

DISCLAIMER

The Handbook on Notification Requirements does not constitute a legal interpretation of the notification obligations under the respective Agreement(s) or relevant legal provision(s). It has been prepared by the Secretariat to assist Members in complying with their notification obligations.

TECHNICAL COOPERATION HANDBOOK ON NOTIFICATION REQUIREMENTS

LEGAL PROVISIONS RELATING
TO REGIONAL TRADE
AGREEMENTS (RTAs)

This section of the Handbook on Notification Requirements covers the notification obligations under the **LEGAL PROVISIONS RELATING TO REGIONAL TRADE AGREEMENTS (RTAs)**. It consists of the following five parts:

PART 1

OVERVIEW OF
NOTIFICATION
REQUIREMENTS

PART 2

LISTING OF THE
NOTIFICATION
OBLIGATIONS

PART 3

RELEVANT
DOCUMENT(S)
CONCERNING
GUIDELINES
AND FORMATS

PART 4

LIST OF
NOTIFICATIONS
SINCE 1995

PART 5

TEXT OF
THE LEGAL
PROVISIONS

For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

INTRODUCTION

Notification requirements relating to regional trade agreements (RTAs) are contained in different legal instruments. The General Council Decision of 14 December 2006 establishing a "Transparency Mechanism for Regional Trade Agreements" ([WT/L/671](#)), hereafter the "Transparency Mechanism for RTAs", clarifies issues related to the notification of RTAs and establishes a harmonized mechanism – of a provisional nature – to deal with RTAs in the WTO system.

The horizontal nature of RTAs is reflected in the fact that there are four bodies of the WTO that, either directly or indirectly, have monitoring functions for RTA issues – namely the Committee on Regional Trade Agreements (CRTA), the Committee on Trade and Development (CTD), the Council for Trade in Goods (CTG) and the Council for Trade in Services (CTS). All these bodies are under the overall authority of the General Council and the Ministerial Conference.

WHAT MUST BE NOTIFIED?

Legal Provisions relating to RTAs provide for five types of notifications:

(1) Notification of the conclusion of/accession to an RTA

Notification is required for both the conclusion of a new RTA as well as for the accession of a new Party to an existing RTA (this may also be referred to as the "enlargement" of an RTA).

All Members are required to notify their RTAs under the various WTO provisions relating to RTAs:

- for RTAs providing preferential treatment in goods, in accordance with [Article XXIV:7](#) of GATT 1994 or paragraph 4 of the Decision on Differential and More Favourable Treatment Reciprocity and Fuller Participation of Developing Countries (hereafter the "Enabling Clause"); and
- for RTAs providing preferential treatment in services, in accordance with [Article V:7](#) of the GATS.

Section B of the [Transparency Mechanism on RTAs](#) clarifies the notification requirements.

Cessation of an RTA is also to be notified¹.

(2) Notification of changes to an RTA

Notification is required for any change affecting the implementation of an existing RTA, or the operation of an already implemented RTA. Changes that are to be notified include *inter alia* those affecting the plan or schedule of an RTA, the preferential treatment granted, the RTA disciplines, and the withdrawal of a Party from the RTA.

All Members of RTAs affected by changes are required to notify such changes under [Article XXIV](#) of the GATT 1994 or the [Enabling Clause](#) and/or [Article V](#) of the GATS.

Section D of the [Transparency Mechanism on RTAs](#) clarifies the notification requirements.

(3) Report on the operation of an RTA (de facto inoperable since 2003)

Periodic reports on the operation of customs unions and free-trade areas (also referred to as "biennial reports") are to be made. The same applies to RTAs liberalizing trade in services implemented on the basis of a time-frame.

All Members that are Parties to customs unions or free-trade areas are required to provide periodic reports in accordance with a GATT 1947 decision (BISD 18S/38) as well as in reference to paragraph 11 of the [Understanding on the interpretation of Article XXIV](#) of the GATT 1994 (hereafter the "Understanding"). Parties to RTAs liberalizing trade in services are required to provide the periodic reports in accordance with GATS [Article V:7\(b\)](#).

The Transparency Mechanism for RTAs makes no reference to the provision of biennial reports nor to the relationship it may have with the provision of end-of-implementation report mentioned in point 4 below. In its paragraph 23, the [Transparency Mechanism for RTAs](#) nevertheless provides that, in the context of replacing that provisional mechanism by a permanent one, Members will "review the legal relationship between this Mechanism and relevant WTO provisions related to RTAs".

¹ Although there is no notification format for the cessation of an RTA, the Secretariat circulates a communication received from the Parties of such RTA to all the Members.

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

(4) End-of-implementation report

A short written report on the realization of the liberalization commitments, as contained in the RTA that was originally notified is required, at the end of the RTA's implementation period. The report is referred to as the "End-of-Implementation (EOI) Report".

All Members that are Parties to an RTA shall provide such EOI report, in accordance with Paragraph 15 of the [Transparency Mechanism for RTAs](#).

Section D of the [Transparency Mechanism for RTAs](#) clarifies the notification requirements though no official format has been adopted. Draft outlines are nevertheless available.

(5) Communication of the modification of bound rates in the context of a customs union

If the formation (or the enlargement) of a customs union leads to the modification of bound rates by any of the Parties to the customs union, the Member(s) concerned has(have) to commence GATT procedures for the modification of bound rates before the concessions are modified or withdrawn ([Article XXIV:6](#) of GATT 1994 and paragraphs 4-5 of the [Understanding on the interpretation of Article XXIV](#)). The procedures of Article XXVIII of the GATT 1994, as further elaborated by the 1980 guidelines (BISD 27S/26-28) and in the Understanding, apply in this case and include specific information to be provided by the Member(s) concerned.

WHICH MEMBERS MUST NOTIFY?

The notification obligations under points 1 to 4 above shall be made by each Member that is a Party to an RTA. However, while the notification obligation applies to each Member that is a Party to an RTA, in practice, the report/notification is usually made jointly by all the Parties.

When an RTA covers both goods and services two distinct notifications must be made: one under GATT [Article XXIV](#) or the [Enabling Clause](#) (for trade in goods) and one under GATS [Article V](#) (for trade in services). The two notifications can be included on the same notification template.

In the case of point 5 (above) involving [Article XXIV:6](#) of GATT 1994, notifications may be required from either each Member that is a Party to the customs union or only from

those proposing to increase their bound rates, depending on how the customs union will negotiate and implement the tariff concessions.

WHEN TO NOTIFY?

The **notification of a newly concluded RTA** (or of an **accession** to an existing RTA) must be filed "as early as possible". As a rule, it will occur no later than directly following the Parties' ratification of the RTA or any Party's decision on application of the relevant parts of an agreement, and before the application of preferential treatment between the Parties" (paragraph 3 of the [Transparency Mechanism for RTAs](#)). This time-frame, which applies equally to notifications under [Article XXIV](#) of the GATT 1994, [Article V](#) of the GATS and the [Enabling Clause](#), clarified GATT and GATS provisions which refer to notifications being made "promptly" by the Parties to the RTAs.

The **notification of changes to an RTA** shall take place as soon as possible after the changes occur (paragraph 14 of the [Transparency Mechanism for RTAs](#)).

The **Report on the operation of an RTA** under [Article XXIV](#) of the GATT 1994 is to be submitted in accordance with the calendar issued by the CRTA. From 1971 onwards, reports on the operation of an RTA were to be submitted every two years (biennial reports). Since 2003, however, the issuance of a calendar fixing dates for the examination of biennial reports has been provisionally suspended. With respect to reports on RTAs liberalizing trade in services that are to be presented periodically under GATS [Article V:7\(b\)](#) no further clarification exists on the term "periodically".

The **End-of-implementation Report** shall take place at the end of an RTA's implementation period. The CRTA issues annually a document listing corresponding deadlines applicable to the reports that are or will become due for RTAs notified under [Article XXIV](#) of the GATT 1994 and/or [Article V](#) of the GATS.

The **notification of the modification of bound rates in the context of a customs union** shall take place "before tariff concessions are modified or withdrawn" (paragraphs 4-5 of the [Understanding on the Interpretation of Article XXIV](#) of the GATT 1994).

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

HOW TO NOTIFY?²

Existing notification formats, of a voluntary or mandatory nature, are available for some of these notification/reporting requirements; these are referred to in the table that follows ([Part 2](#)). Available templates are also proposed under [Part 3](#) below.

A self-training module on notification requirements for newly concluded RTAs is available at: [How to notify a new RTA to the WTO](#).

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF THE CONCLUSION OF/ACCESSION TO AN RTA

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
1.	General Agreement on Tariffs and Trade (GATT) Article XXIV:7(a) ; Transparency Mechanism for RTAs , paragraphs 3 and 4.	Conclusion of, or accession to, a customs union, a free trade area or an interim agreement leading to one or the other.	In principle each Member Party to an RTA. In practice, joint notifications are made.	One time	As early as possible, and no later than directly following the Parties' ratification of an RTA or any Party's decision on application of the relevant parts of an RTA, and before the application of preferential treatment between the Parties.	Yes (G/L/834)	The Ministerial Conference, though, in practice to the CRTA.	WT/REG*/N/*	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF THE CONCLUSION OF/ACCESSION TO AN RTA (CONTINUATION)

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
2.	Enabling Clause, paragraph 4(a) as regards measures under paragraph 2(c); Transparency Mechanism for RTAs , paragraphs 3 and 4.	Conclusion of, or accession to, a regional or global arrangement entered into amongst developing countries for the mutual reduction or elimination of tariffs and for the mutual reduction or elimination of non-tariff measures, on products imported from one another.	In principle each Member Party to an RTA. In practice joint notifications are made.	One time	As early as possible, and no later than directly following the Parties' ratification of an RTA or any Party's decision on application of the relevant parts of an RTA, and before the application of preferential treatment between the Parties.	Yes (WT/COMTD/63)	The Ministerial Conference, though, in practice to the COMTD.	WT/COMTD/RTA*/N/* ³	

²All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

³ This is the notification symbol for RTAs agreed to by the CTD at the 108th Regular Session held on 5th April 2019. Prior to this, notifications of RTAs were circulated using the symbol WT/COMTD/N/*.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF THE CONCLUSION OF/ACCESSION TO AN RTA (CONTINUATION)

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
3.	General Agreement on Trade in Services (GATS) Article V:7(a) ; Transparency Mechanism for RTAs , paragraphs 3 and 4.	Conclusion of, or accession to an Economic Integration Agreement.	In principle each Member Party to an RTA. In practice joint notifications are made.	One time	As early as possible, and no later than directly following the Parties' ratification of an RTA or any Party's decision on application of the relevant parts of an RTA, and before the application of preferential treatment between the Parties.	Yes (S/L/310)	The CTS, though, in practice to the CRTA.	S/C/N/*	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF CHANGES TO AN RTA

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol
1.	General Agreement on Tariffs and Trade (GATT) Article XXIV:7(a) ; Understanding on the interpretation of Article XXIV of GATT 1994, paragraphs 9 and 11 ; Transparency Mechanism for RTAs , paragraph 14.	Significant changes and/or developments in an RTA, including changes in the plan or schedule (for the formation of a customs union or a free trade area). Changes to be notified include, <i>inter alia</i> , modifications to the preferential treatment between the Parties and to the RTA's disciplines.	In principle each Member Party to an RTA. In practice joint notifications are made.	<i>Ad hoc</i>	As soon as possible after the changes occur.	Yes (G/L/1295)	The Ministerial Conference, though, in practice to the CRTA.	WT/REG*/N/*

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF CHANGES TO AN RTA (CONTINUATION)

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
2.	Enabling Clause, paragraph 4(a) as regards measures under paragraph 2(c); Transparency Mechanism for RTAs , paragraph 14.	Modification/ withdrawal of the RTA's preferential treatment or disciplines. Changes to be notified include, <i>inter alia</i> , modifications to the preferential treatment between the Parties and to the RTA's disciplines.	In principle each Member Party to an RTA. In practice joint notifications are made.	<i>Ad hoc</i>	As soon as possible after the changes occur.	Yes (WT/COMTD/98)	The Ministerial Conference, though, in practice to the CTD.	WT/COMTD/RTA*/N/*	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

NOTIFICATION OF CHANGES TO AN RTA (CONTINUATION)

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
3.	General Agreement on Trade in Services (GATS) Article V:7(a) ; Transparency Mechanism for RTAs , paragraph 14.	Significant modification of an RTA liberalizing trade in services. Changes to be notified include, <i>inter alia</i> , modifications to the preferential treatment between the Parties and to the RTA's disciplines.	In principle each Member Party to an RTA. In practice joint notifications are made.	<i>Ad hoc</i>	As soon as possible after the changes occur.	Yes (S/L/418)	The CTS, though, in practice to the CRTA.	S/C/N/*	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

REPORT ON THE OPERATION OF AN RTA

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol
1.	Understanding on the interpretation of Article XXIV of the GATT 1994, paragraph 11 .	Operation of the RTA.	In principle each Member Party to an RTA. In practice joint notifications are made.	Regular – Biennial	Every two years, in accordance with a calendar issued by the CRTA (practice discontinued in 2003).	No (No, but General guidelines G/L/286 and voluntary format WT/REG/W/6).	The CTG, though, in practice to the CRTA.	WT/REG*/R/B/*
2.	General Agreement on Trade in Services Article V:7(b) .	Implementation of an Economic Integration Agreement implemented on a time-frame basis.	In principle each Member Party to an RTA. In practice joint notifications are made.	Not defined	Periodically.	No (No, but General guidelines S/C/W/92 and voluntary format WT/REG/W/14).	The CTS, though, in practice to the CRTA.	S/C/N/*

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

END-OF-IMPLEMENTATION REPORT

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
1.	Transparency Mechanism for RTAs , paragraph 15.	Short written report on the realization of the liberalization commitments in the RTA as originally notified.	In principle each Member Party to an RTA. In practice joint notifications are made.	One time	At the end of the RTA's implementation period.	No (No, but voluntary format JOB/REG/4).	The WTO, though, in practice either the CRTA or the CTD.	WT/REG*/R/I or WT/COMTD/RTA*/R/I	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

COMMUNICATION OF THE MODIFICATION OF BOUND RATES IN THE CONTEXT OF A CUSTOMS UNION

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY? ²			
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom	Notification Symbol	
1.	General Agreement on Tariffs and Trade (GATT) 1994 Article XXIV:6 ; Understanding on the Interpretation of Article XXIV of the GATT 1994, paragraph 4 ; General Agreement on Tariffs and Trade (GATT) 1994 Article XXVIII and its related instruments.	Increase of a bound rate of duty after the formation of a customs union.	All WTO Members	<i>Ad hoc</i>	Before tariff concessions are modified.	No (No, but procedures of GATT Article XXVIII apply).	The CTG, though in practice the Committee on Market Access.	G/SECRET/* Possibly also under WT/REG*/*	

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in the latest version of the document series [WT/INF/25](#). Notifications may be submitted as electronic attachments to emails, or on paper.

PART 3

RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS

Two notification formats, including templates, have been adopted by the respective bodies responsible for handling notifications with respect to the notification of the conclusion of an RTA (1) and the notification of changes to an RTA (2).

With respect to the **Notification of the conclusion of an RTA**, including accession to or enlargement of an existing RTA, since 2007, three identical templates have been adopted by, respectively, the Council for Trade in Services ([S/L/310](#)); the Council for Trade in Goods ([G/L/834](#)); and the Committee on Trade and Development ([WT/COMTD/63](#)). These templates are available for the notifications to be made pursuant to, respectively, Article V:7(a) of the GATS; Article XXIV:7(a) of the GATT 1994; and Paragraph 4(a) of the Enabling Clause.

The Parties shall specify under which provision(s) of the WTO agreements it is notified. The Parties will also provide the full text of the RTA (or those parts they have decided to apply) and any related schedules, annexes and protocols, in one of the WTO official languages; if available these shall also be submitted in an electronically exploitable format. Reference to related official Internet links shall also be supplied.

With respect to the **Notification of changes to an RTA**, since 2018, three identical templates have been adopted by, respectively, the Council for Trade in Services ([S/L/418](#)); the Council for Trade in Goods ([G/L/1295](#)); and the Committee on Trade and Development ([WT/COMTD/98](#)). These templates are available for the notifications to be made pursuant to Paragraph 14 of the Transparency Mechanism for RTAs ([WT/L/671](#)).

The Parties shall provide a summary of the changes made, as well as any related texts, schedules, annexes and protocols, [...], if available, in electronically exploitable format. In their notification, Members may refer to official internet links related to the Agreement where the relevant information can be consulted in full, in one of the WTO official languages.

For the **other notifications**, the notifying Members may wish to make use of the standard format for information on RTAs ([WT/REG/W/6](#)) or the Standard format for information on Economic Integration Agreements on Services ([WT/REG/W/14](#)) that have been taken note of by the CRTA in, respectively, 1996 and 1997. With respect to End-of-Implementation Reports, a format is suggested on a voluntary basis ([JOB/REG/4](#)).

More details and references are contained in the above section ([Part 2](#)).

PART 4

LIST OF NOTIFICATIONS SINCE 1995

[Regional Trade Agreements Information System \(RTA-IS\)](#) is a database that allows to retrieve information on RTAs notified to the GATT/WTO.

PART 5

TEXT OF THE LEGAL PROVISIONS

The main disciplines on notification or reporting on RTAs can be found in the following legal provisions:

- [Article XXIV of the General Agreement on Tariffs and Trade 1994](#).
- [Decision on differential and more favourable treatment, reciprocity and fuller participation of developing countries \(Enabling clause\)](#).
- [Understanding on the Interpretation of Article XXIV of GATT 1994](#).
- [Article V of the GATS](#).
- Transparency Mechanism for Regional Trade Agreement (Decision of the General Council of 14 December 2006) [WT/L/671](#).

For adopted formats of notification, or endorsed guidelines and standard formats, see the above sections ([Part 2](#) and [Part 3](#)).