

**Committee on Budget, Finance and Administration**

**NON-GOVERNMENTAL CONTRIBUTIONS TO THE WTO**

Addendum

1. After discussions of the proposal of the Director-General with regard to voluntary contributions, gifts or donations from the private sector in the Committee on Budget, Finance and Administration on 26 May 2000, the Director-General hereby submits a revised proposal in order to take account of the remarks made during that meeting.

Point 2

2. It is made explicit at the end of point 2(a) that contributions, gifts and donations may be given "in kind" and in the form of goods or services. It is important to state this explicitly, in particular in connection with rule 5(b) which, in reaction to the many objections against such secondment, now contains a complete prohibition. Given such total prohibition, acceptance of a donation of services in kind still makes it possible to accept e.g. servicing personnel of a non-profit computer center performing maintenance and installation services on hardware also donated to the WTO or its reference centers.

Point 3

3. Points 3 (a) and (b) respect the differentiation made in Regulation 19 of the Financial Regulations between donations which increase the financial liability of the organization and which therefore require the consent of the Committee on Budget, Finance and Administration and those which do not so increase the financial liability of the Organization. It is nevertheless important to the Director-General to have the opinion of the Committee even on voluntary contributions, gifts or donations from the private sector which do not increase the financial liability of the Organization. This is now explicitly provided for at the end of point 3(a). It goes without saying that the Director-General will not normally accept voluntary contributions from the private sector which do not increase the financial liability of the WTO against the opinion of the Committee on Budget, Finance and Administration.

Point 4

4. In response to remarks made during the meeting of 26 May, the distinction between voluntary contributions over CHF 100,000 and below that threshold is dropped. With a view to ensuring that private contributions are channelled into activities which will not normally pose problems of conflict of interest the Director-General now proposes the creation of a special private sector supported trust fund in which a number of such activities are bundled together. Since Regulation 19(2) of the Financial Regulations states that "moneys accepted for purposes specified by the donor shall be treated as trust funds", it is necessary to stimulate the donor to specify a purpose for his donation, contribution or gift. If the donor makes a contribution to the trust fund at large, he will be deemed to have specified all activities of the trust fund and Regulation 19(2) will be satisfied in this way.

Point 5

5. In reaction to remarks made during the meeting of 26 May, the possibilities to accept use of the logo and secondment from donor's organizations in specific circumstances have been totally removed.

Attachment

6. Attachment 1 shows the changes made to the original proposal and includes an annex. Attachment 2 provides a clean copy of the revised proposal with annex.

## ATTACHMENT 1

### VOLUNTARY CONTRIBUTIONS, GIFTS OR DONATIONS FROM THE PRIVATE SECTOR

#### Revised Proposal by the Director-General

1. Voluntary contributions, gifts or donations from non-governmental donors which are for-profit organizations or companies shall not be accepted

2. (a) Voluntary contributions, gifts or donations given or bequeathed by private individuals and non-governmental, non-profit organizations or foundations may be accepted. *These may include contributions, gifts or donations of goods or services "in kind".*

(b) The activities, aims and motivations of the individuals, non-profit organizations or foundations mentioned under (a) above shall not be incompatible with the policies, aims and activities of the WTO and shall not give rise to a conflict of interests on the part of the donor or the WTO.

3. (a) In case voluntary contributions, gifts or donations may be in conformity with point 2 above, they shall not directly or indirectly involve additional financial liability for the organisation. In such cases the Committee on Budget, Finance and Administration shall *be notified of and express an opinion on such contributions, gifts or donations.*

(b) In case they involve such additional financial liability, they shall require the consent of the Committee on Budget, Finance and Administration in conformity with Financial Regulation 19.1

4. ~~(a) — Sums of over [CHF 100.000, -] may only be accepted as voluntary contributions, gifts or donations under point 2 above, provided that the donor specifies their purpose. In accordance with Regulation 19.2 such monies shall be treated as trust funds or special accounts. They shall not be used to hire regular staff of the WTO.~~

~~— (b) — Sums for which no purpose is specified by the donor and accepted as miscellaneous income and which consequently may be used to finance the expenses of the WTO pursuant to Regulation 12.1, shall not exceed [CHF 100.000, -].~~

*All accepted contributions, gifts or donations shall be placed in the "WTO Private Sector Supported Trust Fund", as described in the annex to these rules, and used exclusively for the activities associated with that trust fund, as set out in the annex. The donor may specify one or more of the activities associated with that trust fund as the purpose of the contribution, gift or donation or may make a contribution to the trust fund at large.*

5. (a) Donors of voluntary contributions, gifts or donations shall be prohibited from using the WTO name or logo in any way as a result or condition of the contribution, gift or donation. ~~In specific instances they may use the WTO name or logo after express written authorization by the Director-General.~~

(b) Secondment of staff from donors of voluntary contributions, gifts, or donations to the WTO is *prohibited*. ~~, unless the WTO is unable to recruit persons with the required expertise for the assignment concerned elsewhere.~~

## **ANNEX**

### **WTO PRIVATE SECTOR SUPPORTED TRUST FUND**

WTO would establish a "globalized" trust fund into which would be channeled all voluntary contributions, gifts and donations from non-government sources. Donors would have the option of giving generally into the fund or specifying that their contributions be used in one or more of the individual activity headings. More specific earmarking would not be permitted.

#### Activites to be supported by the trust fund:

1. Support of WTO Reference Centers
2. Creation and maintenance of WTO reference libraries in LDCs
3. Underwriting WTO cooperation and support of University-based education and training programmes on WTO and multilateral trade law and policy
  - WTO Accredited Programmes
  - "Eric Wyndham White" Chairs in WTO law
4. Facilitation of LDC participation (Officials, Press and, as appropriate NGOs) in important WTO meetings (Ministerial Conferences, Development Symposia, etc.)
5. Symposia and seminars as may be decided by the Members of the WTO
6. WTO Secretariat participation in special projects outside of defined "core" WTO activities (e.g., WHO-sponsored macroeconomics and health project)
7. WTO-sponsored capacity-building and training activites in the context of technical assistance not covered by the regular budget supported training programme.
8. Any other activities which Members may decide by consensus should be supported by this trust fund.

## **ATTACHMENT 2**

### **VOLUNTARY CONTRIBUTIONS, GIFTS OR DONATIONS FROM THE PRIVATE SECTOR**

#### Revised Proposal by the Director-General

1. Voluntary contributions, gifts or donations from non-governmental donors which are for-profit organizations or companies shall not be accepted
2. (a) Voluntary contributions, gifts or donations given or bequeathed by private individuals and non-governmental, non-profit organizations or foundations may be accepted. These may include contributions, gifts or donations of goods or services "in kind".  
  
(b) The activities, aims and motivations of the individuals, non-profit organizations or foundations mentioned under (a) above shall not be incompatible with the policies, aims and activities of the WTO and shall not give rise to a conflict of interests on the part of the donor or the WTO.
3. (a) In case voluntary contributions, gifts or donations may be in conformity with point 2 above, they shall not directly or indirectly involve additional financial liability for the organisation. In such cases the Committee on Budget, Finance and Administration shall be notified of and express an opinion on such contributions, gifts or donations.  
  
(b) In case they involve such additional financial liability, they shall require the consent of the Committee on Budget, Finance and Administration in conformity with Financial Regulation 19.1
4. All accepted contributions, gifts or donations shall be placed in the "WTO Private Sector Supported Trust Fund", as described in the annex to these rules, and used exclusively for the activities associated with that trust fund, as set out in the annex. The donor may specify one or more of the activities associated with that trust fund as the purpose of the contribution, gift or donation or may make a contribution to the trust fund at large.
5. (a) Donors of voluntary contributions, gifts or donations shall be prohibited from using the WTO name or logo in any way as a result or condition of the contribution, gift or donation.  
  
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