

For Official Use

C/MIN(2009)6

Organisation de Coopération et de Développement Économiques
Organisation for Economic Co-operation and Development

19-Jun-2009

English - Or. English

COUNCIL

Meeting of the Council at Ministerial Level, 24-25 June 2009

PROGRESS REPORT ON ACCESSION

Declassified

JT03267011

Document complet disponible sur OLIS dans son format d'origine
Complete document available on OLIS in its original format



**C/MIN(2009)6
For Official Use**

English - Or. English

Overview

The accession discussions are advancing smoothly and all candidate countries are co-operating actively with the OECD. Committees' activity has intensified in the recent months and the accession reviews of Chile, Estonia, Israel and Slovenia are well underway. The Russian Federation plans to submit its Initial Memorandum at the June 2009 MCM.

Expanding the global reach of the OECD

1. Following the 2007 OECD Ministerial decision, the accession discussions were officially launched on 30 November 2007 with the adoption by Council of Accession Roadmaps for Chile, Estonia, Israel, the Russian Federation and Slovenia. Ministers recognised the need to further expand the OECD's global reach, policy impact and relevance.

The Roadmaps for Accession

2. The Roadmaps, adopted on 30 November 2007, set out the terms, conditions and process for the accession of each of these countries. They provide for reviews of candidate countries by a number of Committees which then provide formal opinions to Council on the ability and willingness of the candidate country to assume the obligations of membership. These obligations include liberalisation commitments under the OECD investment instruments, adoption of national laws which comply with the requirements of the OECD Anti-Bribery Convention as well as commitments related to environmental policy.

3. As explained in the Roadmaps, the starting point for the accession discussions is the submission by each candidate country of an Initial Memorandum, the document in which the candidate country sets out its preliminary position vis-à-vis all OECD legal instruments. Between June and September 2008, four candidate countries - Chile, Estonia, Israel and Slovenia - submitted their Initial Memorandum. Responses to committee questionnaires, self assessments and other information requests followed. The Secretariat has been informed that the Russian Federation plans to submit its Initial Memorandum at the time of the June 2009 MCM.

4. Following receipt of the Initial Memorandum, the accession reviews by OECD Committees begin. In line with the procedure set out in the Roadmaps, each candidate country is to be reviewed by between 18 and 22 OECD Committees in various areas.

5. The Initial Memoranda are supplemented by the responses provided by candidate countries to questionnaires and other requests for information from Committees and the Secretariat, generally relating to the institutional and policy framework in the candidate country. All candidate countries have now submitted responses to certain questionnaires and requests for information and are currently preparing the remaining responses. Committees require both the Initial Memorandum and responses to questionnaires or other requests for information before they can review the candidate countries.

6. Once a Committee has completed its accession review of a candidate country, the Committee will prepare a formal opinion to Council on, as appropriate, the ability and willingness of the candidate country to assume the obligations of membership or on the degree of coherence between the candidate country's policies and those of OECD Members.

Missions to candidate countries

7. The Secretariat is continuing its visits to each candidate countries to prepare the accession reviews by the Committees and to coordinate the overall process. The missions were well received in every country and the authorities appeared motivated to respond to the challenges of the accession process.

8. With regard to upcoming visits, the Secretary-General will visit Slovenia on 30 June-1 July 2009 for the launch of the Economic Survey of Slovenia and Deputy Secretary-General Padoan will visit the Russian Federation on 15 July 2009 for the launch of the Economic Survey of Russia. Both of these visits will be followed by accession missions led by the Director for Legal Affairs. In addition, a number of Secretariat missions are planned by Directorates in the coming months:

- the Directorate for Financial and Enterprise Affairs (Estonia, Israel, Russia);
- the Environment Directorate (Israel);
- the Directorate for Science, Technology and Industry (Slovenia);
- the Public Governance and Territorial Development Directorate (Israel);
- the Directorate for Trade and Agriculture (Chile, Estonia).

High-level visits from candidate countries

9. The OECD has received a number of high-level visits from officials of the candidate countries including:

- Chile's Minister of the Presidency, José Antonio Viera-Gallo met with the Secretary-General on 5 May 2009 and participated in the meeting of the Public Governance Committee. On 28 May 2009, President Bachelet visited the OECD. Her visit included a hearing in OECD Council and the signature of the privileges and immunities agreement between Chile and the OECD.
- Estonia's new Chief negotiator, Ms. Marina Kaljurand (replacing Mr. Mart Laanemäe) met with DSG Askey on 2 October 2008.
- The Secretary-General met with Stanley Fischer, Governor of the Bank of Israel on 7 November 2008. On 11 March 2009, he met with the Director-General of the Ministry of Justice, Moshe Shilo, and the Ambassador of Israel, Daniel Shek, who deposited Israel's instrument of accession to the Anti-Bribery Convention.
- Russia's Deputy Prime Minister and Minister of Finance, Alexei Kudrin, visited the OECD and met with the Secretary-General on 19 December 2008.
- On 6 February 2009, the Secretary-General received the Prime Minister of Slovenia, Borut Pahor, and the OECD Accession Coordinator and Minister for Economic Development and European Affairs, Mitja Gaspari. The Minister of Finance, Franc Krizanic, and the Minister of Economy, Matej Lahovnik, were also present.

Negotiation of Privileges and Immunities Agreements

10. The Roadmap provides that one of the obligations of membership is "the conclusion of an appropriate Agreement on the privileges and immunities of the Organisation". Accordingly, the Directorate

of Legal Affairs is conducting negotiations on draft privileges and immunities agreements with the five candidate countries.

11. With regard to Chile, negotiations were completed on 8 May 2009 and the Privileges and Immunities Agreement and a related Exchange of Letters were signed on 28 May 2009 during the visit of President Bachelet to the OECD.

12. Negotiations are continuing with the other candidate countries including through missions and meetings at headquarters. In this regard, it is hoped that the privileges and immunities agreements with Estonia and Israel can be signed in the near future. Once the negotiations with each of the candidate countries have been completed, the draft privileges and immunities agreements will be submitted to Council, which will be requested to authorise the Secretary-General to sign the agreements on behalf of the Organisation.

Final steps in the accession process

13. Once all the accession reviews have been completed, the final steps in the accession process can be summarised as follows.

14. The candidate country will prepare, with the assistance of the Secretariat, a document called the "Final Statement" which will confirm that the candidate country wishes to accede to the OECD and set out the candidate country's acceptance of membership obligations. The Final Statement will list all reservations, observations and declarations to OECD legal instruments and set out any other undertakings or commitments which may result from the accession discussions.

15. On the basis of the Final Statement, the formal opinions by Committees and confirmation of the signature of a privileges and immunities agreement with the candidate country, the OECD Council will decide, by unanimity, whether to invite the candidate country to accede to the Organisation. An Agreement will then be signed between the candidate country and the OECD, which will consist of the Final Statement and the Council's decision to invite the country to accede.

16. Once the Council has issued its invitation, the country will participate in all OECD meetings as if it were a member including in Council meetings. However, in order to formally become a member, the candidate country will need to take the appropriate steps at the domestic level to obtain parliamentary approval for accession to the OECD Convention and to deposit its instrument of accession with the French Government, which is the depository of the OECD Convention. When all of the above steps have been completed, the OECD Council will adopt a Resolution noting the accession of the candidate country and the date on which it took effect.

Pre-Accession Budget

17. Members have agreed that the accession process will be fully funded without diluting the regular budgetary resources of the Organisation. Candidate countries have been asked to pay all the costs associated with their accession to the OECD.

18. By the end of the first quarter of 2009, contributions were received from all candidate countries for the 2009 pre-accession budget. The final total amount to be covered by pre-accession candidates for non-recurring costs will be influenced among other factors by the speed of the process, the position that candidates take in respect of the obligations of membership and their efficiency in providing required information.