

# ITC LEGAL STATUS

## BRIEFING NOTE

1. The International Trade Centre (ITC) was initially established, at the request of developing countries, by the General Agreement on Tariffs and Trade (GATT) in 1964.<sup>1</sup> By resolution 2297 (XXII) of 12 December 1967, the General Assembly, “conscious of the particular needs of the developing countries for international assistance in promoting their exports”, approved the accord between the United Nations Conference on Trade and Development (UNCTAD) and the GATT on the International Trade Centre, to be operated jointly by the two organizations “on a continuous basis and in equal partnership”.
2. As per ECOSOC resolution E/RES/1819/LV of 13 August 1973, the International Trade Centre was recognized as “the focal point for technical assistance and cooperation activities in the export promotion field within the United Nations system of assistance to developing countries”.
3. In 1974, the legal status of the International Trade Centre as a joint subsidiary organ of the GATT and the United Nations, the latter acting through UNCTAD, was confirmed by the General Assembly<sup>2</sup>.
4. In 1995, further to the replacement of GATT by the World Trade Organization (WTO), the United Nations Secretary-General and the WTO Director General agreed that the arrangements governing the status of the International Trade Centre as a joint body be confirmed and renewed with WTO.<sup>3</sup> This Agreement was noted with satisfaction by ECOSOC in decision 1995/322 of 12 December 1995.
5. Therefore, the International Trade Centre is a joint subsidiary organ of the United Nations (acting through UNCTAD) and of WTO. The programmatic direction of the International Trade Centre is reviewed annually by the Joint UNCTAD/WTO Advisory Group (JAG), its intergovernmental policy organ<sup>4</sup>, which has both WTO and UNCTAD members, reporting to the Trade and Development Board of UNCTAD and the WTO General Council. The International Trade Centre is governed by the financial and staff regulations and rules of the United Nations.
6. The International Trade Centre, as a subsidiary organ of the United Nations, enjoys privileges and immunities by the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946 (the “Convention”). For purposes of the Convention, the International Trade Centre is not a separate entity, but part of the United Nations and thus covered by the Convention.

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<sup>1</sup> Decision of the GATT Contracting Parties : Summary Record of the 9th Meeting held on 19 March, 31 March 1963 (SR. 21/9).

<sup>2</sup> General Assembly, at its 2325th meeting on 18 December 1974 following the note of the UN Secretary-General on administrative arrangements for the International Trade Centre (A/C.5/1604).

<sup>3</sup> Coordination of the policies and activities of the specialized agencies and other bodies of the United Nations System. Letter dated 24 October 1995 from the Secretary-General to the President of the Economic and Social Council (E/1995/125, 30 October 1995).

<sup>4</sup> Administrative arrangements for the International Trade Centre, Report of the Secretary-General to the General Assembly, 1 October 2004 (A/59/405).