



THE ADVISORY CENTRE ON WTO LAW



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

THE ACWL ENSURES THAT THE LEGAL BENEFITS OF THE WTO ARE SHARED AMONG ALL WTO MEMBERS



Based in Geneva, near the WTO's headquarters, the ACWL assists its developing country Members and the least developed countries (LDCs) in all WTO legal matters.¹ It enables these countries to obtain a full understanding of their rights and obligations under WTO law and to have an equal opportunity to defend their interests in WTO dispute settlement proceedings. Since its establishment in 2001, the ACWL has delivered over 700 legal opinions, assisted its Members and LDCs in 32 WTO dispute settlement proceedings and offered annual courses on WTO law in which 275 delegates have participated.

WTO Director-General Pascal Lamy noted that, "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" are meant to include customs territories and countries with economies in transition.



The ACWL gives [free legal advice](#) on all issues arising under WTO law and procedures. The ACWL provides advice on measures taken or contemplated by the country seeking the advice, including proposed legislation. This helps countries to realise their trade policy objectives in a manner consistent with WTO law. The ACWL also advises on measures that a country considers challenging under the WTO dispute settlement procedures and, thus, helps countries to make a realistic assessment of their chances of prevailing in a dispute settlement proceeding. Finally, the ACWL provides advice on legal matters that arise in WTO decision-making and negotiations, thereby helping countries gain a full understanding of the legal implications of the issues discussed.

The ACWL provides [support to complainants, respondents or third parties in all types of WTO dispute settlement proceedings](#). The ACWL also provides support during the implementation phase of a dispute. For this service, the ACWL charges modest fees that vary with the supported country's level of development and share of world trade. If the staff of the ACWL cannot provide support to an ACWL Member or an LDC because of a conflict of interest, the ACWL provides that support through external legal counsel. To facilitate the selection of counsel by the country that cannot be served by ACWL staff, the ACWL has established a [Roster of External Legal Counsel](#) comprised of law firms and individuals with prior experience in WTO dispute settlement proceedings.

THE ACWL OFFERS TRAINING ON WTO LAW BY PRACTITIONERS



Each year, the ACWL offers a [six-month training course on WTO law and dispute settlement procedures](#). The course begins in October and ends in March of the following year. The sessions take place at the premises of the ACWL on Thursdays during the lunch hour. Participants that attend two thirds of the sessions receive a Certificate of Training. The course is taught by the Executive Director and ACWL lawyers. They offer participants an analysis of WTO law and jurisprudence based on their practical experience. In addition, the ACWL offers occasional seminars on issues of current interest.

The ACWL also offers an annual [Secondment Programme for Trade Lawyers](#), which provides up to three government officials working on the legal aspects of trade policy an opportunity to broaden their professional experience by joining the ACWL's staff for a period of nine months. The programme begins in mid-September and ends in mid-June of the following year. The participants assist ACWL lawyers in preparing legal opinions and providing support in dispute settlement proceedings. They also participate in the ACWL's 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 has a [General Assembly](#), a [Management Board](#) and an [Executive Director](#). The General Assembly consists of all the representatives of the ACWL Members and the LDCs. It oversees the functioning of the ACWL, monitors the ACWL's finances and adopts the annual budget. The Management Board is composed of persons who act in their personal capacity: three are nominated by the developing country Members, two by developed country Members and one by the LDCs. The Executive Director manages the ACWL's day-to-day operations.

The ACWL's main sources of financing are the revenues from its [Endowment Fund](#), fees levied for support in dispute settlement proceedings and voluntary contributions. The Endowment Fund has been created mainly through contributions made by the developed and developing country Members of the ACWL upon their acceptance of the Agreement Establishing the ACWL. During a transitional period ending in 2011, the ACWL's annual budget will be financed by additional contributions from developed country Members of the ACWL. To date, ten developed countries have decided to join the ACWL and contribute to its finances. These are Canada, Denmark, Finland, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom.

The institutional and financial arrangements of the ACWL have been designed to ensure that the developing countries and the LDCs can be confident that they benefit from an independent expert assessment of their options under WTO law when they turn to the ACWL for legal advice.

74 COUNTRIES CURRENTLY ENTITLED TO THE ACWL'S SERVICES

MEMBERS (30)	LDCs (44)
BOLIVIA	AFGHANISTAN
CHINESE TAIPEI	ANGOLA
COLOMBIA	BANGLADESH
COSTA RICA	BENIN
DOMINICAN REPUBLIC	BHUTAN
ECUADOR	BURKINA FASO
EGYPT	BURUNDI
EL SALVADOR	CAMBODIA
GUATEMALA	CENTRAL AFRICAN REPUBLIC
HONDURAS	CHAD
HONG KONG, CHINA	COMOROS
INDIA	CONGO, DEMOCRATIC REPUBLIC OF
INDONESIA	DJIBOUTI
JORDAN	EQUATORIAL GUINEA
KENYA	ETHIOPIA
MAURITIUS	GAMBIA
NICARAGUA	GUINEA
OMAN	GUINEA BISSAU
PAKISTAN	HAITI
PANAMA	LAO PEOPLE'S DEMOCRATIC REPUBLIC
PARAGUAY	LESOTHO
PERU	LIBERIA
PHILIPPINES	MADAGASCAR
SRI LANKA	MALAWI
THAILAND	MALDIVES
TUNISIA	MALI
TURKEY	MAURITANIA
URUGUAY	MOZAMBIQUE
VIET NAM	MYANMAR
VENEZUELA	NEPAL
	NIGER
	RWANDA
	SAMOA
	SAO TOME AND PRINCIPE
	SENEGAL
	SIERRA LEONE
	SOLOMON ISLANDS
	SUDAN
	TANZANIA
	TOGO
	UGANDA
	VANUATU
	YEMEN
	ZAMBIA

THE ACWL REMAINS OPEN TO NEW MEMBERS



The services of the ACWL are currently available to 74 countries, or almost half of the 153 Members of the WTO. Two thirds of the developing countries that have participated in WTO dispute settlement proceedings have become Members of the ACWL. The 44 LDCs that are Members of the WTO or in the process of acceding to the WTO are entitled to the services of the ACWL without having to become Members of the ACWL.

Any Member of the WTO and any State or customs territory in the process of acceding to the WTO may become a Member of the ACWL on terms agreed with the General Assembly. Developing countries have made contributions to the Endowment Fund ranging from CHF81,000 to CHF486,000 depending on their share of world trade and level of development. New developing country Members may pay their contributions in annual instalments over a period of five years. Protocols of accession may include a clause enabling them to use the ACWL's services while their internal approval procedures are being completed.

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