

WTO membership of Montenegro approved during the eighth WTO Ministerial Conference



During the eighth Ministerial Conference of the World Trade Organization (WTO), the WTO membership of Montenegro was approved. The Protocol of Accession was signed on 17 December 2011 in Geneva and Montenegro became the 154th member of the WTO on 29 April 2012.

The World Trade Organization is the only institution dealing with the rules of trade between nations. Montenegro commenced the self-accession procedure in 2004 in accordance with Article XII of the Agreement on Establishing the WTO, which prescribes that each country or separate custom territory possessing full autonomy in the conduct of its external commercial relations may accede to the WTO, on terms to be agreed between such country and the WTO members. After three years of unsuccessful efforts of the State Union of Serbia and Montenegro to become a WTO member, the “twin-track approach” by the European Union provided a space for independent accession of Montenegro. The General Council adopted the decision on 15 February 2005 commencing the procedure of Montenegrin accession to the WTO and the Working Party for negotiations was established. The negotiations were bilateral, plurilateral and multilateral.

Negotiations on market access for goods and services are held individually (bilaterally) with all interested member states, upon their request and are confidential. After bilateral agreements have been completed, the Secretariat consolidates results of all negotiations and drafts the Schedule of Commitments and Schedule of Services. When a country obtains a fully-fledged membership to the WTO, the Schedules become an integral part of the General Agreement on Tariffs and Trade (GATT) and the General Agreement on Trade in Services (GATS). Montenegro completed bilateral negotiations on market access for goods and services with 11 WTO members, as follows: EU, China, Switzerland, Norway, Brazil, Canada, Japan, USA (bilateral negotiations with the before mentioned members were completed in 2008), El Salvador, Honduras (2009) and Ukraine (2011). It is important to mention that

Ukraine commenced negotiations with Montenegro in December 2008, when it was deemed that the negotiation process had been in its final stage. The last round of negotiations with the Ukraine was held in Vienna on 3 November 2011. During the negotiations there were only one plurilateral negotiations on agriculture and export subsidies.

Multilateral negotiations were related to harmonization of national legislation with the relevant WTO agreements. According to the defined procedures, multilateral negotiations are held at the Working Party meetings. When it comes to Montenegro, eight meetings of the Working Party were held, whereby the last meeting was on 5 December 2011 when the Working Party recommended to the Ministerial Conference to approve the accession of Montenegro, thereby ending its mandate. On such occasion it was determined that Montenegro had harmonized its trade rules with the WTO rules and ended bilateral and plurilateral negotiation. Therefore the Working Party adopted a set of accession documents. Such documents were adopted by the Ministerial Conference on 17 December 2011 when the accession of Montenegro was approved. Montenegro committed to ratify the Protocol of Accession not later than 31 March 2012. It was required for the Parliament of Montenegro to adopt the Law on Ratification of the Protocol on the Accession of Montenegro to the WTO and thereafter the ratification instrument was submitted on 30 March 2012. Thirty days upon submission of the ratification instrument, Montenegro became a fully-fledged member of the WTO.