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**EVALUATION OF UNCTAD'S TRADE-RELATED TECHNICAL ASSISTANCE
AND CAPACITY BUILDING ON ACCESSION TO THE WTO**

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Executive summary

UNCTAD's technical assistance and capacity building activities are considered to be very relevant, focused and timely, pro-development and responsive to the changing needs of the beneficiary countries. Accession to the WTO is a very complex and complicated process. Recipient countries have indicated they rely heavily on UNCTAD to provide objective, evidence-based and development-focused support. Evidently UNCTAD has an important advantage compared to other international organizations/agencies and bilateral technical assistance providers. UNCTAD is strategically well placed to address this issue as the only United Nations organization with a mandate specifically related to trade and development. UNCTAD's continued active engagement in broad-based technical assistance and capacity building activities are fully supported by beneficiary countries. International agencies/donor countries should work more closely in partnership with UNCTAD to ensure the technical assistance and capacity building programmes on accession are strategically and systematically integrated. There is, however, a potential for improving the delivery of assistance in enhanced coordination with other agencies and organizations. The accession programme should include an outreach component addressed to the private sector, parliamentarians, academia and civil society to enhance national commitment, awareness and ownership. Experiences from various countries seem to suggest that the impact and effectiveness of the programme may be further improved by establishing efficient inter-agency coordination structures in the beneficiary countries. Many interlocutors emphasized that more competence and capacity building is needed for the post-accession phase. The mandate of the São Paulo Consensus (paragraph 98) provides the legitimate basis to fulfil this need. The number of UNCTAD staff involved in the programme is very small, and they are overstretched. Combined with permanent resource constraints, this makes the programme vulnerable. Predictable financing and availability of more staff in house are necessary ingredients to ensure the future of this programme.

* This document was submitted on the above-mentioned date as a result of processing delays.

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INTRODUCTION

1. At the Working Party's forty-third session in 2004, members agreed to an in-depth evaluation of UNCTAD's technical cooperation programme on accession to the World Trade Organization for discussion at the forty-seventh session in September 2006 dealing with technical cooperation activities. The evaluation was carried out from February to June 2006. It focused on technical cooperation projects for WTO accession implemented by UNCTAD.

2. UNCTAD has multidisciplinary expertise in the area of trade negotiations, with extensive experience in providing technical assistance to developing countries, including LDCs and economies in transition. At UNCTAD IX (held in Midrand, South Africa, in May 1996), UNCTAD was given a mandate to facilitate the integration of developing countries, particularly LDCs, into the international trading system, including provision of assistance to countries in the process of accession to the WTO. At UNCTAD X (Bangkok, 2000), UNCTAD's intergovernmental mandate on WTO accession was reconfirmed and expanded. Paragraph 98 of the São Paulo Consensus (UNCTAD XI) provides that: "UNCTAD should provide enhanced technical support and cooperation to all developing countries, particularly LDCs, and to countries with economies in transition prior to, during, and in the follow-up to their WTO accession process".

METHODOLOGY

3. The evaluation team comprised three members – an external consultant and two representatives from Geneva-based Missions who are familiar with UNCTAD's intergovernmental mandates and programmes. The team worked under the methodological guidance of the Evaluation and Planning Unit. The evaluation included field visits to Cambodia, China, Sudan, Yemen and the Russian Federation. Interviews were also conducted in Geneva with both beneficiary and donor countries, and a questionnaire survey was made of participants in UNCTAD activities related to accession to WTO. The evaluation also took account of papers and documents prepared by the Trade Negotiations and Commercial Diplomacy Branch (TNCDB), part of the Division on International Trade in Goods and Services and Commodities of UNCTAD. These documents included project documents and reports, material used for activities, resource-use information, a list of beneficiaries, counterparts and resource persons, and feedback documents (assessments, letters).

BACKGROUND

4. Accession to the WTO is important in the trade and development strategies of developing countries and countries with economies in transition, especially in facilitating their integration into the international trading system. At the same time, the accession process is complex and challenging, particularly given the inadequacy of resources, expertise, institutions and regulatory frameworks on trade and WTO-related issues in most acceding countries. Promoting accession to the WTO on balanced terms consistent with their level of development and their ability to implement obligations associated with WTO membership is a core policy objective of acceding countries.

5. Capacities to understand and respond to the implications of WTO accession and to negotiate on the basis of national interests and priorities are mostly inadequate in most acceding countries. Capacity building support to acceding countries is thus a critical element in efforts to manage their accession process.

6. Acceding developing and LDC countries in particular require technical assistance and facilities for capacity building in both the pre- and post-accession phases. They attach great importance to systematic, cumulative and sustainable capacity building. Awareness activities (seminars, workshops) involving parliamentarians, the business sector and civil society

representatives are essential, in particular, in the early stages of the process. These activities are important to inform government officials and civil society about the WTO before a formal decision to join the WTO or not is taken. Further technical assistance is also required to establish permanent structures such as an inter-ministerial group to pilot WTO matters before, during and after accession, enquiry points on sanitary/phytosanitary and technical barriers to trade, training of officials and review and preparation of legislation, as well as other necessary domestic legislative and administrative mechanisms for countries to implement their obligations, exercise their rights and strategically position themselves to take advantage of the benefits of the multilateral trading system.

7. For LDCs, assistance for capacity building needs to go deeper and address the major supply constraints which deny them the capacity to produce for local and export markets. Though assistance to provide them with market access is important, such assistance may not be critical if the capacity to produce in the first place is lacking.

OVERVIEW OF UNCTAD'S TECHNICAL ASSISTANCE/CAPACITY BUILDING PROGRAMME

8. Work on accession is funded by extrabudgetary resources supported by regular budget resources mainly in the form of staff resources. Three project officers are funded by extrabudgetary resources. Project officers are responsible for the implementation and backstopping of activities related to the projects on accession.

9. WTO-accession technical assistance and capacity building activities of UNCTAD are funded from three sources: (i) trust funds (i.e. extrabudgetary resources) financed by voluntary contributions of member States and multilateral organizations and institutions; (ii) resources provided by the United Nations regular budget, and (iii) resources from UNDP. Among the developed countries, the main donors to UNCTAD technical cooperation related to accession to WTO are Norway, the United Kingdom and Germany. Total expenditures from all sources in the period 1993-2006 amounted to \$9.03 million (see table 1).

Table. UNCTAD's total expenditures on WTO-accession technical assistance, and sources of funds (1993-2006)

	UNDP	Trust funds	Regular budget and development account	TOTAL
Millions of US dollars	5.220	2.912	0.9	9.03
Percentage	57.8	32.2	9.9	100

Note: A list of UNCTAD's projects and sources of funding is set out in the annex.

10. The work on accession of developing countries and economies in transition to WTO is implemented by UNCTAD's TNCDB. This work contributes to maximizing the trade and development prospects of developing countries and economies in transition, assisting them in their beneficial integration into the globalizing and liberalizing world economy and the international trading system, and effectively implementing the Millennium Declaration commitment "to an open, equitable, rules-based, predictable, and non-discriminatory multilateral trading and financial system". The work of the TNCDB aims to strengthen human, institutional and policy-making capacities by formulating and implementing national trade policy frameworks conducive to economic, human and social development and poverty alleviation, as well as effective participation in multilateral, regional and subregional trade negotiations.

11. UNCTAD provides comprehensive capacity building support to all acceding countries. UNCTAD's support is demand-driven, development-oriented, and tailored to the particular needs and

specificities of the acceding country concerned. It is directed at helping countries with the WTO accession process, as well as building in-depth capacities and institutions in the area of trade policy formulation, implementation, adjustment that can sustain active engagement in international trade, and trade negotiations anchored in their development strategies. Such assistance also encompasses capacities for responding to post-accession needs that arise with WTO membership.

12. UNCTAD technical assistance is delivered through: training of negotiators both in Geneva and in their home countries; attachment of individual trade policymakers to UNCTAD staff for a limited time period for exposure to the working environment in international organizations, as well as to meetings related to their work; and technical and advisory missions on both substance and the process of accession. It includes providing trade policy advice to assist the acceding countries in moving towards a market-oriented regime consistent with the provisions of the WTO Agreements, while taking on board their development aspirations. Workshops are organized in order to sensitize the negotiating team and other government agencies. This component also aims at sensitizing the private sector and academia, as well as key policymakers, including parliamentarians, on the WTO Agreements and the accession process. Obligations and benefits of WTO membership are highlighted. Participants are also trained in the preparation of the Memorandum on the Foreign Trade Regime and other accession-related documents. Assistance is given with regard to the preparation of written responses to questions posed by members. Simulation exercises are also conducted to prepare the negotiating team for meetings of their Working Party and with their trading partners.

13. In implementing these initiatives, UNCTAD maintains close contacts and develops further cooperation with the WTO secretariat. Several joint advisory missions have also been undertaken with the WTO's Technical Assistance programme. In this regard, the note by the WTO secretariat on the WTO accession process¹ states:

“Cooperation with UNCTAD has been particularly close. UNCTAD has extensive experience in providing technical assistance and has executed a number of national projects generally funded by UNDP...”

Also, cooperation has been developing with the five other agencies participating in the Integrated Framework for LDCs, including technical assistance relating to accession.

14. UNCTAD has provided and continues to provide technical assistance to the following countries: Afghanistan, Azerbaijan, Algeria, Bosnia and Herzegovina, Belarus, Bhutan, Cambodia, Cape Verde, China, Ethiopia, Jordan, Iraq, Islamic Republic of Iran, Kazakhstan, Lao People's Democratic Republic, Lebanon, Montenegro, Nepal, Timor-Leste, Russian Federation, Sao Tome and Principe, Samoa, Serbia, Sudan, Syrian Arab Republic, Viet Nam and Yemen. Over the last five years, the activities have been largely financed through the Trust Fund, and accession-related activities have become intensive. The scope and depth of technical assistance activities have deepened to meet the requests of the recipient countries. In the case of one acceded country, technical assistance has been sought during the post-accession phase.

15. 120 technical and advisory missions were sent to Afghanistan, Azerbaijan, Belarus, Bhutan, Cambodia, China, Jordan, Kazakhstan, Lao People's Democratic Republic, Nepal, Russian Federation, Serbia, Sudan, Viet Nam and Yemen in preparation for their working party meetings on accession. These missions also assisted the negotiating teams in reviewing their draft written responses to questions from members of the working party on examination of the foreign trade regime, advised researchers on the sectoral studies being undertaken, provided trade policy advice, trained and prepared the members of the negotiating team on both substance and procedures,

¹ WTO, WT/ACC/10/Rev.3, 28 November 2005.

including on negotiating strategies and tactics, and carried out simulation exercises for the meeting of the working party on accession.

16. About 80 seminars and workshops on specific issues in the WTO accessions have been held, both in the beneficiary countries and in Geneva. Approximately 7,000 officials, including key policymakers and trade negotiators, parliamentarians, business representatives and academicians, took part in these events. Among them, more than 250 officials from WTO acceding countries have been trained by UNCTAD on specific issues in the WTO accession negotiations (tariffs, services, agriculture, TRIPS, antidumping, subsidies, safeguards, dispute settlement, trade remedies).

17. Research and analytical work is an integral part of the technical assistance provided by UNCTAD. A sizeable number of national studies on various subjects have been commissioned, in some cases using national consultants, in line with the twin objectives of building capacity within the country and also enabling the beneficiary country to maximize the benefits of WTO membership. UNCTAD has a clear advantage in organizing and supervising this type of research activity, as it has its own analytical bases that are useful for researchers in these projects. This is crucial for building valuable trade policy capacity in acceding countries and increasing the opportunities for economic development and poverty reduction and thereby contributing to the achievement of the Millennium Development Goals (MDGs).

18. UNCTAD is the only organization within the UN family with a special mandate to focus on the importance of trade and development. The development aspect and the endeavours to achieve the MDGs are, therefore, given appropriate priority in this special technical assistance context. Ever since its establishment, the organization has broadened its institutional memory in this field. UNCTAD's research and analysis work gives the organization a special competence, which is being translated into practical technical assistance for the beneficiary countries.

19. Technical assistance on accession is also provided by a few other international organisations (WTO, World Bank etc.) and bilateral donors (GTZ, EC, USAID, etc.), each of them working mostly on an independent basis. According to some of the interviewees, coordination between these organizations/donors occurs only on an ad hoc and personal basis, leading to overlapping of programmes and lack of coherence, and sometimes the advice given is contradictory and confusing. International agencies and bilateral donors interviewed (World Bank, AITIC,² WTO) have indicated that there is cooperation/collaboration with UNCTAD on a selective and ad hoc basis. Participation in the activities (seminars/workshops) is mainly in the form of sharing of resource persons. There have been no deliberate efforts to meet formally on a regular basis to jointly develop technical assistance programmes, including course content. Some of the beneficiary countries indicated that generally, assistance provided by international agencies/donors is supply-driven with minimal inputs from the government sector. In many cases, they are not tailored to requirements of countries and have resulted in duplication of activities. Scheduling of activities could be strengthened to avoid overlapping and ensure coherence. Some countries have found it difficult to cope with the large number of diverse programmes. They do not have the capacity to coordinate, rationalize and absorb the technical assistance provided. Communication channels should be developed and greater coordination ensured.

RELEVANCE

20. Relevance refers to the appropriateness of a technical assistance and capacity building programme for the beneficiaries. Trade negotiations, in particular accession negotiations, go beyond the expertise provided by typical WTO technical assistance programmes, which are focused and limited specifically to explaining the legal implication of WTO Agreements, compliance and

² Agency for International Trade Information and Cooperation.

implementation of related regulatory measures. UNCTAD's accession project design responds to the overall needs of acceding countries by focusing on building capacities for policy making and trade negotiations to ensure informed policy decisions in the accession process, based on national policy objectives. In this context, project design is demand-driven, tailored to and focused on the requirements and needs of acceding countries, and ensures full national ownership of the course of the accession process by beneficiary countries. Priorities are established at national level on the basis of consultations with national Governments and many stakeholders and a needs assessment exercise. The programmes, content and coverage of advisory missions and the workshops and training seminars are jointly designed and formulated with the acceding country. The programme also includes a mechanism for holding regional meetings on accession, such as the meetings that have been held for acceding countries among the Arab States and LDCs. The objective is to facilitate a sharing of experience among acceding countries and those that have acceded recently. Based on interviews, it was evident that the project design properly reflected the needs of beneficiaries and UNCTAD has the most relevant expertise to offer the services covered by the project.

21. UNCTAD's assistance on WTO accession is unique and innovative in several respects. It has a well-defined methodological approach that strengthens the impact and results attained in beneficiary countries. Further, its programme is able to link historical and current developments to actual requirements and needs and covers the whole process of accession from the earliest and most preliminary steps through the preparation of documentation, training of negotiators and provision of on-the-spot advice during working parties to the final accession stage. It is a complex programme operating in countries with different levels of development (LDCs, developing countries, countries with economies in transition) and capacities to deal with the international trading system and WTO accession. It addresses country-specific issues relating to accession and trade policy challenges.

22. In interviews in both Geneva and the five capitals, several aspects of the delivery of UNCTAD's technical assistance programmes were particularly highlighted. They included the following:

- (a) UNCTAD brought to bear its long-standing experience and expertise in trade and development, and the richness of its unique strengths was manifested in its integrated three-pillar modes of research and analysis, intergovernmental consensus building, and technical cooperation. UNCTAD is the focal point of the UN system on international trade and development, and in this role it has developed a multi-disciplinary approach to multilateral trading system issues and trade negotiations. This in-house expertise is brought to bear in the accession projects;
- (b) It brought accumulated knowledge on best practices in trade policies and regulations from a range of countries, both large and small (China, Russian Federation, Nepal, Cambodia), developing countries and countries with economies in transition, and diversified economic and trade profiles (e.g. commodity-dependent countries, major energy-producing countries);
- (c) It supported the building of supply capacity in goods and services. In this context, presentations also included elaboration of policies and strategies that need to be evolved to enhance productive capacity and competitiveness of sectors. Often sectoral studies have constituted an important component of the technical assistance on accession. These sectoral studies (for example, on agriculture) have been undertaken by UNCTAD using international consultants and national experts wherever appropriate;
- (d) It combined practical, on-the-ground technical assistance and training with analytical support and policy advice. Analyses include sectoral case studies (e.g. on agriculture,

services), impact assessment of WTO agreements and accession, use of analytical tools for trade negotiations, and sharing of experiences;

- (e) It engaged internationally renowned experts that brought state-of-the-art knowledge and experience from a development perspective. UNCTAD has a lot of in-house expertise and this has been used extensively in the technical assistance programmes. But it must be recognized that UNCTAD lacks capacity/expertise in terms of building capabilities in specialized areas such as SPS,³ customs legislation and regulations, IPR,⁴ TBT⁵ enquiry points, etc. In these circumstances, there is a need for UNCTAD to continue using the services of other organizations/experts to complement its efforts;
- (f) It provided training on the techniques of accession negotiations, with simulation exercises;
- (g) It built a multi-stakeholder, inter-institutional approach that allows consultations and cooperation between all relevant ministries and civil society, including parliamentarians and the private sector, on the accession process to facilitate national ownership;
- (h) It developed synergies with other UNCTAD trade-related technical assistance projects, for example on services capacity building, dispute settlement and trade negotiations. Within the branch concerned, there are staff who are considered specialists/experts in specific areas. They also participate on accession-related technical assistance programmes as experts on services, agriculture and trade negotiations;
- (i) It contributed to a development focus in accession and helped ensure that terms of accession reflect the level of development of the countries concerned, that the required special and differential treatment is secured, and that economies can sustain and adjust to these obligations and commitments, especially WTO-plus disciplines;
- (j) It worked in close cooperation with WTO and other relevant agencies such as the World Bank, FAO, ESCAP, ITC and UNDP.

23. All recipients interviewed intimated that UNCTAD's technical assistance and capacity building activities were highly relevant. They acknowledged that the programmes were flexible and responsive to changing needs (demand-driven). This was particularly so in countries with effective inter-agency committees which were able to develop plans for training needs. But it was also observed that in one or two cases there was an absence/lack of effective needs assessment, and this had to some extent hampered the relevance and effective delivery of the technical assistance and capacity building activities.

24. The recipients also gave high ratings to the content, approach and frequency of technical assistance and capacity building activities. It was stated that the training courses provided had elements of a graduated approach starting with basic information and moving into more advanced knowledge through a series of follow-up sessions in the form of additional workshops, as well as advisory services at both the national and the individual level. Specifically, recipients highly commended the multi-dimensional approach adopted by UNCTAD to provide a sufficient development dimension to its presentations. The content of courses was balanced and reflected a mix of theoretical, juridical and factual components complemented with more applied, analytical and

³ Sanitary and phytosanitary (Uruguay Round Agreement on the Application of Sanitary and Phytosanitary Measures)

⁴ Investment policy review.

⁵ Technical barriers to trade (Uruguay Round Agreement on Technical Barriers to Trade).

regionally specific content. Many recipients were highly appreciative of the timeliness of the assistance provided, which was often linked with their accession working party meetings.

25. Overall, UNCTAD technical assistance and capacity building training programmes are considered relevant and are valued accordingly. UNCTAD is already providing training programmes which include case studies, simulations to enhance learning, and practical exercises on concrete examples of the implications (legal, institutional) of implementing WTO agreements. Perhaps this is an area where training could be further enhanced through the inclusion of more regional resource persons to facilitate a broadening and deepening of course content. It has been suggested that UNCTAD should also organize regional and subregional activities such as seminars/workshops to enable countries to share their experiences as well as to promote networking. Additionally, a dedicated website that includes data, issues and policy options related to the accession process merits consideration.

26. There is cooperation/collaboration between technical assistance providers and other operational divisions to pool their resources and expertise. It would seem that this interaction currently takes place on an informal and ad hoc basis. The level of cooperation could be further enhanced on a more definitive basis to facilitate the provision of a package of integrated assistance on trade and development. This is because there is a significant amount of empirical data, research, analysis and in-house knowledge on investment, enterprise development, technology, finance and globalization-related issues. This will help UNCTAD's technical assistance and capacity building activities to build analytical capacity to identify national trade and development interests and priorities of acceding countries. In this way UNCTAD's technical assistance and capacity building activities can be more responsive to the needs of acceding countries, particularly enabling them to take advantage of the multilateral trading system, as well as to help shape international trading rules and benefit from trading opportunities.

IMPACT

27. UNCTAD's projects have facilitated the effective participation of countries in the accession process and related policy formation and creation of trade infrastructure. They have also helped contribute to increased awareness about the WTO, the impact of WTO Agreements on national economy, and the interface of multilateralism with regional integration efforts. UNCTAD's timely and quality responsiveness to the needs of acceding countries is particularly noteworthy. UNCTAD's work encompassing its three pillars of support (consensus building, research and analysis, technical assistance) is also integrated into its accession work, which strengthens the quality of the impact of the assistance provided in countries. Country ownership is a strong element.

28. It is noted that the close symbiosis among the three pillars of UNCTAD's work is manifested in the work on WTO accession. Research and analysis on the international trading system and specific areas of WTO negotiations like NAMA,⁶ agriculture and services, training materials for commercial diplomacy (SPS, anti-dumping), and documents for intergovernmental meetings like the Trade Commission, for example the report on services and development, have been used by UNCTAD experts in the seminars and training activities related to accession. This ensures evidence-based policy advice and effective training and awareness building. Moreover, the discussions and policy outcomes of the Trade Commission, expert meetings (e.g. services sectors and modes, non-tariff barriers) and the Board (item on review of developments and issues in the post-Doha work programme of particular concern to developing countries) are also fed into accession advice, training and broader capacity building.

⁶ Non-agricultural market access.

29. The multi-disciplinary approach is particularly notable in the coverage of trade, economic, social and broad development impacts, as well as regulatory and institutional issues. For example, the socio-economic implications of services commitments in terms of infrastructure and universal access are examined in detail, along with the need for regulatory reform and building of institutional frameworks. This includes issues like broad economic reform, privatization, pricing policies and licensing criteria, as well as specific sectoral issues like energy. This approach helps with taking informed decisions on the appropriate content, pacing and sequencing of reform and liberalization in the WTO accession context, as well as in national development plans and strategies.

30. There is also comprehensive coverage of the different disciplines of the WTO, spanning agriculture, tariffs, services, TRIPS, special and differential treatment, government procurement, etc.

31. Many countries in the process of accession are also members of regional and bilateral trade agreements or are in the process of negotiating such agreements. There is a close interaction between these different levels of agreements/negotiations that countries need to consider carefully in taking up specific commitments and concessions, because the level of obligations in one will affect the level of obligations in the other. In addition, the trade negotiating teams of acceding countries are small and have to deal with all trade negotiations, which means that they have to establish synergies between agreements to maximize their negotiating capacity in the most productive manner for the country. Hence, UNCTAD's assistance is designed to promote positive synergies, and it covers the interface and relationship between multilateral, regional and bilateral trade agreements.

32. Feedback on the activities implemented indicates that they have had a timely, deep and lasting impact both on human capacity development and institutional frameworks. The high impact is also an outcome of the very close and sustained working relations maintained between the beneficiary countries and the core staff in TNCDB of UNCTAD's International Trade Division. In interviews in the field and in survey responses, beneficiary countries indicated that the impact of UNCTAD's technical assistance programmes was particularly high in the following areas:

- (a) Timely preparation of the Memorandum on the Foreign Trade Regime, responses to questions on the trade regime by WTO members, and other required documentation, in a manner reflecting countries' national interests;
- (b) Formation of an inter-institutional consultative mechanism/national negotiating team that manages the whole accession process and facilitates consensus building among diverse stakeholders in order to set national negotiating priorities;
- (c) Strengthened knowledge and skills of national negotiating teams in respect of multilateral trade negotiation techniques, strategies and tactics through advisory services, national workshops and hands-on training in Geneva, which provides them with skills to develop, debate and articulate their negotiating position and priorities;
- (d) Strengthened preparedness and participation of national negotiating teams in working party meetings through provision of targeted advice on pertinent issues and negotiating strategies prior to working party meetings;
- (e) Enhanced access to a wide range of research and information on WTO and trade issues from UNCTAD and other institutions;
- (f) Creation of a cadre of trade negotiators and institutions capable of handling WTO issues that has endured over time;
- (g) Elaboration of optimal approaches in the different phases of the accession process;

- (h) Preparation of an inventory of relevant problems to be solved both internally and with other WTO members;
- (i) Preparation of a legislative action plan in all areas covered by the WTO Agreements, and enhancement of regulatory compliance;
- (j) Assistance in the development of appropriate trade policies and promotion of market-oriented trade regimes, while preserving developmental goals;
- (k) Ensuring evidence-based negotiating positions by undertaking analytical studies and impact assessments on agriculture, goods, services, TRIPS,⁷ etc. This includes simulations of tariff reduction commitments using models and databases such as ATPSM⁸ and TRAINS;⁹
- (l) Elaboration of policies and strategies to build competitive supply capacity to take advantage of new trade opportunities resulting from WTO accession;
- (m) Timely preparation of market access offers on goods and services;
- (n) Taking advantage of special and differential treatment provisions and the General Council decision of December 2002 on guidelines for LDCs' accession;
- (o) Increased national awareness plans and the importance of mainstreaming trade into the national development strategies;
- (p) Increased awareness and sensitization of stakeholders (parliamentarians, the private sector, including chambers of commerce, trade unions, women's groups, civil society, etc) about the WTO accession process and its impact;
- (q) Promoting positive coherence and synergy between WTO membership commitments and regional and bilateral agreements.

SUSTAINABILITY

33. The concept of sustainability refers to the ability and capacity of beneficiary countries to implement the outcome of an activity once the core support is stopped.

34. The design and orientation of UNCTAD's programmes are based on the principle of building sustained capacities in acceding countries in all phases of accession – before, during and after. The institutions developed, the core cadre of trade negotiators created, the nation-wide awareness built, and the local research capacity supported all interact to ensure maximum sustainability of the impact of projects, taking into account the limitation of the resources of each beneficiary country, as well as the resources of UNCTAD to follow up.

35. Sustaining the capacities built in countries also depends on a commitment to utilize trade as an engine of growth and development, and to provide resources such as budgetary allocations to

⁷ Trade-Related Aspects of Intellectual Property Rights.

⁸ Agriculture Trade Policy Simulation Model.

⁹ Trade Analysis and Information System.

mainstream trade in national development agendas. This commitment is often affected by the production and trade profile of individual beneficiary countries.

36. Experience in some of the beneficiary countries proves that at least some participants in the programme tend to remain in the field of trade negotiations and that their enhanced competence and capabilities are being used by their country and Government over a long period of time. It is difficult to assess on a general basis to what extent this enhanced competence is being transferred to other colleagues and newcomers in their own structures, ministries, departments or division.

37. To reinforce sustainability, UNCTAD has wherever possible used local nationals and institutions to undertake impact analysis. This has in some cases led to the strengthening of local analytical capacity.

EFFECTIVENESS

38. The basic question on effectiveness is whether the objectives set for projects have been met. Projects are normally prepared in consultation with beneficiary countries, and project objectives are closely related to the needs/expectations of beneficiary countries and UNCTAD's capacity to deliver. The objectives are therefore considered realistic and implementable.

39. Based on interviews and a survey, beneficiaries' expectations from UNCTAD's activities have been met effectively. The following elements were highlighted by our interlocutors:

- Technical assistance and capacity building activities were tailored to the needs and conditions of beneficiary countries;
- A comprehensive approach was taken to accession negotiations and trade and development policies. Presentations not only created a better understanding of issues and implications but also examined various policy options open to acceding countries in relation to their special trade and development needs;
- The knowledge of trained officials in respect of complex issues of accession has been improved substantially, and officials have used knowledge gained in preparations and negotiations;
- Beneficiary countries' capacities and capabilities to manage the accession process have been strengthened; in certain countries, a core group of officials has been created to carry forward the accession process;
- High-quality training material, research and information have been used and have widened the policy options available on accession and trade issues;
- There has been effective sensitization of trade negotiation teams on WTO and trade policy issues;
- Multi-disciplinary support by UNCTAD is effective in building trade policy-making capacity;
- Assistance has been highly flexible and in line with the requirements of each accession stage;

- Ownership building is quite evident in beneficiary countries. In some countries, inter-agency committees have been established to identify and oversee the effective delivery of technical assistance and capacity building needs and priorities in order to ensure that the programmes implemented are consistent with national needs and meet the requirements of sustainability.

EFFICIENCY

40. Efficiency also depends to a large extent on the absorptive capacity of beneficiary countries, particularly in the Ministry of Trade, to backstop the lengthy and complex accession negotiations. Backstopping is also affected by the country's prioritization of WTO accession and trade at the highest level of government.

41. Comments on the professional quality of the UNCTAD officers in charge of the programme are highly positive. The focus on the purpose and aims of the assistance is an indication of the efficiency of the assistance. Given the multidisciplinary nature of accession assistance, UNCTAD teams providing in-country assistance should not be limited in terms of the number of experts travelling to deliver the assistance. Rather they should reflect the needs of the particular activity.

42. Several of the recipient countries indicated that they had had easy accessibility to UNCTAD officers based in Geneva before and after the technical assistance and capacity building activity. Informal contacts are encouraged, and little time is wasted in getting in touch with the right person.

43. UNCTAD's programme has to be flexible enough in its delivery mechanism to adapt to changing political or policy situations in beneficiary countries. However, it has been indicated that UN rules and procedures have to some extent affected the timely delivery of technical assistance and capacity building activities. It has been stated, in some cases, that these rules are rigid.

44. UNCTAD has a channel for informing donors about the activities undertaken and progress achieved, including six-monthly reports to donors and beneficiaries and regular meetings with donors and focal points in beneficiary countries, which allow continuous monitoring of programme performance. Regular progress reports are also provided to intergovernmental bodies like the Trade Commission, the Working Party on the Medium-term Plan and the Programme Budget, and the Board.

45. Beneficiary countries should systematically and regularly provide feedback on the quality and content of technical assistance and capacity building programmes with a view to further enhancing the effectiveness and sustainability of the programmes.

46. On cost efficiency, UNCTAD activities on accession appear to be highly cost-efficient compared to other international organizations. Some of the beneficiary countries indicated that technical assistance programmes provided by other international agencies/donor countries often use external consultants to provide the training. The fees charged by them are very exorbitant. In comparison, UNCTAD has been able to provide technical assistance at a lesser cost because of the use of its internal resources, including professional staff and in-house research and analysis and data.

47. The efficiency of accession assistance could be improved with enhanced cooperation between UNCTAD and other international/regional agencies and donors. Cooperation/collaboration is necessary to ensure that technical assistance programmes are more strategically integrated into

UNCTAD's programmes. Such collaboration could be formalized and effected on a regular basis, with a clearly defined division of labour and pooling of resources, both human and financial, wherever feasible. To facilitate UNCTAD's efforts in this area, there is a strong need for sustained funding of UNCTAD projects, as well as for increased resources in UNCTAD for trade negotiations and commercial policy to maintain accession as a core activity including supporting post-accession follow up.

GENDER

48. Discussions with UNCTAD staff members and the beneficiary countries reveal that the gender perspective has been adequately factored into technical assistance and capacity building programmes under accession. The participation of women trade negotiators, policymakers and civil society representatives in training workshops has been emphasized in all advisory and technical missions undertaken by UNCTAD staff members to beneficiary countries. Most workshops and training activities had women participants (about 35 per cent of participants). One example is the Workshop for Least Developed Countries Acceding to the WTO (Sana'a, 4-6 April 2005), where UNCTAD specifically provided financing for the participation of women's groups from the participating countries. A considerable number of women representatives from both the government and private sectors, including the national negotiating team, have thus received training, their participation being relevant to the WTO accession process and the fulfilment of the MDGs.

49. UNCTAD's technical and advisory missions to many beneficiary countries have also met specifically with women's groups and elaborated on the WTO accession process, including the implications, rights and obligations of being a member of the WTO. On some occasions, visits to small and medium-size enterprises such as textile and garment factories, which largely employ women from the surrounding areas, have also been a part of the mission to underscore the importance of taking on board the implications of WTO accession for the livelihood of women, who in many countries are the breadwinners of their families.

50. Gender equality is also a crucial element in the selection of national consultants who undertake sectoral studies under the supervision of UNCTAD, without compromising on the qualifications, work experience and temperament required of candidates to undertake the said studies. Several women consultants are currently undertaking sectoral studies.

51. Plans are also afoot to undertake a beneficiary-wide study to address the implications of trade policy reform in the accession process with emphasis on the gender dimension.

CONCLUSION

52. The overall conclusion is that UNCTAD's technical assistance and capacity building activities are considered very relevant, focused, timely, pro-development and highly responsive to changing needs and priorities of beneficiary countries. Ownership of the process has also been taken into account in the delivery process.

53. The organisation is considered to observe strict neutrality in the assistance project. Discussions with recipient countries clearly indicate that acceding countries rely on and trust UNCTAD in providing objective, evidence-based and development-focused support. Thus UNCTAD is perceived to have an important advantage compared to other bilateral technical assistance providers, multilateral organizations or agencies.

54. UNCTAD has a crucial role to assume given its primary role of promoting trade and development. It is imperative that UNCTAD continue to aim to be the key provider of a holistic and comprehensive package of technical assistance and capacity building activities to deal with development challenges effectively, especially for LDCs and vulnerable, poor developing countries. UNCTAD's research and analysis work gives the organization a special competence that is being translated into practical technical assistance for beneficiary countries.

55. UNCTAD is therefore strategically positioned to empower acceding countries to better define their trade objectives and integrate them effectively into their development plans, advance their interests in international trade negotiations, monitoring and enforcement, shape and sequence international regulatory practices, and take advantage of the trading opportunities of the multilateral trading system.

RECOMMENDATIONS

56. The key recommendations on UNCTAD's delivery of assistance on accession include the following:

- (a) Donors should provide UNCTAD with continuous and predictable multi-year funding to provide sustained, broader and deeper technical assistance and capacity building support that spans the entire range of pre-accession, accession and post-accession negotiations and implementation;
- (b) Enhanced budget resources should be provided to DITC in the area of trade negotiations to make it possible to accompany acceding countries continuously during the whole process of accession, including the post-accession phase, and ensure that they implement their obligations, adjust to the new regime and benefit from opportunities in the multilateral trading system; in this context, WTO accession should be a core activity of UNCTAD;
- (c) Acceding countries should be provided with a structured package of assistance on trade and development that spans key UNCTAD programmes, using the diverse in-house expertise through enhanced inter-divisional cooperation;
- (d) Flexibility should be maintained in programme planning and implementation to match the limited absorptive capacities of some countries, and also to respond to changing political situations – important factors to take into account in sustaining the provision of assistance and building of capacities;
- (e) UNCTAD administrative and financial procedures need to be made more flexible to ensure a rapid response to needs and concerns of acceding countries;
- (f) Donor coherence in utilizing UNCTAD as the main institution for accession support is essential to avoid overlapping of programmes and competing efforts, minimize strain on the limited absorptive capacity of countries, and avoid confusing and conflicting advice;
- (g) It is important to continue close collaboration with WTO and other relevant organizations such as the World Bank, UNDP, ESCAP, WCO and FAO, given the often multi-faceted nature of assistance required by acceding countries for the accession process;

- (h) UNCTAD should strengthen and enhance its “outreach” programme to promote the active involvement of the private sector, parliamentarians, academia and civil society in the accession process, including the establishment of an accession-focused and interactive website;
- (i) Wherever appropriate, beneficiary countries should be encouraged to contribute to meeting the cost of implementing technical assistance and capacity building activities on accession to enhance ownership and commitment to the process.

Annex

LIST OF UNCTAD ACCESSION PROJECTS DELIVERED BY DITC/TNCDB

Project ID	Years	Beneficiary	Source of funds
BYE/94/003	1994–2001	Belarus	UNDP
CPR/91/543	1992–1998	China	UNDP
INT/99/A50	1999–present	Interregional ¹⁰	TRUST FUND
JOR/97/006	1999–present	Jordan	UNDP
KAZ/98/001	1998–2000	Kazakhstan	UNDP
NEP/96/010	1997–present	Nepal	UNDP
ROA-2072(N)	2000–2002	Interregional ¹¹	UN Programme Budget
RUS/00/009	2001	Russian Federation	UNDP
SAM/00/001	2000–2002	Samoa	UNDP
VIE/95/024	1996–2001	Viet Nam	UNDP
ALG/98/001	1998–present	Algeria	UNDP
RUS/93/001	1993–1998	Russian Federation	UNDP
SAU/00/007	2000	Saudi Arabia	UNDP
INT/OT/4CN	2005	Interregional ¹²	TRUST FUND

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¹⁰ INT/99/A50- Afghanistan, Azerbaijan, Bhutan, Lao People's Democratic Republic, Cambodia, Cape Verde, Ethiopia, Iraq, Kazakhstan, Samoa, Serbia and Montenegro, Syrian Arab Republic, Sudan, Yemen.

¹¹ ROA-2072(N)- Bhutan, Cambodia, Lao People's Democratic Republic, Sudan, Yemen Lebanon, Kazakhstan, Russian Federation.

¹² INT/OT/4CN- Bosnia and Herzegovina, Islamic Republic of Iran, Timor-Leste, Sao Tome and Principe.