

## Excerpts from:

# GATS' Applicability to Transnational Lawyering and its Potential Impact on U.S. State Regulation of Lawyers

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Author's Note: The excerpt below explains the meaning of the symbols used on WTO documents and explains how to locate those documents on the WTO website ([www.wto.org](http://www.wto.org).) Most of the excerpt is still accurate. Currently, however, it is possible to see a document immediately without downloading it. After performing a search (e.g., by using the term "legal services"), one receives a list of WTO documents. One can click on the documents listed and immediately see a text version of the document. In order to look at a copy that is properly formatted, however, one must download the document.

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All of the WTO's official public documents are available on its website. These include minutes of meetings, actions taken, and secretariat papers. Documents that are not available on the website include documents entitled "jobs," which are the informal, non-public working drafts. Until early 2001, most documents could be directly accessed from the WTO website by clicking on a hotlink to the document.

Since 2001, however, the WTO website is slightly more cumbersome to use because many documents must be decompressed and downloaded, rather than simply hitting a "link;" on the other hand, the documents are now much easier to read because they are downloaded with the formatting intact, and the organization and comprehensiveness of the site is much better.

While legal research instructions typically are not included in an article, law of lawyering experts interested in the GATS might benefit from some guidance. Each WTO document that is publicly available has a unique set of numbers and letters assigned to it, which is its "name" or symbol. All documents related to the GATS begin with the letter "S." The second letter designates the entity issuing the document: for example, "C" is used for the Council for Trade in Services; "WPPS" is used for the Working Party for Professional Services; and "WPDR" is used for the Working Party on Domestic Regulation.

The third letter indicates the type of document: "M" designates minutes of meetings; "W" indicates a working paper submitted to the entity in question. If no letter is included, it means that the document is an "action" document, such as a *Decision* or *Report*.

The fourth item listed is a number; these numbers are issued in chronological order so that S/C/M/24 indicates the twenty-fourth set of minutes issued by the Council for Trade in Services. Secretariat papers are listed as working paper or "W" documents, as are comments and drafts submitted by Member States. "W" documents are non-public, restricted documents unless the author indicates otherwise. Sometimes documents are "derestricted" at a time point after they were first issued. The symbol for each document appears

in the upper right-hand corner of the first page of the document, together with the date on which the document was prepared.

Reproduced below is an example of a downloaded WTO document that includes the WTO document symbol. This document is the U.S. negotiating proposal for legal services that was submitted as part of the GATS 2000 negotiations and that is described in greater detail in Section III.G.5. The identifying information at the beginning of the U.S. proposal on legal services is as follows:

<p><b>WORLD TRADE ORGANIZATION</b></p> <p style="text-align: center;"><b>S/CSS/W/28</b> 18 December 2000 (00-5557)</p> <p><b>Council for Trade in Original: English Services Special Session</b></p> <p style="text-align: center;"><b>COMMUNICATION FROM THE UNITED STATES</b></p> <p style="text-align: center;"><u>Legal services</u></p>
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In this document, the first letter in the WTO document symbol—"S"—indicates that this document relates to the GATS, rather than the GATT or the TRIPS or any of the other WTO agreements.

The second group of letters—"CSS"—refers to the WTO entity to which this document was submitted. In this case, the U.S. proposal was submitted to the Council for Trade in Services Meeting in Special Session to coordinate the GATS 2000 negotiations which are described in Section III.G.

The third symbol—"W"—indicates that this is a working document prepared by a WTO Member State, interested body such as the OECD, or the Secretariat. Working documents stand in contrast to WTO entity minutes or the official reports or action documents by the WTO entity.

The fourth entry—"28"—indicates that the U.S. legal services proposal was the twenty-eighth working document filed with the Council for Special Session. The date of December 16, 2000 indicates the date on which this document was submitted. If the document had been minutes of a WTO-entity meeting, then the date would indicate the date on which the minutes were prepared and the title of the document would indicate the date on which the meeting was held.

In order to find a specific document or a category of documents, one can use the "document dissemination facility" on the WTO website. One should select the "search" function rather than "browse." In the first entry, which

says “document symbol,” one should insert the symbol for the specific document desired, for example, S/C/M/24. Alternately, one can search for a group or category of documents. For example, if one inserted the term “S/C/M,” then one would retrieve all minutes of the Council for Trade in Services that are publicly available. If one inserted the term “S/C/,” then one would retrieve a list of all available Council documents. Alternately, one could use the last entry on the search function, which is called “full text search criteria,” to search for terms such as “legal services.”

Once one has a list of documents, one can select the documents—and language—to be downloaded. On my computer, it took some practice to be able to find successfully and then open the downloaded documents, but it now works quite smoothly if not efficiently.<sup>95</sup> In sum, one cannot fully understand the GATS’ applicability to legal services unless one consults the materials prepared by the Secretariat.

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95. On my computer, I select a file into which the documents are downloaded, for example, “Vanderbilt article.” The WTO documents are downloaded in “exe” format into a document called “ddf.exe” in my “Vanderbilt article” file. Operating from a program such as “My Computer” or “Explorer,” I then click on “ddf.exe,” which decompresses the file. At that point, a subfolder is created entitled “DDF” which automatically has a subfolder entitled “T” and another subfolder entitled “S” and a third folder that has the name of the second letter of the document symbol, for example, “WPPS.” The “unzipped” documents are now in that file. While still in Explorer, I typically move the documents to someplace more accessible. After I have opened the file in Explorer, I can then access the documents through Microsoft Word, which is the format used for the later documents and which also reads the earlier documents.