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Geneva, 23 June 2017

Item 4(b) of the provisional agenda

Decisions on matters relating to the

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

Decision approving the consolidated United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) mandate and terms of reference

Background

1. At its twenty-third session (Geneva, 3- 4 April 2017) the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) adopted its consolidated mandate and terms of reference.
2. The purpose of the consolidation is to streamline and facilitate access to UN/CEFACT policies and procedures. Accordingly, the document submitted to the twenty-third session of the UN/CEFACT Plenary consolidated all previous UN/CEFACT core documents covering UNCEFACT mandate, terms of reference and procedures: the rules of procedure for the UN/CEFACT Bureau, the UN/CEFACT intersessional approval process; the guidance on responsibilities, duties and procedures of UN/CEFACT Country Heads of Delegation.
3. The Executive Committee is invited to approve the consolidated mandate and terms of reference of the the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) as contained in document ECE/TRADE/C/CEFACT/2017/15/Rev.1.

Draft Decision

4. The Executive Committee hereby approves the consolidated mandate and terms of reference of the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) in document ECE/TRADE/C/CEFACT/2017/15/Rev.1.
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Annex

I. Introduction

1. The original document detailing the structure, mandate, terms of reference, and procedures for the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), TRADE/R.650, was approved by Working Party 4 (WP.4), the predecessor of UN/CEFACT, at its final meeting in September 1996 and by the Committee on the Development of Trade in December 1996. Subsequently, organizational changes, a change in organization name and follow-up experience resulted in revisions to the original document, the last being Revision 4, which was approved by the UN/CEFACT Plenary in 2005. In 2012, UN/CEFACT processes were streamlined and strengthened and the mandate, terms of reference and procedures for UN/CEFACT were revised accordingly (ECE/TRADE/C/CEFACT/2010/15/Rev.3).
2. The Economic Commission for Europe, at its sixty-fifth session, adopted the “Outcome of the review of the 2005 reform of ECE”, as contained in Annex III to document E/ECE/1464. Document ECE/TRADE/C/CEFACT/2010/15/Rev.3 was amended to reflect the decisions and guidelines contained in document E/ECE/1464, and was presented to the nineteen session of the UN/CEFACT Plenary for discussion (ECE/TRADE/C/CEFACT/2010/15/Rev.4). Further amendments were proposed and approved by the twentieth UN/CEFACT Plenary (ECE/TRADE/C/CEFACT/2010/15/Rev.5), which were consequently approved by the ECE Executive Committee (EXCOM) at its sixty-second meeting.
3. The original rules of procedure for the UN/CEFACT Bureau were approved at the twelfth session of the UN/CEFACT Plenary in May 2006, in document TRADE/R.650/Rev.4/Add.2. Revised rules, including suggestions based on the Bureau’s experience, were submitted and approved at the sixteenth (ECE/TRADE/C/CEFACT/2010/17), seventeenth (ECE/TRADE/C/CEFACT/2010/17/Rev.1 and ECE/TRADE/C/CEFACT/2010/17/Rev.2), eighteenth (ECE/TRADE/C/CEFACT/2010/17/Rev.3) and nineteen sessions (ECE/TRADE/C/CEFACT/2010/17/Rev.4) of the Plenary.
4. The election procedure for the UN/CEFACT Bureau was approved at the twenty-first UN/CEFACT session (ECE/TRADE/C/CEFACT/2015/Misc.3), and revised at the twenty-second session (ECE/TRADE/C/CEFACT/2016/10) of the Plenary.
5. The UN/CEFACT intersessional approval process is one of four addenda to the fourth revision of the Mandate and Terms of Reference of UN/CEFACT (ECE/TRADE/C/CEFACT/2010/15/Rev.3/Add.1). These were requested by the member States at the eleventh Plenary in 2005.
6. The document on UN/CEFACT Country Heads of Delegation, comprises guidance on their responsibilities, duties and procedures, which were revised at the twenty-second session of the UN/CEFACT Plenary (ECE/TRADE/C/CEFACT/2011/7/Add.1/Rev.2).
7. This document consolidates all previous UN/CEFACT core documents regarding the UN/CEFACT mandate, terms of reference and procedures; the rules of procedure for the UN/CEFACT Bureau; the UN/CEFACT intersessional approval process; and the guidance on responsibilities, duties and procedures of UN/CEFACT Country Heads of Delegation. The purpose is to streamline and facilitate the UN/CEFACT policies and procedures.

II. Mandate and terms of reference

8. Within the framework of the United Nations Economic and Social Council, the United Nations Economic Commission for Europe (ECE) serves as the focal point for trade facilitation recommendations and electronic business standards, covering both commercial and government business processes that can foster growth in international trade and related services. In this context, UN/CEFACT was established, as a subsidiary, inter-governmental body of the ECE, mandated to develop a programme of work of global relevance to achieve improved worldwide coordination and cooperation in these areas.¹ Following the adoption of the outcome of the Review of the 2005 reform of ECE,² in April 2013, UN/CEFACT was placed under the overall guidance of the EXCOM.

9. UN/CEFACT reports on its activities to the EXCOM.

10. UN/CEFACT supports activities dedicated to improving the ability of business, trade and administrative organizations from developed, developing and transition economies to exchange products and relevant services effectively. Its principal focus is on facilitating national and international transactions through the simplification and harmonization of processes, procedures and information flows, and so contributing to the growth of global commerce. This is achieved by:

- (a) Analysing and understanding the key elements of international processes, procedures and transactions and working for the elimination of constraints;
- (b) Developing methods to facilitate processes, procedures and transactions, including the relevant use of information and communication technologies (ICT);
- (c) Promoting both the use of these methods and associated best practices through channels such as government, industry and service associations;
- (d) Coordinating its work with other international organizations such as the World Trade Organization (WTO), the World Customs Organization (WCO), the Organisation for Economic Co-operation and Development (OECD), the United Nations Commission on International Trade Law (UNCITRAL) and the United Nations Conference on Trade and Development (UNCTAD); and
- (e) Securing coherence in the development of recommendations and standards by cooperating with other interested parties, including international, intergovernmental and non-governmental organizations. In particular, for UN/CEFACT standards, this coherence is facilitated by cooperating with the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the International Telecommunication Union (ITU) and selected non-governmental organizations (NGOs), especially in the context of the ISO/IEC/ITU/ECE Memorandum of Understanding on electronic business. These relationships have been established and maintained in recognition of the broad application that UN/CEFACT's work has in areas beyond global commerce and the key objectives of interoperability between applications and the ability to support multilingual environments.

¹ See diagram in Annex I.

² Decision adopted by the Economic Commission for Europe during its sixty-fifth session (E/ECE/1464, Annex III).

III. Structure and procedures

A. Framework

11. The structure of UN/CEFACT consists of a Plenary, a Bureau and Regional Rapporteurs.
12. The Plenary convenes at least once a year and, between Plenary sessions, the Bureau meets at least once.
13. The Plenary is the highest authority regarding all aspects of UN/CEFACT work, subject to any approval required by the EXCOM.
14. The Plenary elects a Bureau to act in the name of the Plenary between its sessions by, in particular, developing, implementing and managing its strategies and programme of work, including outreach activities in response to the needs and priorities of the Member States of the United Nations and other stakeholders. The Plenary also elects rapporteurs for specific tasks, in particular, for regional outreach.
15. Delegations to the Plenary shall include interested United Nations Member States, intergovernmental organizations and non-governmental organizations recognized by the Economic and Social Council of the United Nations (ECOSOC).
16. The preferred way of reaching decisions shall be by consensus, which for these purposes is defined as a general agreement characterized by the absence of formal objection to substantive issues. Deciding by consensus is a process that involves seeking to take into account the views of all parties concerned and to reconcile conflicting arguments. Consensus is not to be equated with unanimity. If consensus cannot be reached, the matter will be put to a vote. For voting purposes, a majority of formally nominated delegations of United Nations Member States to UN/CEFACT shall constitute a quorum, and delegates must be present in the meeting that puts the matter to a vote.
17. In view of the global character of UN/CEFACT's work on trade facilitation and electronic business standards, any Member State of the United Nations can participate on the basis of equality.
18. Member States nominate permanent Heads of Delegation, whose responsibilities include participating in Plenary and intersessional decision processes on the basis of equality, as well as nominating experts to participate in UN/CEFACT activities as independent volunteer experts in their own right, without representing any special interests of their countries or institutions. Among their activities, experts may assist the Bureau in the development and implementation of the programme of work, especially contributing to projects that involve the development of ECE recommendations and UN/CEFACT standards in conformity with the provisions of the UN/CEFACT Intellectual Property Policy.
19. Subject to United Nations rules and regulations, the ECE secretariat may invite observers to attend Plenary sessions at the initiative of either the Bureau or the secretariat itself.
20. ECE provides secretariat resources to support UN/CEFACT and the implementation of its programme of work, under the supervision of the ECE Executive Secretary and in line with budgetary and extra budgetary resources. Planning for the implementation of the UN/CEFACT programme of work is undertaken annually by the Bureau (acting on behalf of the Plenary) and the ECE secretariat, taking into account the resources available from both the United Nations and externally. The Bureau is also responsible for reviewing and reporting to the Plenary on the results of the implementation of the programme of work.

21. All meetings of the Plenary and the Bureau shall conform to general United Nations and ECE rules, including EXCOM rules.
22. The Bureau shall coordinate its work with other organizations, ensure that practical work on specific tasks is undertaken at the appropriate level within UN/CEFACT, and avoid duplication of work both internally or externally.
23. ECE recommendations and UN/CEFACT standards shall be approved by the Plenary on the basis of the project procedures specified in the UN/CEFACT Open Development Process (ODP) (ECE/TRADE/C/CEFACT/2016/17) and shall be made freely available to users.
24. UN/CEFACT widely disseminates, encourages and promotes the implementation of its deliverables among users in cooperation with, for example, national governments, intergovernmental organizations, the Global Facilitation Partnership for Transport and Trade, non-governmental organizations and organizations representing industry and commerce. It does this with the assistance of the ECE secretariat, which is responsible for official communications and other communications support, including maintenance of the website.
25. UN/CEFACT, with the assistance of the ECE secretariat, provides publications through its website on a freely available basis and, whenever possible, in English, French and Russian.

B. The Plenary³

26. The Plenary shall meet at least once a year in accordance with its procedures. As part of its procedures, the Plenary may reach decisions via an intersessional approval process (see below).
27. The Plenary shall have the executive responsibility for determining the strategy, policy and promotion necessary to carry out UN/CEFACT's mandate. In particular, the Plenary shall approve the UN/CEFACT programme of work.
28. The Plenary shall elect a Chair of UN/CEFACT and at least four vice-chairs, which constitutes the Bureau according to the procedure outlined below.
29. The Plenary may, taking into due consideration guidance from the Bureau, appoint Regional Rapporteurs to undertake specific functional and representational tasks as described below and in coordination with the Bureau and the ECE secretariat.

C. Country Heads of Delegation

30. The main purpose of the position of Country Head of Delegation (which does not similarly exist in other ECE working parties) is to represent their member States on a standing basis, as well as to provide a mechanism to ensure effective public-private partnership in this ECE programme and its monitoring by member States.
31. Any United Nations Member State may nominate a Head of Delegation whose responsibilities include participating in Plenary and intersessional decision processes as well as nominating experts to participate in UN/CEFACT activities.
32. This nomination shall be made in writing through the country's Permanent Mission to the United Nations or the responsible Ministry.

³ Sections: The Plenary, The Bureau and Regional Rapporteurs, were reverted to ECE/TRADE/C/CEFACT/2010/15/Rev.3 by decision of the 19th UN/CEFACT Plenary.

33. Nominations of Heads of Delegation shall be renewable every two years and can be withdrawn or changed temporarily or permanently with immediate effect by the Permanent Mission of the country. This means, for instance, that a Permanent Mission can name a temporary Head of Delegation to a particular Plenary meeting or any other event, and for the approval of the meeting report. The secretariat will maintain an updated list of Heads of Delegations and publish it on the UN/CEFACT website (http://www.unece.org/cefact/forum_grps/secretariat/hodlist.html).

34. Within their mandate, Heads of Delegation in coordination with the UN/CEFACT Plenary, the UN/CEFACT Bureau and the ECE secretariat are expected to:

- (a) Reflect the official position of that United Nations Member State with respect to UN/CEFACT matters, including during the intersessional approval process as well as to the Plenary;
- (b) Operate as national contact and coordinating point on UN/CEFACT issues, including by coordinating UN/CEFACT's activities in the Heads of Delegation's own country, promoting UN/CEFACT's interests and activities among governments, intergovernmental organizations, relevant trade associations and business and trade facilitation organizations in their own country and ensuring coordination of national experts' participation in UN/CEFACT activities and specific projects;
- (c) Nominate experts to participate in UN/CEFACT activities (including the Plenary) and projects as independent volunteer experts in their own right, without representing any special interests of their countries or institutions. Heads of Delegation are expected to respond to requests for nomination of national experts in a timely manner;
- (d) Encourage the participation of national experts in UN/CEFACT's work programme and stimulate the implementation of ECE Recommendations and UN/CEFACT standards and other deliverables;
- (e) Respond on a timely basis to requests for support for a project proposal by indicating their country's position, which will be communicated to the Bureau;
- (f) Solicit national input to the ODP, making comments on the proposals at all of the steps in the process; and
- (g) Monitor and provide national input to the work of UN/CEFACT between its Plenary sessions by contributing to the exchange of information and comments (by involving relevant public and private stakeholders) as required on papers/documents on current developments and projects disseminated between Plenary sessions.

D. The Bureau

35. The Bureau consists of a Chair and at least four Vice Chairs elected by the Plenary.

36. The Bureau shall be responsible to the Plenary for the open, transparent and efficient functioning of UN/CEFACT and the implementation of its programme of work. Bureau members shall act in their personal capacity, in line with the Code of Conduct, without representing any special interests, their countries or institutions. The Vice Chairs shall assist the Chair in meeting the requirements of the full portfolio of responsibilities held by the Bureau.

37. To fulfil its responsibilities, the Bureau may be supported by experts nominated by Plenary delegations. The Bureau may, subject to ECE rules, also appoint advisors and task

teams to support its activities - for example, to focus on particular aspects of the programme of work and related proposals for projects within a Programme Development Area (PDA). The roles and purpose of advisors and task teams, as well as the individuals involved in such support, will be reported to the Plenary.

38. UN/CEFACT has established a Code of Conduct for all participants. Within the procedures associated with its monitoring, the Bureau may nominate an advisor to address specific matters of concern.

39. The principal functions of the Bureau are:

- (a) To manage the ongoing strategic planning and coordination of the UN/CEFACT programme of work between Plenary sessions;
- (b) To verify that UN/CEFACT activities comply with its mandate, terms of reference and procedures;
- (c) To prepare UN/CEFACT meetings, including those of the Plenary, the Bureau and UN/CEFACT experts, in collaboration with the Secretariat;
- (d) To appoint and guide experts supporting the programme of work, especially in the context of PDAs, each of which will be supervised by a Bureau Vice Chair, in order to give consideration to strategic issues, provide advice on these issues to the Plenary and, where appropriate, work with experts on issues concerning related projects;
- (e) To develop and maintain procedures associated with reviewing and launching project proposals, especially those submitted for the development of ECE Recommendations and UN/CEFACT standards (which must be accompanied by written expressions of support from three UN/CEFACT country Heads of Delegation) and, as necessary, to approve the formation of project teams and appoint project leaders, subject to the provisions of the UN/CEFACT ODP;
- (f) To promote opportunities for outreach, cooperation and collaboration in order to advance projects supporting the programme of work, particularly through meetings of experts;
- (g) To ensure, with the support of the Secretariat, coherence in matters relating to policy, promotion, communication, cooperation and capacity building, particularly in the context of activities with other bodies; and
- (h) To be accountable for the operational functions of UN/CEFACT activities (e.g. project control, maintenance of UN/EDIFACT and other UN/CEFACT libraries) with the support of the secretariat, experts and task teams.

40. The Bureau shall meet at least once between Plenary sessions. These meetings may be face-to-face or via electronic/virtual teleconferences. Specific dates or a schedule of meetings should be agreed, usually with at least two weeks' notice. The Chair may invite rapporteurs and others to participate in Bureau meetings and discussions. In the absence of the Chair at a Bureau meeting, and if the Chair is unable to appoint a replacement beforehand, the Bureau will agree by consensus on a replacement for the duration of the meeting as the first item of the agenda of the meeting.

41. Bureau members should make every effort to attend meetings both face to face and by teleconference as well as the sessions of the Plenary and the forums. For reasons of good order, members should give advance notice to the Bureau if they are unable to attend meetings. The Chair should take up the matter of attendance at Bureau meetings with any member of the Bureau absent from more than half of the meetings held between Plenary sessions. In exceptional cases of continual absences, this must be taken up by the Chair with

the Head of Delegation who nominated the Bureau member and, as necessary, reported to the Plenary.

42. Failure by a member of the Bureau to participate constructively in the work of the Bureau may lead to the Chair and/or the Bureau and/or the Secretariat asking the respective Head of Delegation and/or the Plenary to find a replacement for this person.

43. The Chair, with the assistance of the Vice Chairs and the secretariat, is responsible for preparing the programme of work for approval by the Plenary, with a view to providing a coherent framework that serves the needs of United Nations Member States and other stakeholders within the context of UN/CEFACT's mandate and terms of reference. This involves outreach to and collaboration with parties interested in working with UN/CEFACT to achieve common goals and, wherever possible, to avoid duplication of work both within and outside of UN/CEFACT.

44. Following consultation with the Bureau, the Chair will invite one or more Vice Chairs to assist in formulating, guiding and monitoring the work of PDAs, which involve groups of experts focused on projects and related domains. In particular, PDAs address strategic issues in trade facilitation and electronic business, and provide advice on these issues to the Plenary. The Chair should inform the Plenary of these arrangements and any adjustments considered by the Bureau to improve the deliverables.

45. Official requests from Heads of Delegation to the Bureau may either be expressed orally at Plenary sessions or other meetings, submitted as documents for or during Plenary sessions, or sent (independently of any meeting) to the Secretariat. The secretariat creates and maintains a roster of such requests. Receipt of any request from a Head of Plenary Delegation must be confirmed within ten days. Depending upon the subject, the Bureau and/or the secretariat will decide on how to address the request. A response to the Head of Delegation (or governmental authority) must be sent within six weeks of its receipt. If the deadline cannot be met, the Bureau will provide an explanation. Official requests and replies to delegations may be made available to all Heads of Delegations electronically (e.g. through the appropriate e-mail list) at the discretion of the Head of Delegation making the request. Heads of Delegation should be informed regularly about policy-related or other important topics raised in the official requests received.

46. Projects submitted to the Bureau should be within the scope of the programme of work. Should a proposed project be outside the bounds of the programme of work, the Bureau will bring this to the attention of the Plenary and may request an adjustment to the programme of work. The Bureau will appoint Project Leaders and will indicate which of the stages of the ODP apply to specific projects. The Bureau will monitor the progress of the projects. Information about the progress will be provided regularly by project teams and will be available on the UN/CEFACT website, which is maintained by the secretariat. Developments in the programme of work and related action items are taken up regularly, decisions recorded and, as necessary, key discussions duly noted.

47. If any matter requires a formal decision of the Bureau, the Bureau should be informed and receive the related documents no later than one month before the decision is to be taken. In exceptional cases, the Bureau may accept a shorter or longer submission period. For the Bureau to take formal decisions, a quorum of the Bureau must participate. A quorum for a decision is constituted by participation of a simple majority of Bureau members (i.e. Chair plus Vice Chairs) in a meeting or by written procedure. Bureau members need to have been informed by written procedure and be invited to indicate their views by a specified date.

48. The preferred way of reaching decisions shall be by consensus during meetings or by written procedure. If consensus cannot be reached on an issue, the Chair has the authority to call for a vote. Should the Chair call for a vote, all Bureau members need to be invited by

written procedure to cast their votes by a specified date. A simple majority of participants is sufficient to carry a motion. In the event of a tied vote, the Chair has the casting vote.

49. The Chair shall ensure that Bureau decisions are recorded and published. An annual summary report of these decisions shall be provided to the Plenary.

50. The Chair, with the assistance of the Vice Chairs and the secretariat, is responsible for scheduling, coordinating and developing agendas for meetings of the Plenary, the Bureau and UN/CEFACT experts.

51. The Bureau, with the support of the Secretariat, will ensure timely communication of UN/CEFACT developments, mainly through its websites. The Bureau will make available supplementary documentation concerning its plans, activities and procedures, as may be appropriate, including policies and strategies for implementing its mandate. For example, strategies within and across PDAs concerning envisaged projects, liaison policy, communication strategy, library maintenance procedures involving Bureau approval, project review procedures, event management, procedures for presentations on UN/CEFACT and calendar of forthcoming events.

E. Election Procedure for the UN/CEFACT Bureau

52. Elections for UN/CEFACT Chair and Vice Chairs shall be conducted at least every three calendar years, or more often if there is a need due to resignations or other factors to be determined by the Bureau itself.

53. Regular elections shall be conducted during the first day of the first Plenary session for that year. In the event that there is a need to replace a Bureau member due to a resignation or any other factor, the election can be conducted during the first day of the next Plenary or as specified later in this document.

54. The secretariat shall announce to Heads of Delegation and other UN/CEFACT interested parties the number of positions open for election at least three months before the elections.

55. “Guidelines on procedures and practices for ECE bodies”, adopted by the Economic Commission for Europe (ECE) at the fifth meeting of its sixty-fifth session on 11 April 2013 (E/ECE/1464), are presented in Annex II for reference.

56. Candidate nominations shall be made by Country Heads of Delegation through their Permanent Missions in Geneva. Each Country can nominate one candidate of its choice, using its own criteria for selection and taking into account criteria such as expertise, leadership, ability, willingness to work and geographic balance. The candidate must be a member of the Country’s delegation.

57. In the event that a country Head of Delegation nominates himself/herself as a candidate for election, that Head of Delegation may resign from his/her position as Head of Delegation if elected.

58. Nominations must include the candidate's personal details (name, delegation if any, organization if any, contact details, résumé). The nomination may also include any other details that make it clear why the candidate is a good fit for the position.

59. Nominations shall be sent to the secretariat no later than 45 days before the election, and the secretariat shall announce the list of nominees as soon as it consolidates the list and checks that everything is correct, but no later than 30 days before the elections.

60. The Bureau Chair and Vice Chairs terms of office are for three years, with the possibility of one re-election at the end of their term. Any previous Bureau Chair or Vice Chair can be re-elected to the Bureau, under the same conditions, after an absence from the

Bureau of at least two years. In the election or re-election process, due consideration shall be given to the need to achieve consistency, continuity and renewal in the work of UN/CEFACT.

61. UN/CEFACT is a global body, where any Member State of the United Nations can participate on the basis of equality (see paragraph 17 above). Therefore, all UN Member States present at the meeting are eligible to vote through their Heads of Delegation.

62. The election procedure is as follows:

- (a) If the number of nominated candidates equals or is less than the number of available posts, the candidates will be elected by acclamation by the member States present and voting.
- (b) If the number of candidates is higher than the number of available posts, an election of candidates by secret ballot will be held. The UN/CEFACT secretariat will arrange for the election procedure and the counting of votes.
- (c) If there is a tie between two candidates, a second round of secret voting shall be organized during the same session, with only those two candidates on the ballot. The secretariat shall conduct a tally of the votes, and announce the results publicly as soon as it is finished, ideally on the same day as the election.

63. Country Heads of Delegation are expected to vote for as many candidates as there are seats to fill. Cumulative voting on one candidate is not permissible and will render the entire ballot invalid.

64. The vote will be cast by the Head of Delegation appointed for the meeting by the relevant member States.

65. Non-governmental organizations (NGOs) and intergovernmental organizations participate in the Plenary as observers and consequently will not be eligible to vote.

66. Member States who are not present will not be eligible to vote. Consequently, electronic or proxy votes will not be accepted.

67. The candidates who obtain the largest number of votes will be elected.

68. The number of votes obtained by the nominated candidates during the election will not be disclosed.

69. All Bureau members are expected to be active and in good standing and to discharge the duties they have agreed to upon their election.

70. In the event that a Vice Chair resigns before the end of his/her term or if an unexpected event vacates a Vice Chair seat, and there are more than four Vice Chairs remaining, the remaining Bureau Members can either:

- (a) Elect by majority a replacement until the next Plenary when an election can be held; or
- (b) Choose to cover the workload until the next Plenary when an election can be held.

71. In the event that the Chair resigns before the end of his/her term or if an unexpected event vacates the Chair seat, the Vice Chairs can elect by majority a replacement from among the Vice Chairs until the next Plenary when an election can be held.

72. If the resignation or triggering event leaves less than four Bureau members remaining, all UN/CEFACT Bureau activity ceases until the EXCOM decides how to proceed.

F. Intersessional approval process

73. When the Bureau considers that a draft decision, recommendation, standard or other UN/CEFACT output needs to be approved by the Plenary, it may submit the draft to the Heads of Delegation for decision or adoption in an intersessional procedure.

74. The Bureau submits the document to the secretariat no later than two months before a Plenary session.

75. Subsequently, the secretariat publishes the draft document on the UN/CEFACT website for a two-month comment period and circulates it to all Heads of Delegation through the list server, clearly indicating that the draft document is for approval. The two-month comment period takes effect from the date of the first publication on the website.

76. Comments on the draft document should be submitted to the secretariat.

77. If no negative comments or requests for substantive changes are received after the comment period, the document will be considered as approved.

78. The absence of response from a Head of Delegation will be considered as absence of objection to the document.

79. Editorial comments by Heads of Delegation and editorial changes by the United Nations editorial services are approved by the Bureau before final publication.

80. If substantive comments or objections are made, the document is withdrawn from publication and the comments transmitted to the UN/CEFACT Bureau and relevant project team.

G. Regional Rapporteurs

81. The mandate of Regional Rapporteurs shall be carried out, wherever possible, in coordination with the UN/CEFACT Bureau, Heads of Delegation to UN/CEFACT from the region, the ECE secretariat and other Regional Commissions of the United Nations.

82. Within their defined region, the Rapporteur shall:

(a) Promote UN/CEFACT's interests and activities among governments, intergovernmental organizations, relevant trade associations and business and trade facilitation organizations, with the assistance of the ECE secretariat, which is responsible for official communications;

(b) Encourage the participation of experts in UN/CEFACT's work programme and stimulate the implementation of UN/CEFACT's standards, recommendations and other deliverables; and

(c) Assist in coordinating UN/CEFACT's activities in the region.

83. All regional Rapporteurs shall present a report at each UN/CEFACT Plenary. They may raise issues directly with the UN/CEFACT Bureau and have an open invitation to attend the Bureau meetings in a consultative capacity.

84. Regional Rapporteurs are elected for two-year terms, renewable once, in so far as possible.

IV. Periodic review

85. In order to ensure that this document in its provisions accurately reflects relevant developments in global commerce, trade facilitation and electronic business and general methods of collaboration (e.g. the Internet and the web), it shall be reviewed periodically.

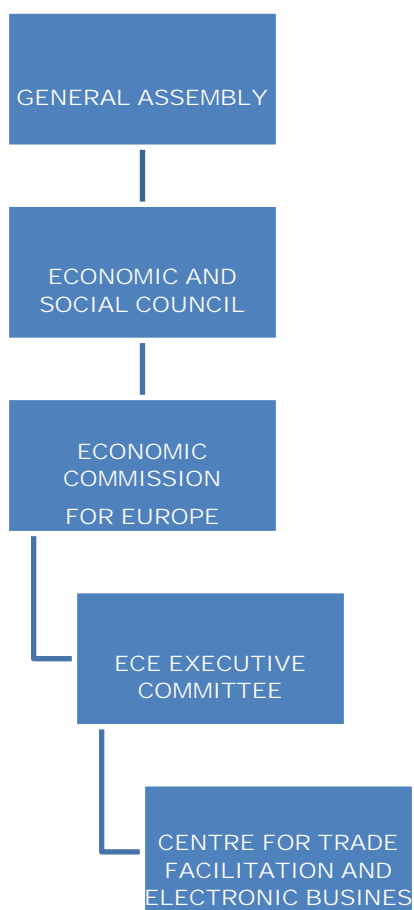
86. The authority to amend this document shall be vested in the Plenary. Proposals for amendments may be made by Plenary delegations or the Bureau.

87. Amendments approved by the Plenary shall be submitted to the EXCOM for approval.

Annex I: Diagrams relating to UN/CEFACT

UN/CEFACT within the United Nations framework

UNITED NATIONS



Annex II

Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe (ECE) at the fifth meeting of its sixty-fifth session on 11 April 2013 (E/ECE/1464)⁴

I. General

1. The work of the Commission, its subsidiary bodies and the secretariat is based on the United Nations Charter, the Terms of Reference of ECE as adopted by the Economic and Social Council, Rules of Procedure of ECE, relevant United Nations rules and regulations, and is in line with these guidelines on procedures and practices for ECE bodies and the secretariat. It should be ensured, at all administrative levels of the secretariat and for all bodies of the Commission, that the work is carried out in a way that is member driven, participatory, consensus-oriented, transparent, responsive, effective, efficient, results-oriented and accountable. The Commission and its subsidiary bodies should continue their existing practice of inviting, without a right to vote, other relevant stakeholders such as international organizations, private sector representatives, members of academia or representatives of civil society.

II. Rules of procedure

2. All Sectoral Committees and other subsidiary bodies may adopt their own Rules of Procedure on the basis of ECE Rules of Procedure and, where applicable, Rules of Procedure of the Economic and Social Council, taking into account these guidelines. Otherwise it will be presumed that they are governed by the Rules of Procedure of the Commission and, where applicable, Rules of Procedure of the Economic and Social Council and taking into account these guidelines *mutatis mutandis*.

III. Communication with the member States

3. The secretariat will continue to communicate with the member States in accordance with the official channels of communication. In cases where the secretariat communicates directly with national experts and counterparts, all correspondence will be copied to the Permanent Representations. Similarly, when the secretariat requires assistance in identifying national experts, it will communicate with the line ministries with a copy to the Permanent Representations.

IV. Accreditation process for participants/representatives to intergovernmental bodies

4. In meetings of subsidiary bodies, member States shall be represented by officially designated representatives whose names shall be communicated to the secretariat by the respective Permanent Representations, and made available by the secretariat.

⁴ Appendix III to the Biennial report covering the period from 1 April 2011 to 11 April 2013

5. Officially designated representatives of the member States who work in the Geneva Permanent Representations and are duly authorized, including persons accredited to the Executive Committee, may take part in the meetings without any restrictions to participate in the discussion and in the decision-making process.

6. Officially designated representatives and other participants to all bodies of the ECE should be registered by the secretariat in the respective lists of participants which will be communicated to the Permanent Representations.

V. Nomination and election of Chairpersons and other members of the Bureaux of intergovernmental bodies

7. Candidates for the Bureaux of the Sectoral Committees and other subsidiary bodies shall be nominated by member States based on the person's expertise, professionalism, and expected support from the membership. The candidatures for election should be made available to all member States well in advance of the elections and preferably agreed upon.

8. The members of the Bureaux shall be elected by the respective body according to the relevant Rules of Procedure and following consultations among member States. Elected Bureaux members serve collectively in the interest of all member States. In the absence of Rules of Procedure of such body, the composition of the Bureau should take into account expertise, with due regard to as wide a geographical representation as possible; the term of office should be up to three years. Bureau members including the Chair can be re-elected for an additional term.

9. A Bureau may invite major stakeholders active in the area of the subprogramme to attend the meetings of the Bureau and contribute to its work, without the right to vote.

VI. Functions of the Bureaux

10. The key functions of the Bureaux are:

(a) To monitor and ensure implementation of the programme of work and of past decisions and recommendations during intercessional periods;

(b) To ensure effective and transparent preparations of forthcoming sessions and, for that purpose, to collectively outreach and consult with all member States, and other stakeholders as appropriate;

(c) To ensure effective conduct of business during the sessions in full compliance with their respective Rules of Procedure, taking into account these guidelines, and to facilitate reaching agreement on decisions and recommendations.

11. In addition to these tasks, the Bureaux help the consensus-building process by means of transparent and inclusive consultations on draft outcomes of the subsidiary bodies, including draft decisions, conclusions and recommendations that might be proposed by representatives of member States.

12. The Bureaux do not adopt the conclusions, recommendations, decisions and meeting reports of the subsidiary bodies.

13. In its activities the Bureaux should coordinate with the secretariat on all relevant issues.

VII. Procedures for the adoption of decisions and reports of intergovernmental bodies

14. When taking a decision, the Commission and its subsidiary bodies shall continue their existing practice of making every effort to reach a consensus.

On draft decisions

15. Without prejudice to the Rules of Procedure of the Commission, any draft conclusions, recommendations or decisions which ECE bodies within their competence are expected to discuss and adopt at their meetings, should be prepared in line with items 9 to 12 and distributed by the secretariat to all participants and Geneva Permanent Representations at least ten days before the start of the meeting, for information, so as to allow participants to finalize their position during the meeting in order to adopt conclusions, recommendations and decisions. This does not prejudice the possibility for member States to propose additional agenda items, draft conclusions, recommendations or decisions at the meeting. Should the submission of draft proposals not be possible ten days prior to a meeting, the prevailing Rules of Procedure will be used to determine how such draft proposals will be considered in order not to block the decision-making process.

16. The secretariat should make available only those draft conclusions, recommendations or decisions for discussion and adoption that are proposed by one or more member States.

17. The secretariat can make proposals on administrative issues within its prerogatives.

18. Draft conclusions, recommendations and decisions are formally adopted by the subsidiary body at the end of the session. Drafts should be projected on a screen, where possible, and read out by the Chair.

19. If a draft conclusion, recommendation or decision cannot be adopted at the meeting for technical reasons, the subsidiary body may decide to circulate it to all Geneva Permanent Representations for subsequent approval.

On draft reports

20. A draft report of the meeting, which reflects in a concise and factual manner the discussion and the views expressed by participants, should be circulated well in advance of the end of the meeting for comments and adoption by member States at the end of the meeting.

21. If the draft report cannot be circulated at or adopted during the meeting for technical reasons, the subsidiary body may decide to distribute it to all Geneva Permanent Representations for subsequent approval.
