

(B) DOCUMENTATION AND PUBLICATIONS OF THE GATT AND WTO

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Major Publication Series and Areas

Throughout GATT's existence, its publishing focused on legal materials related to the trade rounds, studies on the topic of tariff reduction, and gathered and published statistics related to international trade. The WTO has greatly expanded the organization's scope of publishing to include a broad range of trade-related topics, including significant publications in the areas of trade and its impact on environmental degradation and economic development. Some representative recent WTO studies on topics of broad interest include: *Regionalism and the World Trading System* (1995); *Electronic Commerce and the Role of the WTO* (1998); *World Trade and the Environment* (1999); and *Opening Markets in Financial Services and the Role of the GATS* (1997).

Annual Reports

Between 1959 and 1995 the GATT produced an annual overview of trade policy issues and other work before the GATT contracting parties and secretariat entitled *GATT Activities in . . .* (the 1994 and 1995 editions were combined in a single issue). Prior to 1959, an equivalent review appeared in an annual statistical publication entitled *International Trade* described under statistics below. Beginning in 1989 an *Annual Report of the Director General* was issued (the 1993 edition bore the title *Review of Developments in International Trade and the Trading System*).

In 1996 the WTO began issuing a two-volume *Annual Report*. The first volume gives an overview of major events and trends in world trade and the second volume provides statistics, tables and charts. The *Annual Report* is available in both paper and CD-ROM editions.

Current Awareness

Between 1981 and 1995 the newsletter *GATT Focus* was published six times per year. It contained updates on current GATT activities, including extensive reports on Ministerial, Council and various committee meetings. Fifteen issues of a newsletter entitled *GATT WTO News: From GATT to the World Trade Organization* were published between June 1994 and January 1995 documenting the transformation of the organization. In January 1995 the first issue of the *WTO Focus* newsletter was issued, including extensive coverage of activities in

the General Council and Ministerial meetings, sections on dispute settlement and trade policy review, and excerpts from substantive reports. In addition to the newsletter, the *WTO Press Release* series reproduces official statements and announcements of activities, publications and other matters of interest to the public. The *Trade and the Environment* press release series (PRESS/TE) beginning in 1995 provides current information on the topic of environmental aspects of trade barrier reductions.

The WTO website [www.wto.org] serves as the most extensive single current awareness service for WTO activities. It includes full-text of all *WTO Focus* issues published since August 1996, a list of meetings, statements and biography of the Director-General, list of new publications, “frequently asked questions” (FAQ) regarding the organization, list of vacancies, and several publications describing the functions and activities of the organization. A more extensive discussion of the website appears below.

Basic Instruments and Selected Documents (BISD)

Between 1952–1969 the GATT published a four-volume set of basic documentation titled *Basic Instruments and Selected Documents (BISD)*. Volume I issued in 1952 reproduced the text of the *General Agreement*. Volume II produced the same year included a set of decisions, declarations, resolutions, and reports. Volume I was subsequently revised in 1955. Volume III incorporating subsequent changes to the original treaty was produced in 1958, and Volume IV reflecting further changes to the treaty was issued in 1969.

Beginning in 1953 a set of annual *Supplements* to the *BISD* have been issued reproducing key protocols, decisions, declarations, understandings, recommendations, and reports. A cumulative subject index is included in each supplement. A searchable CD-ROM version of the comprehensive set—the base set and supplements number 1(1953)–42(1995)—was published in 1998 under the joint imprint of the WTO and Bernan Press.

The WTO in association with Bernan Press plans to resume the series as a WTO publication in both paper and CD-ROM formats. At this writing (May 2000), two to three volumes per year are anticipated in the new *WTO Basic Instruments and Selected Documents* series.

It should be noted that the *BISD* is the most widely distributed compendium of official GATT and WTO documentation. The series was distributed both through sales, and free of charge to all GATT depository libraries from the inception of the organization. Documents published in *BISD* are considered to possess the same legal status as the originals. Citations to the *BISD* are made in the following format:

- *BISD* 27S/131—the cited document is located in the 27th annual supplement to the *BISD*, starting at page 131.
- 1 *BISD* 86—the cited document is located in volume 1 of the four-volume base edition, starting at page 86.

Analytical Index

The *Analytical Index* [symbol ST/LEG/2] is a guide to the interpretation and application of the GATT and a repertoire of GATT practice and drafting history. Six editions have been published since 1952: 1952 (1st); 1966 (2d); 1970 (3d); 1984 (4th); 1989 (5th); and 1994 (6th). The most recent edition—entitled *Analytical Index: Guide to GATT Law and Practice*—is current as of March 1994 and published in both paper and CD-ROM editions under the joint imprint of WTO and Bernan Press. Each chapter covers an article of the *General Agreement*. Included within each chapter are: (1) text of the article and interpretive notes; (2) excerpts from documents concerning the interpretation of the GATT and Havana Charter as well as the practice of the Contracting Parties in the area covered by the article; (3) general account of the relevant preparatory work of the GATT and Havana charter; and (4) a list of relevant documents from the preparatory meetings and early years of GATT through 1954–55. A new edition is in preparation.

Trade Rounds and Associated Legal Texts

Seven of the eight trade rounds conducted between 1947 and 1994 resulted in final acts and associated sets of country tariff schedules negotiated during the rounds. In addition, the Tokyo Round resulted in a number of framework agreements and the Uruguay Round produced the schedules of specific commitments on services, the tariff schedules for trade in goods, and the so-called Plurilateral Agreements. The following list reflects the publication history of the trade rounds in terms of final acts and tariff schedules:

- Geneva 1947. *General Agreement on Tariffs and Trade, with Annexes and Schedules of Tariff Concessions*. Published in four volumes. 30 October 1947.
- Annecy 1949. *Annecy Protocol of Terms of Accession*. 10 October 1949.
- Torquay 1951. *Torquay Protocol*. 21 April 1951.
- Geneva 1956. No final act.
- Geneva 1960–61 (Kennedy Round). *Protocol Embodying the Results of the 1960–61 Tariff Conference*. 16 July 1962.
- Geneva 1973–79 (Tokyo Round). *Geneva 1979 Protocol*. 30 June 1979. Published in four volumes.
- Geneva 1986–1994 (Uruguay Round). *Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations*. 15 April 1994.

Supplementary to the trade rounds, protocols of modification and rectification to the schedules are issued, along with protocols modifying treaty texts, accession instruments, and supplementary protocols. These are published after the final act and can be identified within a legal instruments series registered by the Legal Affairs Division: *certified legal instruments*. The certified legal instruments series gathers together all GATT and WTO legal instruments and numbers them sequentially.

A numerical and subject index to the certified legal instruments series is found in the loose-leaf publication *GATT: Status of Legal Instruments* [symbol ST/LEG/1]. Entries in this loose-leaf title include reference to sources of the legal text, either as an official numbered GATT publication, citation to the *BISD*, or the *United Nations Treaty Series*. As of 1998, the number of certified legal instruments recorded in the *GATT: Status of Legal Instruments* was 209. A new edition of this loose-leaf title was published in 1997, *World Trade Organization: Status of Legal Instruments* [symbol ST/Leg/1]. As of May 2000, fifteen WTO legal instruments have been certified.

Uruguay Round

The seven-year Uruguay Round was the longest trade round in GATT negotiating history, and it resulted in a larger publishing output than any of its predecessors. A complete publication including all the country schedules of commitments in services, the tariff schedules for trade in goods was published in 1994 in a thirty-four-volume set under the title *Legal Instruments Embodying the Results of the Uruguay Round*:

- Volume 1: *The Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts*. A six-hundred-page compilation of the basic legal texts.
- Volumes 2–26: *Tariff Schedules for Trade in Goods*.
- Volume 27: *Legal Texts* (those not included in Volume 1).
- Volumes 28–30: *Schedules of Specific Commitments for Trade in Services*.
- Volume 31: *Plurilateral Agreements*.
- Volumes 32–34: *Schedules on Services and Goods* submitted after 15 April 1994

A CD-ROM version of the complete thirty-four-volume set was published in February 1996.

Panel Reports

As indicated earlier in this chapter, publication of final panel reports under GATT 1947 depended upon their adoption. Those reports that were not adopted were not made public. Those that were adopted were published in the *BISD* series.

Under the rules of the WTO, panel and Appellate Body reports are made available to the public on the date of their circulation to WTO members, without the necessity of their adoption by the Dispute Settlement Body. They are made immediately available on the WTO website under the document series symbol WT/DS. A collective annotated set of full-text panel reports has been published by Bernan Press since 1996. The series—*World Trade Organization Dispute Settlement Decisions: Bernan's Annotated Reporter*—includes the final report, procedural history, conclusions, annotations, a table of references, index by countries party to disputes, and a subject index.

Trade Policy Reviews

As described earlier, the Trade Policy Review Mechanism was established as a function of the GATT in 1989 during the Uruguay Round. The evaluation is conducted by the GATT Council on the basis of two reports: one presented by the government of the country concerned; and the other presented by the GATT Secretariat including a background report generated by the Secretariat, concluding remarks by the Chairman of the Trade Policy Review Board, and minutes of the Board meeting at which the country and Secretariat reports were reviewed. Reviews are conducted once every two years for the world's four top trading countries, every four years for the next sixteen top trading countries, and every six years for other countries. Since 1989 more than one hundred reports have been issued in paper format. A cumulative CD-ROM covering all reports issued 1995–1998 was published in 1999. These reports are rich sources of country information, frequently including within the Secretariat reports original trade data organized by the Statistics Division on the basis of its internal statistical database.

Statistics

The Statistics Division of the WTO is responsible for statistical support functions, including both internal and external dissemination of statistics. With regard to published materials, the Division plays a key role in gathering data for the background reports that are published in the Trade Policy Review series described earlier. In addition, the Division produces data for an annual publication covering statistics of international trade beginning in 1952 entitled *International Trade (1952–1990/91)*, *International Trade: Statistics (1991/92–1993)* and *International Trade: Trends and Statistics (1994–1995)*. Issues for 1988–1991/92 were produced in two volumes, the first volume entitled *Review of Developments in International Trade and the Trading System* and the second volume containing charts and tables. Since the establishment of the WTO, the statistical annual

appears as volume two of the *WTO Annual Report* and is available in both print and CD-ROM versions.

The Statistics Division has also been responsible for providing data necessary to the conduct of the various trade negotiating rounds. Most of this data is never made available outside of the organization. One significant exception was the GATT Tariff Study prepared for the Kennedy and Tokyo Rounds. A CD-ROM version of the Statistics Division internal database for tracking tariff rates—the *Integrated Database*—has been published and made available for internal use by WTO members.

Reference Material

Both GATT and the WTO have published useful reference materials, including directories, bibliographies, thesauri, and organizational primers. A few examples follow.

The *GATT Bibliography* (1947–1971) listed books, pamphlets, journal articles, newspaper reports, and editorials that refer to the General Agreement on Tariffs and Trade. The *GATT Bibliography* was divided into a chronological listing of references, grouped in alphabetical order month by month. The first edition appeared in March 1954 and covered the time period 1947–1953. Annual supplements were published between 1954 and 1971.

The *Trilingual Glossary* (1998) is a thorough glossary—in English, French, and Spanish—of WTO and international-trade related words, phrases and acronyms, with definitions and references to original sources. It includes terminology developed during the Uruguay Round and incorporated within the legal instruments in the Final Act.

Trading into the Future: Introduction to the World Trade Organization (1st ed. 1995, 2d ed. 1998) serves as an excellent introduction to the history, organization, functions, and policy-making process within the WTO. A case study is used to depict the dispute settlement process.

Documentation

GATT and WTO documentation refers to the internal information products of the two organizations. As distinct from publications, intended for a general audience, documents are produced primarily for internal circulation within the Secretariat and among member governments. The documents of the two organizations include meeting minutes, meeting summaries, agendas, lists of participants, reports and working papers, and other sources of interest to anyone tracing the history of a particular policy decision of the organizations.

The single best introduction to the extensive and complex documentation series produced by GATT and WTO is the *World Trade Organization Guide to Documentation* (WTO Document Systems Section, Translation and Documentation Division, 2d ed., August 1998). In general, the document symbol numbers for the two organizations use common standard abbreviations. **INF** for Information

note, **LET** for Letter, **M** for Minutes, **N** for Notification, **R** for Report, **SPEC** for Special Series, **SR** for Meeting Summary, **W** for Working Paper.

GATT 1947, Tokyo Round, and Uruguay Round Documentation

Documents of the GATT were issued under a symbol number system based on the issuing body. Basic reports and other documents not related to a particular division or body were assigned a number in the general document series “**L**” (limited distribution) or the information series “**INF**”. Table 3.1 shows examples of other key document series issued by GATT. Tokyo Round documents were issued under a variety of symbols including those shown in Table 3.2. Uruguay Round documents were generally issued under the “**MTN**” symbol subdivided by the specific negotiating or working group, including examples shown in Table 3.3, page 98.

Table 3.1
Key GATT Document Series

Committee on Balance-of-Payments Restrictions	BOP/, BOP/R/, BOP/W/
Council	C/, C/COM, C/M/, C/W
Committee on Trade and Development	COM.TD/
Textiles Committee	COM/TEX/, COM/TEX/W
Dispute Settlement	DSNUMBER/
Contracting Parties meeting records	SR.NUMBER/
Committee on Tariff Concessions	TAR/
Working Documents relating CP sessions	W.NUMBER/

Table 3.2
Tokyo Round Documents

Committee on Anti-Dumping Practices	ADP/, ADP/M
Committee on Trade in Civil Aviation	AIR/, AIR/M/, AIR/W/
International Dairy Products Council	DPC/, DPC/W/
International Meat Council	IMC/, IMC/W/
Committee on Subsidies and Countervailing Measures	SCM/, SCM/M, SCM/Spec/

Table 3.3
Uruguay Round Documents

Group of Negotiations on Goods	MTN.GNG
Negotiating Group on Market Access	MTN.GNG/MA/
Negotiating Group on Tariff Measures	MTN.GNG/NG1
Negotiating Group on Non-Tariff Measures	MTN.GNG/NG2/
Negotiating Group on Agriculture	MTN.GNG/NG5
Negotiating Group on Trade-Related Aspects of Intellectual Property Rights . . .	MTN.GNG/TRIPS/
Group on Negotiations on Services	MTN.GNS/
Trade Negotiations Committee	MTN.TNC/, MTN/TNC/W

In 1997, a compilation of over ten-thousand Uruguay Round, GATT 1947 and Tokyo Round documents entitled *GATT and Uruguay Round Documents September 1986–December 1996* was issued on CD-ROM for internal use of the WTO membership.

WTO Documentation

The WTO has applied a new series of symbols to its basic documentation. The basic scheme is twofold. The first element of the symbol describes a “common legal framework.” Within the legal framework, a second element describes a “series” concept. Table 3.4 provides selected examples.

Table 3.4
WTO Document Series

World Trade Overseeing Bodies	General Council (WT/GC/) Balance of Payments (WT/BOP/) Dispute Settlement (WT/DS/)
Trade in Goods	Council (G/C) Anti-Dumping (G/ADP/) Safeguards (G/SG/)
Trade in Services	Council (S/C/) Trade in Financial Services (S/FIN/)
Intellectual Property	Council (IP/C/) Notifications (IP/N/)

Bibliographic Control

Publications of GATT and WTO

Intellectual access to publications of the GATT and WTO is gained through the standard indexes to international organization publications. In terms of historical GATT material, these indexes include the *United Nations Documents Index* that between 1950–1962 indexed the publications of the specialized agencies, IAEA and GATT, and the quarterly *International Bibliography, Information, Documentation* published 1973–1991. The annual publications catalogs of the GATT and WTO in continuous print since 1964 provide lists of sales publications available at the time the catalog was printed. Statistical publications are indexed since 1983 in the *Index to International Statistics (IIS)*, published since 1999 as a component within the *Statistical Universe* web service.

GATT Documentation

There is no single cumulative index to the entire internal documentation of the GATT. The latest annual supplement to the *BISD* series provides a good index to a selection of the public documentation of the GATT. But for a thorough search, the researcher must rely upon a series of “lists” and “indexes.” Between 1953 and 1980 a numerical list and/or index of documents issued was published on an annual basis. During this time, the *List of Documents Issued* was published separately from a parallel *Documents Index*. In 1981 these publications were merged to form a *List and Index of Documents Issued*. Annual editions of this index were produced through 1997. In addition, cumulative editions covering the periods 1984–1988 and 1989–1992 were produced. The *List and Index* includes indexes by subject, product, country, and articles of the main legal texts. Table 3.5, page 100, identifies the existence of individual Lists and/or Indexes to GATT documentation for the time period 1953–1980 including their specific INF/symbol number.

Uruguay Round Documentation

A separate paper index to the documentation of the Uruguay Round was printed in 1994. The *List and Index of Uruguay Round Documents Issued Between 1986–1994* includes a detailed listing of all Uruguay Round documents, both restricted and derestricted.

WTO Documentation

WTO documentation that has been made public is searchable on the WTO website. The *List & Index of Documents Issued* is also available on the site. Visitors to the site can browse all documents released in the past thirty days, or search by document symbol number, title word, or full-text.

Table 3.5
Lists and/or Indexes to GATT Documentation

	List	Index
November 1953–31 March 1955 + 23/Add.1	INF/23	
1 April–December 1955	INF/35	
1 January 1954–31 March 1955		INF/3/Rev.2
1956	INF/42	INF/44
1957	INF/55	INF/54
1958	INF/68	INF/67
1959	INF/81	INF/79
1960	INF/86	INF/87
1961	INF/95	INF/98
1962	INF/99	INF/100
1963	INF/105	INF/106
1964	INF/110	INF/111
1965	INF/118	INF/117
1966	INF/123	INF/124
1967	INF/129	INF/130
1968	INF/134	INF/135
1969	INF/138	INF/139
1970	INF/141	INF/142
1971	INF/148	INF/149
1972	INF/151	INF/153
1973	INF/155	INF/157
1974	INF/159	INF/161
1975	INF/165	INF/167
1976	INF/169	INF/171
1977	INF/173	INF/177
1978	INF/179	INF/180
1979	INF/189	INF/191
1980	INF/198	INF/196

Availability and Dissemination

Sales Program

Both GATT and the WTO have maintained extensive sales programs and promoted them through issuance of annual publication lists continuously since 1964. The WTO has developed an increasing array of electronic resources and relies more and more on copublication as a vehicle for broader distribution of its sales publications. The current contact for WTO publications is the Information and Media Relations Division, Centre William Rappard, Rue de Lausanne 154, CH-1211 Geneva 21, Switzerland. The latest publications list contains an updated list of distributors worldwide.

Depository Library Program

The GATT supported a wide network of depository libraries that were automatically sent a range of sales publications. According to the latest official list there were more than three hundred GATT depository libraries worldwide in May 1994 [*GATT Depository Libraries*, INT(94)16]. All depository libraries were entitled to receive free of charge a range of monographs and legal texts as well as all publications in the following series:

- *Basic Instruments and Selected Documents*
- *International Trade*
- *Activities of GATT*
- *GATT Studies in International Trade*
- *Trade Policy Review*

The latest official list of titles deposited can be found in *GATT Depository Libraries, List of the Publications Deposited in Each Library*, INT(94)15 May 1994.

The WTO continues to supply a broad range of its monographic publications—as well as titles in the current incarnation of the GATT series listed above—former GATT depositories.

Restriction of Document Distribution

The vast majority of WTO documentation (as was GATT documentation) is produced specifically for the use of member governments to inform them during negotiations. There is an increasing awareness within both the WTO membership and Secretariat that the citizenry of member and nonmember countries is interested in access to this information. Under the GATT, almost all documentation was automatically designated “restricted.” Derestriction of this material was

a cumbersome process requiring the approval of GATT contracting parties. The Secretariat could propose documents for derestriction, but contracting parties retained the final right to approve derestriction. As a result, as of May 2000, roughly 40 percent of GATT documentation remains restricted and inaccessible to public scrutiny, as does nearly all the documentation of the Tokyo and Uruguay Rounds.

On July 18, 1996, the WTO's General Council agreed to make more information about WTO activities available directly to the public, and decided that public information, including derestricted internal documentation, would be made available freely over the internet. This decision was codified in *Procedures for the Circulation and Derestriction of WTO Documents* (WT/L/160/Rev.1) issued 26 July 1996. According to the new procedures, "documents circulated after the date of entry into force of the Marrakesh Agreement Establishing the World Trade Organization shall be circulated as unrestricted with the exception of documents specified in the attached Appendix . . ." (WT/L/160/Rev.1/ page 1). In fact, the list of exceptions was extensive. However, under the new guidelines, any member can propose documents for derestriction. A semiannual list is distributed and failing objection by any member any document proposed for derestriction is automatically made public. Documents remaining restricted due to a member's objection are automatically resubmitted for derestriction after one year has elapsed. The streamlining of document derestriction practices in the organization and the design of a freely accessible online documentation system for WTO documents, the Documents Dissemination Facility (DDF), have greatly enhanced access to information on the WTO's internal policy-making environment.

Documentation Distribution (Print)

Print documentation of the GATT and WTO has been strictly limited to internal use, including Secretariat staff, GATT contracting parties, and WTO members. Some documentation is not made available to Secretariat staff.

Documentation Distribution (Microform)

In the 1970s the GATT established a microfiche publication service. The Microfiche Service produced two standing order plans: a *Microfiche Collection for Governments* and a *Microfiche Collection for Libraries*. Both plans involved the distribution of an annual set of microfiche. The collection for governments was available only to GATT contracting parties and WTO members and included all documents, both restricted and derestricted, issued since 1948. The collection for libraries was made available generally to libraries and excluded all restricted documentation. The WTO eliminated its microfiche services after the 1997 sets were published and distributed.

Documentation Distribution (Internet)

Since 1996 all WTO documents with certain exceptions are published on the WTO web server. Documents excluded at present include the following series: Administrative Memo; G/TMB/Spec; G/TMB/W/; IDA/W/; IMA/; IMA/INV/; IMA/SPEC/; IMA/W/; INT(); Office Circular; OFFICE (except external vacancy announcements); and Vacancy Notice (internal). The public has access to all derestricted documents through the DDF available directly on the public WTO website (<www.wto.org/english/docs_e/ddf_e/ddf_e.htm>). The web service allows searching by document symbol number, title words, and full-text. Documents are stored in word-processed format. Over two hundred thousand documents in the three official languages of the WTO (English, French, and Spanish) were available in early 2000.

Future of the WTO as an Information Provider

Dramatic technological change continues to dominate the global information and publishing environments. It is therefore very difficult to make informed predictions regarding any organization's information practices in the near or long term. However, it does appear that the following three current trends are driven by internal and external factors and conditions that are likely to persist for the next several years:

- increased reliance on and vitality of the WTO website;
- copublishing with the commercial sector; and
- pressure to derestrict more quickly a broader range of internal and administrative documentation.

WTO Website

The WTO website has grown at a phenomenal rate. At present it provides one of the richest sources of freely available information maintained within the community of international governmental organizations. A large amount of public information pertaining to the history, functions, and structure of the organization is available. In addition to press releases, vacancy announcements and other "current awareness" material, the site is being used to distribute panel reports, all derestricted internal documents and selected statistics. The WTO is even considering the possibility for using the website to facilitate communication with individuals and nongovernmental bodies interested in international trade and related issues. International public interest in the activities of the WTO has grown quickly since the founding of the organization, and it is likely that this avenue of access to information about itself will be its most effective means of responding to the international community's need for information.

Copublishing

The WTO has established an apparently broad working relationship with the commercial publisher Bernan Press in the area of sales publications. This relationship includes several major print and electronic publications, constituting a wide range of core organizational information products. The extensive nature of the relationship suggests that the partnership is likely to be a long-term one. However, this could change. Other international governmental organizations are finding “external printing” less cost-effective as a result of technological changes within their organizations (see the recent provisional report by the Secretary-General to the Advisory Committee on Administrative and Budgetary Questions, “Internal and External Printing Practices at the Organization: Note by the Secretary-General,” UN Document A/C.5/54/18, 15 October 1999).

Derestriction

As noted earlier, the WTO has made tremendous strides in providing public access to information about the organization’s policy-making process. This is evidenced both by the WTO’s commitment to a streamlined process for derestriction of its documentation and by its continued commitment to free public distribution of documentation over the internet. Given the heightened interest of citizens throughout the world in the activities of the WTO, as evidenced most dramatically at the Seattle Ministerial in late 1999, it is unlikely that these access-friendly policies will be overturned. Unfortunately, legal responsibility for derestricting GATT documentation remains ambiguous. And it is not clear when, if ever, the public will gain access to a large amount of historic restricted GATT policy documentation, the original grounds for whose classification as restricted or confidential have long since disappeared.