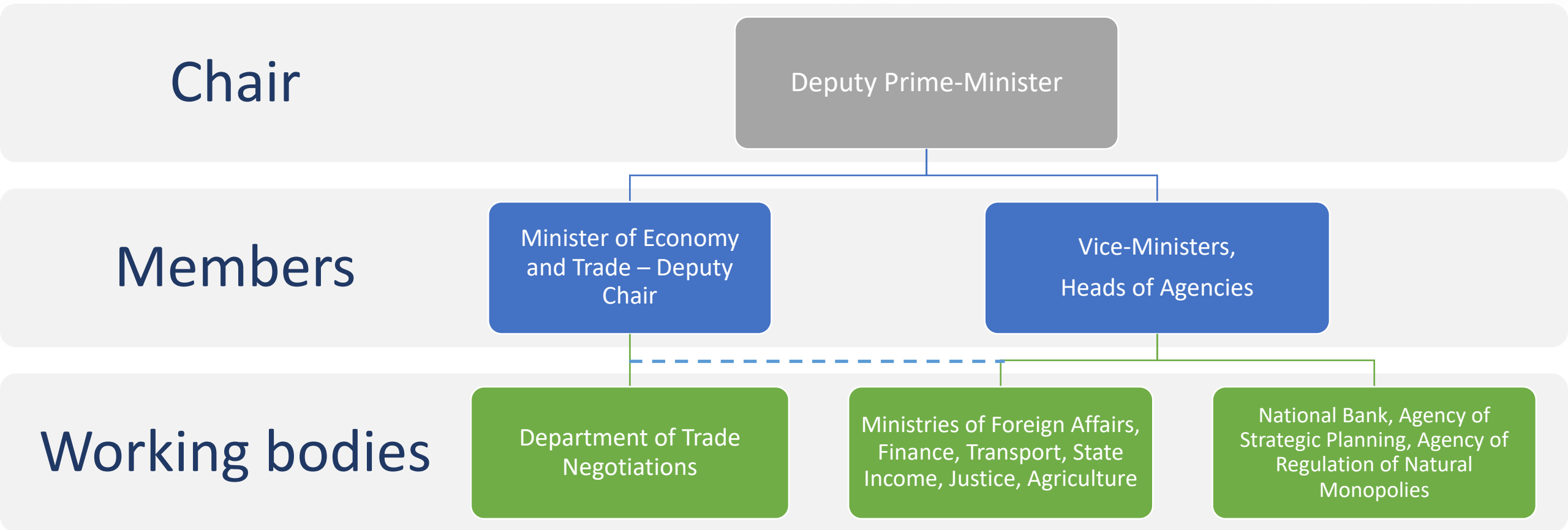
Vice-Ministers,
Heads of Agencies

Working bodies

Department of Trade
Negotiations

Ministries of Foreign Affairs,
Finance, Transport, State
Income, Justice, Agriculture

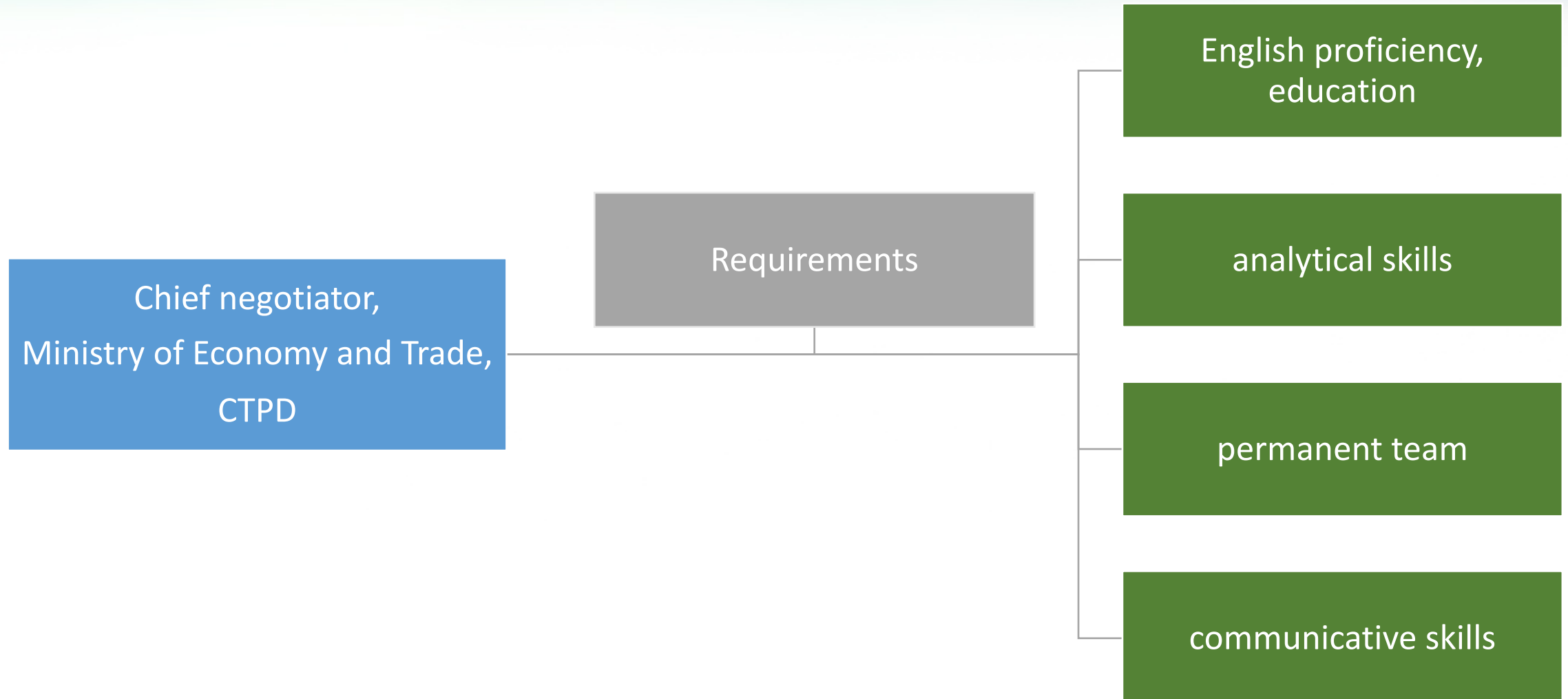
National Bank, Agency of
Strategic Planning, Agency of
Regulation of Natural
Monopolies



Analytical Support

- **Resolution of the Government of the Republic of Kazakhstan No. 616 “On Certain Issues of Establishing "Center for Trade Policy Development" of 30 June 2006 (hereinafter - CTPD):**
- Analytical support of negotiations on WTO accession and the formation of the EAEU,
- Development of recommendations on improvement of legislation,
- Consultative support of negotiations,
- Research in the field of trade,
- Dissemination of knowledge about international trading system.

Requirements to the main team



Chief negotiator

- From 2003 to 2016 – Zhanar Aitzhanova – Vice-Minister, Minister.
- Resolution of the Government of the Republic of Kazakhstan No. 595 "**On Approval of the Regulation on the Minister of the Republic of Kazakhstan for Economic Integration**" of 11 June 2013:
- member of the Government, appointed by the President of the Republic of Kazakhstan;
- is independent in making decisions within its competence and bears personal responsibility before the Prime Minister of the Republic of Kazakhstan

Chief negotiator: functions

1. makes proposals for the regulation and development of foreign trade policy;
2. organizes and conducts negotiations with international organizations within its competence;
3. makes proposals on development of trade and economic cooperation and drafting of international treaties within the WTO, the EAEU, and other international economic integration associations;
4. participates in coordination of the activities of state bodies and makes proposals on development of draft legal acts regulating relations on participation of the Republic of Kazakhstan in the WTO, the EAEU and in other international economic integration associations;
5. informs the Prime-Minister of the Republic of Kazakhstan on the activities and coordination of Kazakhstan's accession to the WTO, formation of the EAEU;
6. interacts with the structural divisions of the Ministry of National Economy of the Republic of Kazakhstan, the WTO Unit of the Permanent Mission of the Republic of Kazakhstan to the UN and other international organizations in Geneva, trade advisers in the countries of diplomatic missions abroad and the Trade Mission of the Republic of Kazakhstan in the Russian Federation within its competence.

Functions

IGC -
decision making
body

- Approval of major aspects of negotiation position,
- introduction of amendments into legislation

Minister of
Economy and
Trade
chief negotiator

- coordination of dates, place and subject of negotiations,
- approval of documents for submission to the WTO (*MFTR, answers to questions, documents on goods and services market accession, etc.*)
- conduct of negotiations;
- coordination of the work on preparation of negotiation position and related documents

Functions

Department of Trade Negotiations of the Ministry of Economy and Trade

- Coordination of the work with the line ministries and agencies;
- Proposals to negotiation position

Center for Trade Policy Development

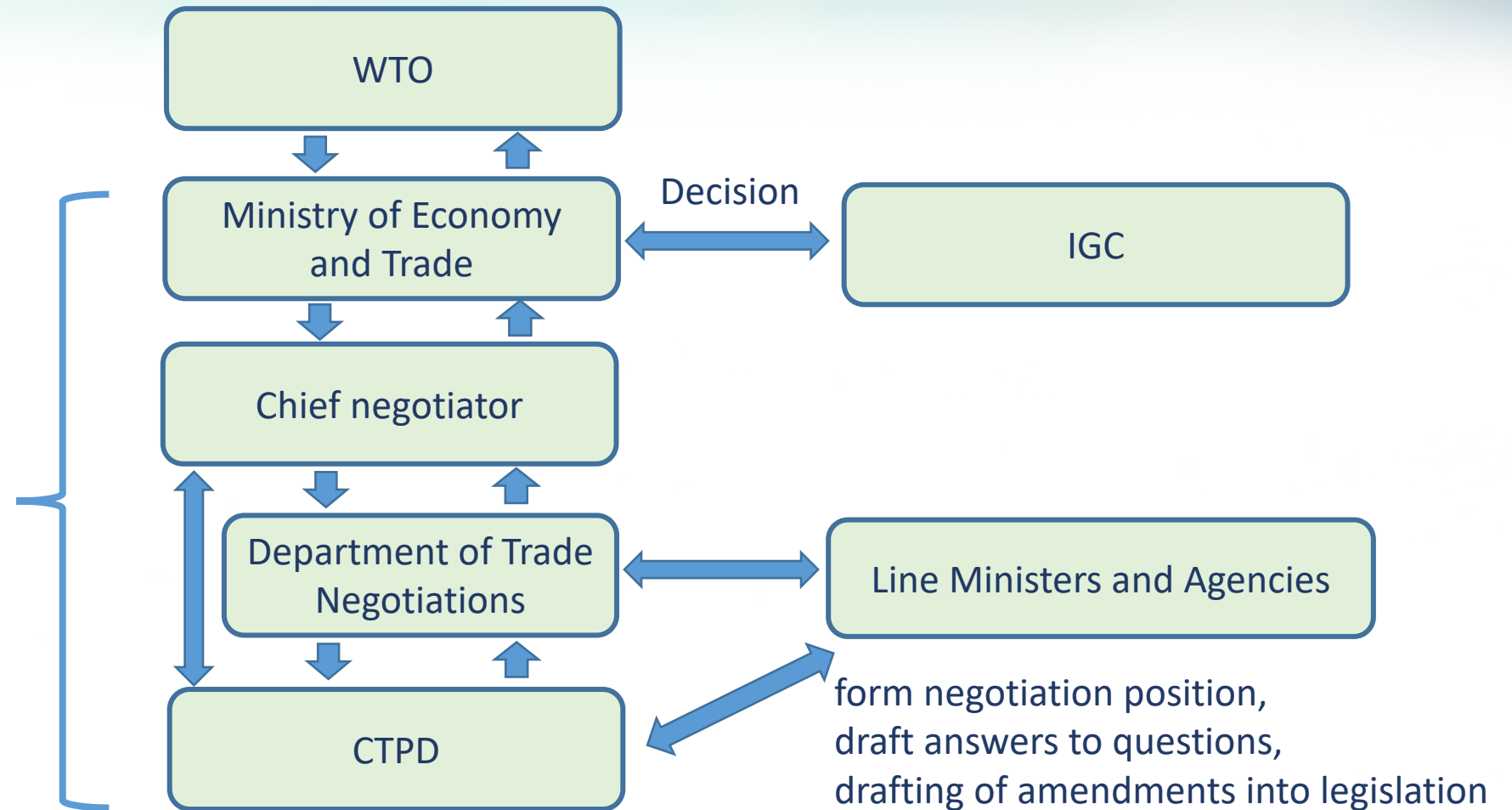
- Analytical support of accession negotiations;
- Analysis and drafting of amendments into legislation to bring in-line with the WTO Agreements;
- Preparation of draft documents in English language;
- Support of negotiating team;
- Preparation of draft documents

Line ministries and agencies

- Formation of negotiation position;
- Conducting work on introduction of amendments into legislation;
- Participation in negotiations

Decision making procedure

- draft decisions;
- coordination of position;
- analysis of answers from ministries and agencies;
- if necessary, revision of answers;
- clarifications;
- analysis of legislation;
- draft amendments to laws



Recommendations

- **Permanent "negotiating team"** - the main negotiator, the main technical group under the coordinating body (MFA TKM);
- **Requirements for the "negotiating team"** - oral and written English, preferably at the academic level. That is, they freely communicate with the WTO members and the WTO Secretariat, draft documents for the WTO at the professional level required by the WTO, pass WTO trainings, preferably, should be educated at the relevant foreign universities;
- As the negotiations progress, **a dynamic decision-making procedure** would become important - the chief negotiator can make operational decisions in accordance with the negotiating position, as determined by the IGC (for example, determine the degree of readiness and make a decision to submit a document to the WTO).