

APPOINTMENT OF THE NEXT DIRECTOR-GENERAL

INFORMAL GENERAL COUNCIL MEETING AT THE LEVEL OF HEADS OF DELEGATIONS

Friday 12 April, 3 p.m., Council Room

STATEMENT BY THE CHAIRMAN

Good afternoon. I would like to welcome you to this informal meeting of Heads of Delegation.

As required under paragraph 18 of the Procedures for the Appointment of Directors-General, the purpose of this meeting is to allow me, assisted by the Facilitators in this exercise – the Chair of the Dispute Settlement Body, Amb. Fried, and the Chair of the Trade Policy Review Body, Amb. Reiter – to report to the membership on the outcome of the first round of consultations concerning the selection of the next Director-General. We do this in fulfilment of our commitment to transparency, inclusiveness and full participation, as reflected in document JOB/GC/39, which was issued following the Heads of Delegation meeting on 19 March.

Before I begin, I understand that there are some concerns in some quarters regarding the results that I will share with you and the manner in which I, assisted by the Facilitators, arrived at these results. Let me say that, as you will recall, the membership directed at the 13 March meeting of Heads of Delegation that our discretion be fully constrained and that we assess solely the number of preferences and the breadth of support across geographic regions and recognized categories of Members. And this is exactly what we did.

The results were clear and unambiguous, whether measured in terms of number of preferences received, or by breadth of support across geographic regions or across the generally recognized categories of Members – LDCs, developing countries and developed countries.

Let me now review in more detail the process and the conclusions of our consultations.

I will start by recalling that the Procedures which govern this process, which are contained in document WT/L/509, were formally adopted by the General Council in December 2002 following lengthy and detailed consultations. From the beginning of the process for the appointment of the next Director-General last year, these Procedures have been applied to the letter, and we intend to continue this strict adherence, as I am sure you all do.

I will now share with you some aspects of the way in which we organized and conducted these consultations.

In keeping with the Procedures, in particular paragraphs 17 and 18, and as I announced at our last informal meeting of Heads of Delegation on 19 March 2013, the Facilitators and I conducted consultations from 2 to 9 April.

All Members were requested by fax on 20 March to reserve slots to meet me and the Facilitators in room 2011 to provide their preferences. Members were politely reminded by a follow-up fax on 25 March and subsequently by personal contacts, as appropriate.

Since we also have the obligation to consult non-resident Members, we ascertained the correctly accredited Heads of Delegations representing them in WTO affairs. We provided them options to communicate to us through conference call or e-mail their respective preferences. Precise dates and times for conference calls were fixed as convenient to them. We were able to hear their preferences through conference calls except for two Members who shared their preferences through e-mail.

I am happy to confirm to you that we consulted with all 159 WTO Members by 9 April 2013.

Each Member, whether Geneva-based or non-resident, was asked the same precise question, i.e. **"What are your preferences?"**. We requested each Member to provide multiple preferences, without ranking, and, in accordance with the 19 March JOB document, urged that four preferences be given. We also informed each Member that we would not accept any negative preferences. We also assured each Member that the information provided would remain strictly confidential and was not to be shared with anyone at any time.

I would also point out that each "confessional" took only a few minutes and no discussion took place in any of the meetings. We consulted with Heads of Delegation in their capacity as representatives of Members, and I and both Facilitators – and only we – were present.

Let me now turn to the results that flowed from these consultations. I would recall that paragraph 17 of the Procedures sets out that: "the ultimate aim of the consultation process shall be to identify the candidate around whom consensus can be built. In order to do this, it may be necessary to conduct successive consultations to identify the candidate or candidates least likely to attract such a consensus". The same paragraph also states that: "The Chair, with the assistance of the facilitators, shall consult all Members, including non-resident Members, in order to assess their preferences and the breadth of support for each candidate".

In accordance with my statement on 19 March, four candidates are expected to withdraw in the first round.

I would like to begin my report on this assessment by making five overarching points. First, it was clear from our consultations that Members considered all of the nine candidates to be highly qualified and respected individuals. I would like to thank all delegations on behalf of the Facilitators and myself for their clear and constructive responses. We would also like to thank the candidates and the Members who nominated them for the dignified manner in which they have conducted themselves in this process. We hope that in the next phases of the process the dignity of the candidates and the Members nominating them can be preserved.

Second, this is a Member-led process. Our assessment of your preferences was based solely on the elements set out in paragraph 17 of the 2002 Procedures. I would also recall that JOB/GC/39 reaffirmed the 2005 definition of breadth of support, which stated that: "As regards the breadth of support, we considered the distribution of preferences across geographic regions and among the categories of Members generally recognized in WTO provisions: that is, LDCs, developing countries and developed countries". The Chair at that time also informed Members that other criteria were considered and rejected by Members in the formulation of the Procedures in 2002. As reflected in past decisions and in experience, and based on common sense, "breadth of support" means the larger membership.

Third, the results that flowed from our consultations were dictated by your expressions of preferences and were communicated to the Members who nominated candidates yesterday, i.e. on 11 April 2013. In this brief meeting, paragraph 18 of the Procedures was highlighted, which stipulates that: "It is understood that the candidate or candidates least likely to attract consensus shall withdraw". This is accordingly the only firm obligation for the candidates and the Members who nominated them.

Fourth, you may recall that in the 19 March Heads of Delegation meeting, Members were urged to come forward with four preferences. For the sake of transparency, I wish to inform you that all but a few Members did come forward with four preferences. These few Members expressed either five or fewer than four preferences, and came from different geographic regions and all the recognized categories of Members – LDCs, developing countries and developed countries. I understand there is a specific concern about the numbers of preferences expressed. Let me respond by noting two points:

- First, while some Members from different geographic regions and recognized categories of Members expressed five preferences and some fewer than four, the vast majority expressed four.

- Secondly, the fact that some delegations deviated from four preferences did not affect the results in this round.

Fifth, let me reiterate that the ultimate objective of this endeavour is to appoint a Director-General by consensus. Accordingly, support across the membership is an essential factor. In other words, preferences expressed by Members not only from the region of the nominating Member but also importantly from other regions and across the recognized categories of Members mentioned earlier allow us to assess candidates around whom consensus can be built.

I will now inform you of the list of the four candidates least likely to attract consensus. Let me highlight that your preferences produced the same results for each of these candidates, whether measured in terms of number of preferences received, or by breadth of support across geographic regions or across the generally recognized categories of Members – LDCs, developing countries and developed countries. Let me repeat – our assessment was the same whichever way the preferences were examined.

It is also noteworthy that no candidate carried unanimous support from any region.

The list of four candidates is in the order in which their nominations were received, and not in ascending or descending order of preferences, in line with paragraph 1 of the Procedures which calls for respect for the candidates and the Members nominating them. The list is as follows:

- Mr Alan John Kwadwo Kyerematen (Ghana)
- Ms Anabel González (Costa Rica)
- Ms Amina C. Mohamed (Kenya)
- Mr Ahmad Thougan Hindawi (Jordan)

On this basis, therefore, we intend to begin a second round of consultations based on a revised slate of five candidates, again in the order in which their nominations were received, as follows:

- Ms Mari Elka Pangestu (Indonesia)
- Mr Tim Groser (New Zealand)
- Mr Herminio Blanco (Mexico)
- Mr Taeho Bark (Republic of Korea)
- Mr Roberto Carvalho de Azevêdo (Brazil)

These consultations will begin on Tuesday 16 April and continue through Wednesday 24 April midday. My colleagues and I, jointly, will be available to meet with individual delegations in room 2011 at the WTO, for 5 minutes each, from 9.30 a.m. to 12.50 p.m. and from 3 to 6 p.m. each day. A fax will be sent out this afternoon.

We will again be contacting non-resident delegations directly.

In line with paragraph 6 of the Procedures, our aim continues to be to encourage and facilitate the building of consensus among Members, and to assist in moving from the revised slate of candidates to a final decision on appointment.

With this in mind, we shall once again invite delegations to respond to the question: **"What are your preferences?"**.

As I set out in my statement on 19 March, three candidates will be expected to withdraw in the second round to respect the clear preference of Members for having only two candidates in the final round. We strongly urge, and expect, each Member to express two preferences – not more, not less – in this round. Strict adherence to this element by all Members will make this process more efficient.

I must emphasize that any preference received in the first round of consultations will not be used in the second round. I would therefore urge all Members to come forward once again to meet with us and to express their preferences on the basis of the revised slate of candidates.

These consultations will continue to be at the level of Head of Delegation, who will be consulted individually, in their capacity as representatives of Members. As in the first round, all the information we receive from Members will be treated by us in strict confidence.

In assessing the information we receive and reporting to Members, we shall again be governed by the elements set out in paragraph 17 of the Procedures and by the past practice which I mentioned earlier. The Facilitators and I will continue to act strictly within the agreed Procedures and the organization of work set out in document JOB/GC/39.

As we have done this time, the outcome of the consultations will be reported to all Members at an open-ended meeting of Heads of Delegation to be held as soon as possible following the conclusion of our consultations. The Members who nominated candidates on the revised slate for round two will be informed of the outcome immediately after the round and before the rest of the membership.

We are gratified by the 100 per cent participation of the membership in the first round, and the overall respect for and adherence to the Procedures shown. We look forward to the same high level of engagement in this next round. Let me reiterate that this process is your process: the decision to appoint the new Director-General is yours to make.

Before I end my statement, I would like to say a few words with regard to the four candidates who are not listed on the slate for the next round of consultations. On behalf of the entire membership, I would like to express gratitude for their participation in this selection process. As I said earlier, they are all highly qualified and respected individuals. I would also like to pay tribute to the fair and dignified manner in which they, their delegations, and their Governments have conducted themselves in this process.

They have all enriched this process, and indeed the Organization itself, by coming forward as candidates, and we are all in their debt. I am sure I talk on behalf of all of you in wishing them well in their future endeavours.
