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**ECONOMIC COMMISSION FOR EUROPE**

COMMITTEE ON TRADE

Centre for Trade Facilitation and Electronic Business (UN/CEFACT)

Twelfth session

Geneva, 22-24 May 2006

Item 12(e) of the provisional agenda

**REVISED MANDATES AND TERMS OF REFERENCE OF UN/CEFACT RAPPORTEURS**

Revised Mandate, Terms of Reference and Procedures for UN/CEFACT

Draft proposal by the Bureau

Addendum

This document is one of four addenda to the 4th revision of the Mandate and Terms of Reference of the UN Centre for Trade Facilitation and Electronic Business (UN/CEFACT). These were requested by the member States at the 11th Plenary in 2005. The addenda are as follows:

Addendum 1: Provisions regulating UN/CEFACT's Open Development Process

Addendum 2: Rules of Procedure of the Bureau

Addendum 3: Mandates and Terms of Reference of UN/CEFACT Rapporteurs

Addendum 4: Provisions for an intersessional approval process for UN/CEFACT.

The provisions in this document come into effect after the approval by the Plenary.

Previous documentation:

TRADE /CEFACT/1998/9 – UN/CEFACT Rapporteurs: Mandate of UN/CEFACT Rapporteur for Asia

TRADE /CEFACT/1998/17 – Mandate for a UN/CEFACT Standards Liaison Rapporteur

TRADE/CEFACT/1999/CRP.4 Annex I: Mandate of the Legal Rapporteur



## Background

1. United Nations rapporteurs are appointed to assist the UN/CEFACT Plenary, the Bureau and the secretariat to undertake specific, often specialized tasks. The Plenary, at its 11th Session, held on 22 and 23 June 2005, invited the Bureau to undertake a review of the current Mandates and Terms of Reference of UN/CEFACT Rapporteurs in order that they conform with the current structure of UN/CEFACT and its programme of work, and asked the Bureau to submit modified mandates for the approval of the Plenary.

2. The current Mandate and Terms of Reference of UN/CEFACT (as found in ECE/TRADE/R.650/Rev.4, paragraphs 21 and 22) refers to rapporteurs as follows:

*“21. The Plenary may appoint rapporteurs to undertake functional and representational tasks, where appropriate, and in coordination with the Bureau and the secretariat, in any area of the Centre’s mission. This shall be done according to a mandate approved by the Plenary specifying a Rapporteur’s role, responsibilities, duration of the appointment and reporting relationships.*

*22. Once a mandate has been agreed by the Plenary, candidates for the rapporteur in question may be nominated by any Plenary delegation. Candidates for the Standards Liaison Rapporteur will be nominated by the Forum and approved by the Plenary.”*

3. Encouraging the participation of non-member States of the UNECE and their experts in UN/CEFACT’s work programme is important to the Centre both to ensure that its work has global relevance and to accelerate the implementation of its recommendations. The most effective way of ensuring this participation is by working closely with the four other United Nations regional commissions and to appoint UN/CEFACT rapporteurs.

4. UN/CEFACT has already established close links with the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and Social Commission for Western Asia (ESCWA). It is developing relationships with the Economic Commission for Africa (ECA) and the Economic Commission for Latin America and the Caribbean (ECLAC). Consequently, the UN/CEFACT Bureau has been considering where the appointment of a UN/CEFACT Rapporteur would be advantageous. Currently three areas have been identified: Asia, South America and Africa. In South America, however, further work needs to be undertaken in order to identify a UN/CEFACT Rapporteur.

5. In Asia, the rapid development of the Asia Pacific Council for Trade Facilitation and Electronic Business (AFACT), earlier known as Asian EDIFACT Board, has been extremely valuable both to the dissemination and implementation of UN/EDIFACT and to the understanding of trade facilitation and e-business. As a first step to expand and consolidate this development, UN/CEFACT appointed a Rapporteur for Asia (see document TRADE/CEFACT/1998/9).

**Recommendation: The Bureau proposes that Regional Rapporteurs be elected for: Africa, Asia Pacific, Latin America and Western Asia. The Mandate and Terms of Reference of Regional Rapporteurs are provided in Annex I.**

6. Following negotiations on the Memorandum of Understanding between the UNECE, International Telecommunications Union (ITU), International Standards Organization (ISO), and the International Electrotechnical Commission (IEC) in 1997, the UN/CEFACT Steering Group recommended the appointment of a Standards Liaison Rapporteur. The Rapporteur would advise the Plenary on standardization matters, where appropriate; represent UN/CEFACT in other standardization organizations, and coordinate the various standards liaison activities of the different working groups.

7. In the intervening years the interest and participation of other international and sectoral standards bodies in the Memorandum of Understanding have become of strategic importance to the daily work of UN/CEFACT. This trend is continuing and suggests that the development and approval of Cooperation Agreements, Cooperation Plans and Collaboration Statements with other standards bodies, as well as their coordination, should be carried out at the level of the UN/CEFACT Bureau.

**Recommendation: The Bureau proposes that in view of the above the role of the Standards Rapporteur be integrated into the Bureau and the tasks assigned to a Bureau Vice Chair. A transition plan has been proposed in the election procedures, which has been communicated to all Heads of Delegation.**

8. In 1999, the Steering Group recommended the appointment of a Legal Rapporteur to ensure the representation of UN/CEFACT's views in other relevant work undertaken by United Nations Commission on International Trade Law (UNCITRAL), United Nations Conference on Trade and Development (UNCTAD) and the International Chamber of Commerce (ICC). The Rapporteur would work under the auspices of both the Plenary and the Legal Group (LG).

9. In recent years output from both the Legal Rapporteur and the Legal Group has not been forthcoming. During 2005 the Legal Group has been reconstituted under a new leadership and has been preparing a new programme of work.

**Recommendation: The Bureau proposes that the responsibilities assigned previously to the Legal Rapporteur be integrated into the Bureau and that specific legal tasks, as may be necessary, be directly requested of the Legal Group by the Bureau.**

**ANNEX I –**

Mandate And Terms Of Reference Of Un/Cefact Regional Rapporteurs

1. This mandate shall be carried out, where appropriate, in liaison with Heads of Delegation to UN/CEFACT from the region as well as with the secretariat of the United Nations Economic Commission for Europe (UNECE) and other regional commissions and the UN/CEFACT Bureau.
2. Within the region, the Rapporteur shall:
  - (a) Promote and represent UN/CEFACT's interests and activities to Governments, intergovernmental organizations, relevant trade associations and business and trade facilitation organizations;
  - (b) Encourage the participation of experts in UN/CEFACT's work programme and stimulate the implementation of UN/CEFACT's Recommendations;
  - (c) Coordinate UN/CEFACT's activities in the region.

Reporting

3. The Rapporteur shall present a report at each UN/CEFACT Plenary. He/She may raise issues directly with the UN/CEFACT Forum Management Group (FMG) and the Bureau, and has an open invitation to attend the Bureau and FMG meetings in a consultative capacity.

Duration Of Appointment

4. The appointment as Rapporteur is for two years, renewable.

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