



ARTICLES OF ASSOCIATION

INTERNATIONAL SERVICES TRADE INFORMATION AGENCY (**ISTIA**), CASE POSTALE 3547, CH-1211 GENEVA 3

ARTICLE I: Definition

- §1. International Services Trade Information Agency (**ISTIA**) is a non-profit organization, governed by the present Articles of Association and, for all matters not covered by the Articles, by Articles 60 et seq. of the Swiss Civil Code.

ARTICLE II: Lifespan and Location

- §1. The Association **ISTIA** shall have a life of unlimited duration.
- §2. The Association **ISTIA** shall be headquartered in Geneva, Switzerland.

ARTICLE III: Raison d'Etre

- §1. Requests from developing country governments: The Association **ISTIA** was founded as a response to many official and informal requests on the part of developing country World Trade Organization (WTO) Members for trade in services statistics-related technical assistance and capacity building in order that they might have better access to statistics for trade in services negotiations under the General Agreement on Trade in Services (GATS) of the WTO. Discussions on the need of developing countries for improvement of trade in services statistics, continue in the present time under the WTO GATS. Yet requests for such help date back to the 1980s, during the time of the Uruguay Round under the General Agreement on Tariffs and Trade (GATT). These discussions operated under the *aegis* of the Interim Commission for the International Trade Organization (ICITO), the *de facto* institutional predecessor of the WTO.
- §2. Increasing importance of services trade statistics as an economic indicator: In more recent years, services trade has come to predominate in most developed country economies, as well as having increased in importance within developing country economies. In this light, the need for improved services trade statistics has become apparent outside of the context of the governmental sphere, even as GATS negotiations continue within the WTO. Private sector actors need better information in order to make evidence-based business decisions related to trade and investment. Economists and academics, who understand well the economic importance of trade in services, including services-related foreign direct investment, have indicated interest in that services trade statistics should be enhanced.
- §3. New statistical data set for economic globalization: A general need exists for forwarding of information related to *globalization statistics*, a term which comprises, *inter alia*, trade in services statistics, foreign direct investment (FDI) and foreign affiliate trade information (FATS), and a statistical approach and introduction to measurement of trade in services statistics in the context of the GATS four modes of supply. This need is present in the governmental context, but is also needed by the private sector community and academic realm.



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ARTICLE IV: Mandate

- §1. The mandate of the Association **ISTIA** comprises the provision of *services trade statistics capacity building* to entities and individuals in developing countries, least developed countries and economies in transition. This being with a view towards that they might collect and collate services trade statistics in a manner which provides richer material for analysis, thus empowering them to participate more actively in trade in services negotiations, most notably in the context of the General Agreement on Trade in Services (GATS) of the World Trade Organization (WTO). Other unspecified activities that are supportive to the provision of services trade statistics capacity building will also be part of this mandate.
- §2. Within the **ISTIA** context, *services trade statistics capacity building* includes a large statistical component, as well as a deep focus on providing support and services to users of services trade statistics, with a view towards helping them to better understand the fundamentals and structure of the new services trade statistical data set, such that it is more possible to use them in their work.
- §3. Collection of national services trade statistics is generally not be undertaken as a part of work of the Association **ISTIA**, this being a part of the rights and obligations of governments of sovereign states. The Association **ISTIA** may, however, collate, assemble and publish nationally collected services trade information, or estimates of this, for purposes of information-sharing and training.
- §4. The term trade in *services trade statistics capacity building* is an integral part of the **ISTIA** mandate. To better clarify the meaning of this term, reference is made to *Appendix I: Mandate - Services Trade Statistics Capacity Building* and *Appendix II: Taxonomy - Services Trade Statistics Capacity Building*, being documents separate, but supporting of, the Articles of Association.
- §5. The Association **ISTIA** functions as an organization of a charitable, educational and scientific nature. The mandate of the Association **ISTIA** is *charitable*, by virtue of the fact that much of **ISTIA** services will be funded by donors and much of the recipients of **ISTIA** assistance will be not required to pay **ISTIA** for assistance services, being entities, principally governments, of poor countries. The mandate of the Association **ISTIA** is *educational* by virtue of the fact that **ISTIA** assistance is focused on capacity building and training that provides education, allowing recipients of **ISTIA** assistance, many of them officials of poor country governments, to work at a more productive level, with a view towards forwarding their ability to better *forward economic development* in government policy. The mandate of the Association **ISTIA** is of a *scientific nature* in three respects: Firstly, because **ISTIA** assistance seeks to deepen understanding among experts and users of globalization statistics, Secondly, because **ISTIA** assistance seeks to develop a new form of capacity building, i.e. services trade statistics capacity building, which is a synthesis of methods used in both developed countries, in the services trade statistics realm, and in developed countries in statistical realms other than services trade; Thirdly, **ISTIA** work aspires to collaborate with academic entities and centers of excellence with a view towards spreading a wider understanding of the new terminology in the public, as well as the academic domain.



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ARTICLE V: Principles

- §1. The Association **ISTIA** will provide examples of best-practices of work related to *services trade statistics capacity building*, including methods and tools used by national governments considered to be successful in their efforts of services trade statistics and foreign direct investment statistics collection, including foreign affiliate trade statistics collection. Recommendations of inter-governmental entities and expert associations will be used in **ISTIA** work.
- §2. The Association **ISTIA** will remain free from any political affiliation, save for recognition of the political nature of the work of *services trade statistics capacity building* as undertaken by national governments.
- §3. The Association **ISTIA** will seek to exercise fair working practices towards employees, including the forwarding of an environment free from prejudice with respect to race, national origin, gender and political affiliation.

ARTICLE VI: Resources

- §1. The resources of the Association **ISTIA** shall derive from the following sources: contributions of Members as defined annually by the General Assembly, contractual remuneration, donations or grants from national governments; donations or grants from private foundations or individuals, and fees paid by recipients of **ISTIA** services.
- §2. The resources of the Association **ISTIA** shall be used to support the operations and activities of the Association **ISTIA**, undertaken as a part of the fulfillment of its mandate as defined in the **ISTIA** Articles of Association.

ARTICLE VII: ISTIA Membership

- §1. Membership in the Association **ISTIA** can include any individual, group of individuals, institution or juridical person, including national governments, who have an interest in the field of services trade information, or a competence in the field of services trade information, or an interest in the use and interpretation of services trade information.
- §2. The role of Members of the Association **ISTIA** is to support the operations of the Association, *inter alia* vis-à-vis attendance, in person or by proxy, of General Assembly meetings, and participation in decision making activities as undertaken in that forum.



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../ ARTICLE VII: ISTIA Membership

§3. Membership in the Association **ISTIA** shall terminate upon:

- a. Every four years, renewable;
- b. Death of a member, or dissolution of the Member as an entity;
- c. Resignation, submitted in writing to **ISTIA** at least six months before the end of the financial year;
- d. Request for resignation, by a majority of Members of the Board of Directors;
- e. Expulsion by the General Assembly.

ARTICLE VIII: Organs

§1. The organs of **ISTIA** are:

- a. The General Assembly.
- b. The Board of Directors.

ARTICLE IX: General Assembly

§1. The General Assembly is the supreme power of **ISTIA**.

§2. The General Assembly shall hold an Ordinary Meeting once each year. In addition, the General Assembly shall convene an Extraordinary Meeting whenever necessary or at the request of one-fifth of its Members.

§3. Meetings of the General Assembly shall be quorate regardless of the number of Members present.

§4. The Executive Director shall send notice of Meetings, including the proposed agenda, to each Member at least 10 days before the date of the Meeting.

ARTICLE X: Authority of General Assembly

§1. The General Assembly shall approve the admission and expulsion of Members.

§2. The General Assembly shall appoint the Board of Directors and the Chairperson of the General Assembly.

§3. The General Assembly shall define a membership fee, to be collected annually.



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../ ARTICLE X: Authority of General Assembly

- §4. The General Assembly shall supervise the activity of the Board of Directors.
- §5. The General Assembly shall note the contents of the reports and financial statements for the year and approve or reject the contents thereof.
- §6. The General Assembly shall appoint an auditor for the **ISTIA** accounts.

ARTICLE XI: General Assembly Decisions

- §1. The decisions of the General Assembly shall be made by a simple majority vote of the Members present. In case of deadlock, the Chairman shall have the casting vote.
- §2. Decisions concerning the amendment of the Articles of Association and the dissolution of **ISTIA** must be approved by a majority of all Members.

ARTICLE XII: Board of Directors

- §1. The principal responsibilities of the Board of Directors include, *inter alia*, provision of guidance and advice to the Executive Director and staff, approval of the annual budget, provision of advice on project development, oversight of project operations, quality management inputs to operations, auditing of accounts.
- §2. Membership in the Board of Directors shall terminate upon:
 - a. The end of a 4-year period, renewable. Members who join the board during the middle of the financial year shall count the end of the financial year as the end of their first year of tenure;
 - b. Death of the member;
 - c. Resignation, submitted in writing to **ISTIA** at least six months before the end of the financial year;
 - d. Request for resignation by the Executive Director and two other Board Members.
- §3. The Board of Directors will elect Principal Officers, comprising the Chairman, Vice-Chairman, Treasurer and Secretary.
- §4. The tenure of the Principal Officers of the Board of the Directors is two years.
- §5. Members of the Board of Directors, are individuals, with the exception of the Executive Director, who are effectively volunteering their time to the Association, **ISTIA**, without remuneration.



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ARTICLE XIII: Authority of the Board of Directors

- §1. The Board of Directors is authorized to carry out all acts that further the purposes of **ISTIA**.
- §2. The Board of Directors shall appoint the Executive Director.

ARTICLE XIV: Executive Director

- §1. The Executive Director is an individual, being part of the Board of Directors, who, subject to the powers of the General Assembly, participates in the management and steering, strategic and financial planning, and budgetary oversight of the Association **ISTIA**.
- §2. The Executive Director is responsible for performing the following tasks, including, *inter alia*, appointment of staff and experts, development and publication of materials, project development and strategy, project fundraising and soliciting of donors, financial planning, cooperation with auditors, organizing meetings of the General Assembly and the Board of Directors.
- §3. The Executive Director serves as an officer of the Association, **ISTIA**, and is remunerated in the form of salary and benefits, such are as specified in a contract of employment.
- §4. The Executive Director reports to the Board of Directors.

ARTICLE XV: Seal

- §1. The Association **ISTIA** shall be validly bound by the individual signature of the Executive Director, subject to special requirements to be defined by the Board of Directors.

ARTICLE XVI: Intellectual Property

- §1. All materials, ideas and concepts produced under the *aegis* of the Association **ISTIA** become the intellectual property of the Association **ISTIA**.

ARTICLE XVII: Finance and Reporting

- §1. The financial year shall begin on 1 January and end on 31 December of each year.
- §2. The auditor appointed by the General Assembly shall audit the Organization's accounts every year.
- §3. An annual report will be published by the Association **ISTIA**, detailing financial activities as well as achievements, operational details and future plans and strategy. The annual report will be provided to donors, and to all Members of the General Assembly.



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ARTICLE XVIII: Non-Liability of ISTIA Board of Directors

- §1. Members of the Board of Directors other than the Executive Director, being non-remunerated persons, are not to be held liable, in their capacity of private individuals for debts, reparations, or liabilities, legal or financial, related to activities or operations of the Association, **ISTIA**.
- §2. The Executive Director, being an Officer of the Association **ISTIA**, remunerated under contractual agreement, is not to be held liable, in his or her capacity as a private individual, for debts, reparations, legal liabilities, or financial liabilities, related to activities or operations of the Association, **ISTIA**.

ARTICLE XIX: Dissolution

- §1. If the Association **ISTIA** is dissolved, its assets shall be transferred to another institution with a similar purpose.