



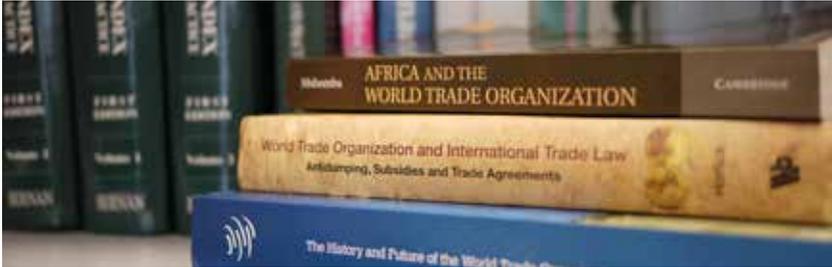
THE ADVISORY CENTRE ON WTO LAW



ACWL

Advisory Centre on WTO Law
Centre Consultatif sur la Législation de l'OMC
Centro de Asesoría Legal en Asuntos de la OMC

THE ACWL PROVIDES LEGAL ADVICE AND TRAINING ON ALL ASPECTS OF WTO LAW TO DEVELOPING AND LEAST-DEVELOPED COUNTRIES



The ACWL is an intergovernmental organisation, based in Geneva, that provides advice and training on WTO law and support in WTO dispute settlement proceedings to developing and least-developed countries (LDCs).¹ The ACWL assists these countries to understand their rights and obligations under WTO law and to defend their interests in WTO dispute settlement proceedings. Since its establishment in 2001, the ACWL has prepared over 1800 legal opinions and provided support in 44 WTO dispute settlement proceedings. The ACWL also conducts annual training courses and seminars on WTO law, as well as a secondment programme for government lawyers from developing countries and LDCs.

Thus, the ACWL helps developing countries and LDCs to become active participants in the rules-based multilateral trading system administered by the WTO and to take full advantage of the benefits of that system.

As former WTO Director-General Pascal Lamy has stated, "by ensuring that the legal benefits of the WTO are shared among all Members, the ACWL contributes to the effectiveness of the WTO legal system, in particular its dispute settlement procedures, and to the realisation of the WTO's development objectives".

¹ Throughout this brochure, the terms "country" and "developing country" include separate customs territories and countries with economies in transition.

THE ACWL'S LEGAL ADVICE AND ASSISTANCE IN DISPUTE SETTLEMENT PROCEEDINGS



The ACWL gives [free legal advice](#) on all procedural and substantive issues arising under WTO law. Developing countries and LDCs entitled to the services of the ACWL may obtain legal advice simply by contacting one of the lawyers of the ACWL.

The ACWL provides approximately 200 legal opinions each year. These include advice on general issues of WTO law; advice on the WTO-consistency of measures taken or contemplated by the developing country or LDC seeking the advice or by other countries; and advice relating to legal issues that arise in WTO decision making and negotiations. The ACWL's advice helps these countries to pursue their trade policy objectives with the benefit of a full understanding of WTO law.

The ACWL assists developing countries and LDCs as complainants, respondents or third parties in all phases of WTO [dispute settlement proceedings](#), in the same manner as private or in-house counsel. For this service, the ACWL charges modest fees that vary according to each country's share of world trade and per capita income. In cases of a conflict of interest, the ACWL provides support through external counsel selected by the country concerned from a [Roster of External Counsel](#) consisting of experienced law firms and individuals.

The ACWL also has a [Technical Assistance Fund](#) that can be used to defray the expenses of obtaining expert evidence relating to dispute settlement proceedings.

THE ACWL'S TRAINING PROGRAMMES



The ACWL offers an annual [training course](#) on WTO law and procedures to Geneva-based delegates of developing countries and LDCs. The course runs from October to May each year and consists of sessions at the ACWL's offices from 13:00-15:00 each Thursday. The course is taught by the ACWL's lawyers, who offer participants an analysis of all aspects of WTO law based on their own practical experience. The course includes a moot court exercise. Participants that attend two thirds of the sessions are awarded a Certificate of Training. In addition, the ACWL offers participants that have completed the course the opportunity to take a written examination on the topics taught during the course.

The ACWL also conducts [seminars](#) on Appellate Body reports and other issues of topical interest.

In addition, the ACWL offers an annual [Secondment Programme for Trade Lawyers](#), which provides up to three developing country or LDC government lawyers working in the field of trade policy the opportunity to increase their expertise in WTO law by joining the ACWL's staff for a nine-month term. The participants work at the ACWL from September to the following June. They assist the ACWL's lawyers in preparing legal opinions and in their work on WTO dispute settlement proceedings. They also participate in the ACWL's regular training courses and seminars. Upon completion of the Programme, the participants are expected to resume their employment with their government.

THE ACWL IS ADMINISTERED AND FINANCED JOINTLY BY DEVELOPED AND DEVELOPING COUNTRIES



The ACWL's structure ensures that developing countries and LDCs can rely on the independence and quality of the legal assistance they receive from the ACWL. This structure consists of the [General Assembly](#), the [Management Board](#) and the [Executive Director](#). The General Assembly consists of representatives of ACWL Members and of LDCs entitled to the services of the ACWL. The General Assembly oversees the functioning of the ACWL, makes decisions regarding the financing of the ACWL, and approves the ACWL's annual budget. The Management Board consists of six persons serving in their personal capacities: three nominated by the developing country Members, two by the developed country Members, and one by the LDCs, as well as the Executive Director, who serves *ex officio*. The Management Board ensures the efficient and effective operation of the ACWL,

appoints the Executive Director, supervises the administration of the Endowment Fund, and prepares the ACWL's annual budget. The Executive Director manages the day-to-day operations of the ACWL.

The ACWL's sources of financing are the revenues from its [Endowment Fund](#), fees for support in dispute settlement proceedings, and voluntary contributions. The Endowment Fund was created from contributions of both developed and developing country Members. To date, eleven developed countries have joined the ACWL: Australia, Canada, Denmark, Finland, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom.

74 COUNTRIES ARE CURRENTLY ENTITLED TO THE ACWL'S SERVICES

MEMBERS (32)

BOLIVARIAN REPUBLIC
OF VENEZUELA
BOLIVIA
CHINESE TAIPEI
COLOMBIA
COSTA RICA
CUBA
DOMINICAN REPUBLIC
ECUADOR
EGYPT
EL SALVADOR
GUATEMALA
HONDURAS
HONG KONG, CHINA
INDIA
INDONESIA
JORDAN
KENYA
MAURITIUS
NICARAGUA
OMAN
PAKISTAN
PANAMA
PARAGUAY
PERU
PHILIPPINES
SEYCHELLES
SRI LANKA
THAILAND
TUNISIA
TURKEY
URUGUAY
VIET NAM

LDCs (42)

AFGHANISTAN
ANGOLA
BANGLADESH
BENIN
BHUTAN
BURKINA FASO
BURUNDI
CAMBODIA
CENTRAL AFRICAN REPUBLIC
CHAD
COMOROS
DEMOCRATIC REPUBLIC OF
THE CONGO
DJIBOUTI
EQUATORIAL GUINEA
ETHIOPIA
THE GAMBIA
GUINEA
GUINEA-BISSAU
HAITI
LAO PEOPLE'S DEMOCRATIC
REPUBLIC
LESOTHO
LIBERIA
MADAGASCAR
MALAWI
MALI
MAURITANIA
MOZAMBIQUE
MYANMAR
NEPAL
NIGER
RWANDA
SAO TOMÉ AND PRINCIPE
SENEGAL
SIERRA LEONE
SOLOMON ISLANDS
SUDAN
TOGO
UGANDA
UNITED REPUBLIC OF
TANZANIA
VANUATU
YEMEN
ZAMBIA



All developing country Members of the WTO and developing countries in the process of acceding to the WTO are, as such, entitled to join the ACWL. LDCs that are Members of the WTO or in the process of acceding to the WTO are automatically entitled to the services of the ACWL without having to become Members.

On becoming Members of the ACWL, developing countries make contributions to the Endowment Fund ranging from CHF81,000 to CHF486,000, depending on their share of world trade and per capita income. These contributions may be paid in annual instalments over a period of five years. Protocols of accession may include a clause giving the acceding country provisional access to the ACWL's services in the period between the signing and the entry into force of the protocol.

To date, 32 developing countries have become Members of the ACWL. These represent approximately two thirds of the developing countries that have participated in WTO dispute settlement proceedings. At present, 42 LDCs are entitled to the services of the ACWL. Thus, 74 countries, or almost half of the 160 Members of the WTO, are currently entitled to the services of the ACWL.

The process of acceding to the ACWL is relatively straightforward. The terms of a developing country's Protocol of Accession can be approved in less than four weeks. For an example of a Protocol of Accession, go to <http://www.acwl.ch/e/members/accessions.html>.

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