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**1 ARTICLE XI OF THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION**

**1.1 Text of Article XI**

*Original Membership*

1. The contracting parties to GATT 1947 as of the date of entry into force of this Agreement, and the European Communities, which accept this Agreement and the Multilateral Trade Agreements and for which Schedules of Concessions and Commitments are annexed to GATT 1994 and for which Schedules of Specific Commitments are annexed to GATS shall become original Members of the WTO.  
capabilities.

**1.2 Text of the Decision on the Acceptance of and Accession to the Agreement Establishing the World Trade Organization**

*Ministers,*

*Noting* that Articles XI and XIV of the Agreement Establishing the World Trade Organization

*Recognizing* that certain participants in the Uruguay Round which had applied GATT 1947 on a de facto basis and became contracting parties under Article XXVI:5(c) of the GATT 1947 were not in a position to submit schedules to GATT 1994 and the GATS;

*Recognizing* further that some States or separate customs territories which were not participants in the Uruguay Round may become contracting parties to GATT 1947 before the entry into force of the WTO Agreement and that States or customs territories should be given the opportunity to negotiate schedules to GATT 1994 and the GATS so as to enable them to accept the WTO Agreement;

*Taking into account* that some States or separate customs territories which cannot complete the process of accession to GATT 1947 before the entry into force of the WTO Agreement ~~or~~ which do not intend to become contracting parties





5. The remaining 47 original WTO Members accepted the WTO Agreement after 1 January 1995.<sup>4</sup>

**1.4.2 Special cases regarding acceptance and accession in 1994-96**

6. At Marrakesh, Ministers adopted the Decision on the Acceptance of and Accession to the Agreement Establishing the WTO<sup>5</sup> to facilitate the WTO membership of four categories of governments that could not have become original Members of the WTO under the general rule in Article XI:1, namely:

- a. "Any Signatory of the Final Act ... to which paragraph 5 of the Final Act applies". Paragraph 5 of the Final Act provides that "[f]or participants which are not contracting parties to the General Agreement as of the date of the Final Act, the Schedules are not definitive and shall be subra(2 ( F)7.7 (i)5 ( a)5m[(9-13)12.6 LO 4 LO (i)dC -0.](n)-0.7 (g4MCID 19 BDt(i)d

General Council<sup>8</sup>, the goods schedules of 21 specific least