

# WORLD TRADE ORGANIZATION

RESTRICTED

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**General Council  
22 October 1997**

## ACCREDITATION OF PERMANENT REPRESENTATIVES TO THE WTO

### Communication from the Chairman

#### Revision

The attached text on Accreditation of Permanent Representatives to the WTO has been revised in the light of comments made by delegations at the General Council meeting on 16 July 1997 and thereafter. It is being circulated at the request of the Chairman of the General Council for consideration at the General Council meeting on 22 October 1997.

## ACCREDITATION OF PERMANENT REPRESENTATIVES TO THE WTO

1. At the request of the Chairman of the General Council, the Secretariat has prepared this brief note concerning representation of Members at the WTO through Ambassadors and Permanent Representatives.
2. Historically, GATT contracting parties did not follow a standard practice in respect of informing the GATT Secretariat or other contracting parties of the arrival (or departure) of an Ambassador or Permanent Representative to represent their interests in connection with GATT matters. In principle, a newly appointed Ambassador to the United Nations formally notified the Director-General of GATT of his or her arrival and the Director-General in turn circulated this information to the contracting parties by issuing a list of accredited representatives to GATT. This practice was not always followed, however. Sometimes the Director-General or GATT Secretariat were given formal or informal notice from capitals of the arrival of a new Ambassador or Permanent Representative. Sometimes the Geneva Secretariat of the United Nations informed the GATT Secretariat of such arrivals.
3. The lack of a standard practice has continued under the WTO. As a result, Council and Committee Chairmen, Members in general and the Secretariat are not always aware of the arrival or departure of Ambassadors or Permanent Representatives. As the membership of the GATT/WTO has grown, it has become increasingly difficult for Members and the Secretariat to rely on informal means to keep track of such arrivals and departures. In addition, it should be noted that Ambassadors and/or Permanent Representatives of WTO Members are accredited in different manners:
  - (a) Ambassadors accredited to the UN and other international organizations;
  - (b) Ambassadors to the UN who are separately accredited to the WTO;
  - (c) Permanent Representatives to WTO who are members of Permanent Missions to the UN but are not Ambassadors;
  - (d) Ambassadors and/or Permanent Representatives accredited only to the WTO.
4. It should also be noted that the WTO has signed a new and distinct Headquarters Agreement with the Swiss Government. This Agreement is unrelated to the United Nations and other international organizations and thus carries its own legal implications and consequences. Moreover, given the WTO's status as an independent international organization (not the case of GATT), which is not part of the United Nations system, it would seem imperative that the WTO and its Members develop formal procedures for recording the arrival of Ambassadors and Permanent Representatives.
5. In light of the foregoing, one possible and useful set of accreditation practices to be followed in the WTO would be for WTO Members to ensure that, upon arrival of an Ambassador and/or Permanent Representative, a document issued by the appropriate authorities is provided to the WTO<sup>1</sup> Director-General, informing the WTO and its Members of the name and title of the new Ambassador and/or Permanent Representative and the date when that person takes up his or her new duties.

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<sup>1</sup>Depending on the domestic procedures of a given government and in cases where the government appoints the same Permanent Representative to the UN bodies in Geneva, and to the WTO, such a document could, for example, be a certified copy of the note of accreditation sent to the United Nations in Geneva.

6. In order to facilitate the best possible personal working relationships, it would be preferable for the document concerning the arrival of an Ambassador and/or Permanent Representative to be presented in person to the Director-General, as is the practice in other organizations of a universal character, such as the United Nations. Alternatively the document may be presented to a Deputy Director-General in the absence of the Director-General or simply deposited in the office of the Director-General. The Director-General would then inform Members of notifications received regarding the arrival of an Ambassador and/or Permanent Representative and include this information in the WTO Directory. The Chairman of the General Council would then welcome the new Ambassador and/or Permanent Representative at the next meeting of the General Council.

7. It is proposed that the procedure outlined in paragraphs 5 and 6 above come into effect on 1 November 1997.