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1 ARTICLE XIV OF THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION

1.1 Text of Article XIV

Article XIV

Acceptance, Entry into Force and Deposit

1. This Agreement shall be open for acceptance, by signature or otherwise, by contracting parties to GATT 1947, and the European Communities, which are eligible to become original Members of the WTO in accordance with Article XI of this Agreement. Such acceptance shall apply to this Agreement and the Multilateral Trade Agreements annexed hereto. This Agreement and the Multilateral Trade Agreements annexed hereto shall enter into force on the date determined by Ministers in accordance with paragraph 3 of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and shall remain open for acceptance for a period of two years following that date unless the Ministers decide otherwise. An acceptance following the entry into force of this Agreement shall enter into force on the 30th day following the date of such acceptance.

2. A Member which accepts this Agreement after its entry into force shall implement those concessions and obligations in the Multilateral Trade Agreements that are to be implemented over a period of time starting with the entry into force of this Agreement as if it had accepted this Agreement on the date of its entry into force.

3. Until the entry into force of this Agreement, the text of this Agreement and the Multilateral Trade Agreements shall be deposited with the Director-General to the CONTRACTING PARTIES to GATT 1947. The Director-General shall promptly furnish a certified true copy of this Agreement and the Multilateral Trade Agreements, and a notification of each acceptance thereof, to each government and the European Communities having accepted this Agreement. This Agreement and the Multilateral Trade Agreements, and any amendments thereto, shall, upon the entry into force of this Agreement, be deposited with the Director-General of the WTO.

4. The acceptance and entry into force of a Plurilateral Trade Agreement shall be governed by the provisions of that Agreement. Such Agreements shall be deposited with the Director-General to the CONTRACTING PARTIES to GATT 1947. Upon the entry into force of this Agreement, such Agreements shall be deposited with the Director-General of the WTO.

1.2 Transition from the General Agreement on Tariffs and Trade (GATT) to the WTO

1. The Preparatory Committee for the World Trade Organization adopted Decisions on the transitional co-existence of the General Agreement on Tariffs and Trade 1947 (GATT 1947) and the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement)¹ on 8 December 1994. The General Council also adopted a decision to avoid procedural and institutional duplication at its meeting of 31 January 1995.²

2. In addition, the Preparatory Committee adopted Decisions to deal with cases of withdrawal from or termination of certain agreements associated with the GATT 1947³ on 8 December 1994. The General Council similarly adopted a decision providing for invocations of provisions for delayed application and reservations under the Agreement on Customs Valuation by developing countries.⁴

3. At its meeting of 31 January 1995, pursuant to the Decision on the transitional coexistence of the GATT 1947 and the WTO Agreement adopted on 8 December 1994⁵, the General Council adopted a Decision on participation in meetings of WTO bodies by certain signatories of the Final Act eligible to become original WTO Members.⁶ See also Section II of the Chapter on Institutions and Procedure of the GATT Analytical Index.

1.3 Article XIV:1

1.3.1 Date of entry into force of the WTO Agreement

4. The WTO Agreement entered into force on 1 January 1995.⁷

1.3.2 "open for acceptance ... by contracting parties to GATT 1947, and the European Communities, which are eligible to become original Members of the WTO"

5. For further information regarding acceptance of the WTO Agreement by original Members, see the document on Article XI of the WTO Agreement (Practice).

1.3.3 "remain open for acceptance for a period of two years following [the date of entry into force] unless the Ministers decide otherwise"

6. The General Council decided on 24 April 1997 to extend the 1 January 1997 deadline retroactively to 25 February 1997 for the Republic of the Congo, the only remaining contracting party to the GATT 1947 that was eligible for original Membership and had not yet become a Member.⁸

¹ The text of the adopted decisions can be found in: [PC/11](#); [PC/12](#); [PC/13](#); and [PC/15](#).

² [WT/GC/M/1](#), item 4.I(e). The text of the adopted decision can be found in [WT/L/29](#).

³ The text of the decision relating to the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade can be found in [PC/14](#). The text of the decision relating to the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade can be found in [PC/16](#).

⁴ [WT/GC/M/1](#), item 11. See also the document on Article 20 of the Agreement on Customs Valuation (Practice).

⁵ The text of the adopted decision can be found in [PC/10](#).

⁶ [WT/GC/M/1](#), item 4.I(b). The text of the adopted decision can be found in [WT/L/27](#).

⁷ [WT/Let/1](#). The Preparatory Committee for the World Trade Organization, on 8 December 1994, "confirmed 1 January 1995 as the date of entry into force of the WTO Agreement." ([PC/M/10](#), para. 4).

⁸ [WT/L/208](#).

1.4 Article XIV:3

1.4.1 Depositary functions of the Director-General of the GATT 1947

7. The Agreement on the Transfer of Assets, Liabilities, Records, Staff and Functions from the Interim Commission of the International Trade Organization and the GATT to the WTO, approved by the CONTRACTING PARTIES to the GATT 1947 on 8 December 1994 and by the General Council on 31 January 1995, provides:

"The Director-General of the WTO shall perform the depositary functions of the Director-General of the GATT 1947 after the date on which the legal instruments through which the contracting parties apply the GATT 1947 are terminated. On that date the records of the GATT 1947 shall be transferred to the WTO."⁹

8. The Status of WTO Legal Instruments publication¹⁰ contains continuously updated information on WTO treaty developments and depositary action related thereto.

1.5 Article XIV:4

1.5.1 Acceptance and entry into force of the Plurilateral Trade Agreements

1.5.1.1 Agreement on Government Procurement

9. The Agreement on Government Procurement entered into force on 1 January 1996, in accordance with the provisions of Article XXIV:1 of that Agreement on acceptance and entry into force.¹¹ By application of Article XXIV, the governments and the European Communities whose agreed coverage was listed in the Agreement were eligible to accept the Agreement on 15 April 1994 or to accept it subject to ratification and then ratify the Agreement before 1 January 1996.

1.5.1.2 Agreement on Trade in Civil Aircraft

10. The Agreement on Trade in Civil Aircraft entered into force on 1 January 1980. Acceptance of the Agreement is governed by the provisions of Article 9.1 of that Agreement thereof, which provides: "This Agreement shall be open for acceptance by signature or otherwise by governments contracting parties to the GATT and by the European Economic Community".¹²

1.5.1.3 International Dairy Agreement and International Bovine Meat Agreement

11. Acceptance of the International Dairy Agreement was governed by the provisions of Article VIII of that Agreement.¹³ Acceptance of the International Bovine Meat Agreement was governed by the provisions of Article VI of that Agreement.¹⁴

Current as of: August 2022

⁹ [WT/L/36](#), para. 5. For detailed information on Members' treaty instruments relating to the Marrakesh Agreement Establishing the World Trade Organization and its Annexes, and related depositary notifications issued by the Director-General, see https://www.wto.org/english/res_e/publications_e/wto_legal_instruments_e.htm.

¹⁰ See https://www.wto.org/english/res_e/publications_e/wto_legal_instruments_e.htm.

¹¹ For a list of the Members that have accepted the Agreement on Government Procurement, see https://www.wto.org/english/res_e/booksp_e/sli_e/24GPA.pdf.

¹² For a list of the Members that have accepted the Agreement on Trade in Civil Aircraft, see https://www.wto.org/english/res_e/booksp_e/sli_e/23TCA.pdf.

¹³ For a list of the Members that have accepted the International Dairy Agreement, see https://www.wto.org/english/res_e/booksp_e/sli_e/25IDA.pdf.

¹⁴ For a list of the Members that have accepted the International Bovine Meat Agreement, see https://www.wto.org/english/res_e/booksp_e/sli_e/26IBMA.pdf.