



Economic and Social Council

Distr.: General
2 May 2024

Original: English

Economic Commission for Europe

Executive Committee

Centre for Trade Facilitation and Electronic Business

Thirtieth session

Geneva, 11 and 12 July 2024

Item 11 of the provisional agenda

Review of the United Nations Centre for Trade Facilitation and Electronic Business structure, mandate, terms of reference and procedures

Proposed Amendments to the Consolidated United Nations Centre for Trade Facilitation and Electronic Business Mandate and Terms of Reference¹ (Section D – The Bureau)

Submitted by the secretariat

Summary

This note outlines the evolution of United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) governance and proposes amendments to the *Consolidated UN/CEFACT Mandate and Terms of Reference*. This is in response to deliberations at the twenty-ninth UN/CEFACT Plenary where delegates called for further discussion on how UN/CEFACT could benefit from amendments to its rules and procedures, with the goal of empowering technical experts in their advisory role to the Bureau and ensuring a seamless and successful transition for UN/CEFACT governance.

Document ECE/TRADE/C/CEFACT/2024/10 is submitted to the thirtieth session of the UN/CEFACT Plenary for consideration and a subsequent decision on the way forward.

¹ Available at https://unece.org/sites/default/files/2023-10/ECE_TRADE_C_CEFACT_2017_15E_MandateToR.pdf.

1. This note outlines the evolution of the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) governance and proposes amendments to Section D of the *Consolidated UN/CEFACT Mandate and Terms of Reference*, as outlined in document [ECE/TRADE/C/CEFACT/2017/15](#). The proposed amendments involve changes to the governance structure of the UN/CEFACT Bureau and its responsibilities.

2. There have effectively been three phases in UN/CEFACT governance:

- The **steering group** phase from 1996 to 2004;
- The **forum** phase from 2004 to 2011;
- The **programme development area** phase from 2011 to the present.

3. The major changes in governance between **1996 and 2011** have been the strengthening of the **Plenary Bureau**, the elimination of the **working groups** structure and the introduction of **programme development areas (PDAs)**.

4. Such changes were introduced to empower the UN/CEFACT operating body – the Plenary Bureau – and subsequently, to streamline and strengthen the direction and oversight of project work.

5. This note proposes amendments to the governance of UN/CEFACT. The aim is **threefold**:

5.1. To focus the role of the existing Plenary Bureau primarily on the following:

- (i) The strategic directions for the work of UN/CEFACT on sustainable and digital trade facilitation, in line with the United Nations 2030 Agenda, and the ECE strategic priorities (i.e. the green and digital transformations, the circular economy transition, as well as United Nations-wide objectives such as the 2030 Agenda and climate action);
- (ii) The development and implementation of the UN/CEFACT program of work by directing the work of the domain coordinators and project leads;
- (iii) The development of projects and submission of their deliverables to the Plenary;
- (iv) The development of Plenary, Bureau and Forum agendas to fulfil the UN/CEFACT programme of work;
- (v) Fundraising activities for the maintenance of flagship deliverables and the development of new deliverables in line with the programme of work; and
- (vi) Engagement with United Nations Member States and the maintenance of strategic partnerships with relevant actors and stakeholders (e.g. WTO, UNCTAD, United Nations Regional Commissions, FAO, ITC, WCO, ISO, IMO, GS1, ICC, etc.²).

5.2. To stipulate the importance of balanced representation of the public and private sectors and geographical areas in the Plenary Bureau, with the UN/CEFACT Chair preferably coming from the public sector.

This stipulation is based on input from the UN/CEFACT heads of delegations (HODs) on the prospective directions for UN/CEFACT, as reflected in the *Report of the United Nations Centre for Trade Facilitation and Electronic Business on its Twenty-Ninth Session* (ECE/TRADE/C/CEFACT/2023/2). It is important to note that, regarding representation, UN/CEFACT experts are required to act on their own behalf and not represent any specific organization or United Nations Member State.

² World Trade Organization (WTO); United Nations Trade and Development (UNCTAD); Food and Agriculture Organization of the United Nations (FAO); International Trade Centre (ITC); World Customs Organization (WCO); International Organization for Standardization (ISO); International Maritime Organization (IMO); Global Standards 1 (GS1); International Chamber of Commerce (ICC).

5.3. To empower the domain coordinators by establishing a technical advisory group to the Plenary Bureau. The role of this group would primarily be to advise the Bureau in the following ways:

- (i) Screening project proposals to ensure that they are effectively contributing to the mandate and programme of work of UN/CEFACT and are highly relevant to the trade community, with clear deliverables, key performance indicators (KPIs) and timelines;
- (ii) Supporting the Bureau in identifying synergies between domains and opportunities for cross-domain collaboration;
- (iii) Guiding project management to ensure that they proceed in line with the UN/CEFACT Open Development Process (ODP) by reviewing business requirements specifications (BRSs), white papers and other project deliverables and ensuring compliance;
- (iv) Monitoring and evaluating emerging trends for the sustainable and digital trade facilitation agenda for consideration by the UN/CEFACT Bureau and Plenary; and
- (v) Being available to address ad hoc requests by the Bureau, including the production of briefings, promotional materials and analytical overviews of topical issues, and to provide guidance to newcomers.

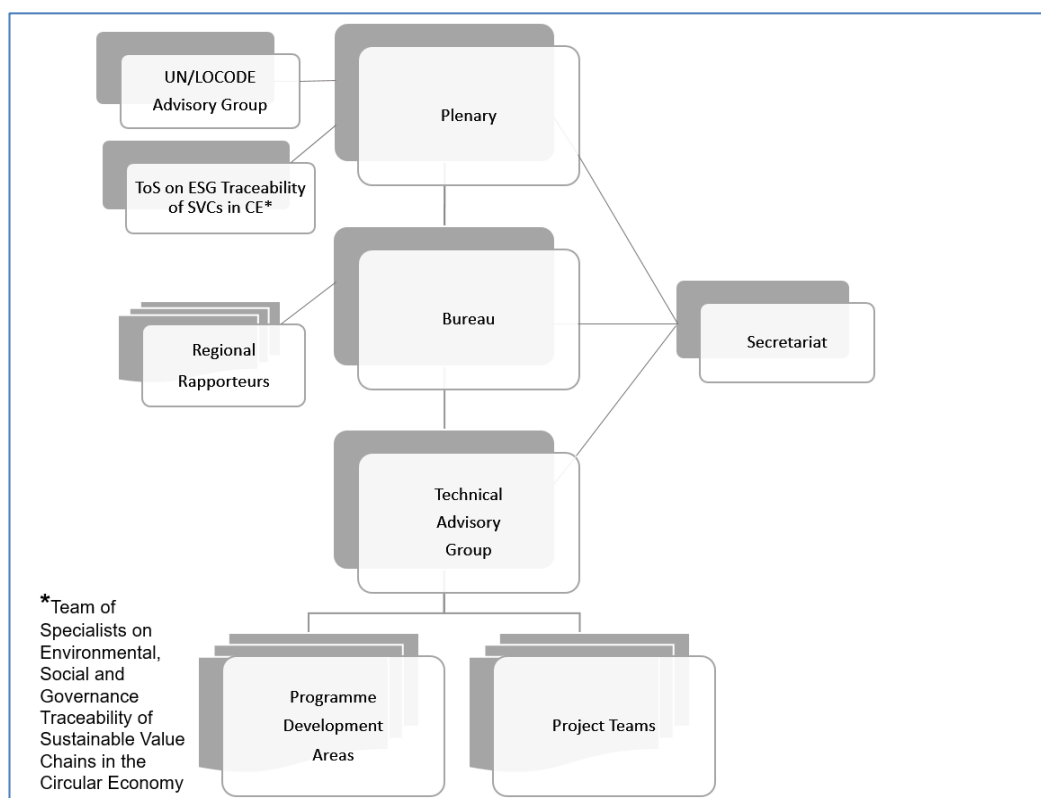
6. The members of the UN/CEFACT Technical Advisory Group (TAG) would consist of the **domain coordinators** of the **programme development areas**, appointed by the Plenary Bureau and drawn from the UN/CEFACT pool of registered experts nominated by Plenary delegations.

7. The **leader** of the TAG would be appointed by the Bureau from among the domain coordinators. The leader would report to the Plenary Bureau and participate in its meetings at the request of the Chair of the Plenary Bureau. The length of his/her mandate would be in line with the one of the Plenary Bureau members.

8. Figure 1, below, illustrates the proposed change to the UN/CEFACT governance.

Figure 1

UN/CEFACT governance based on the proposed changes



Source: ECE secretariat

9. Such a change in UN/CEFACT governance would require amending Section D of document [ECE/TRADE/C/CEFACT/2017/15](#), the *Consolidated UN/CEFACT Mandate and Terms of Reference*, related to the functioning of the Bureau. The proposed text is displayed in Box 1.

Box 1

Proposed amendments to Section D of the *Consolidated UN/CEFACT Mandate and Terms of Reference* ([ECE/TRADE/C/CEFACT/2017/15](#))

D. The Bureau

35. The Bureau consists of a Chair and at least four Vice Chairs, elected by the Plenary. Its composition should provide a balanced representation of the public and private sectors and geographical areas, with the Chair preferably coming from the public sector.

36. The Bureau is accountable to the Plenary for the open, transparent and efficient functioning of UN/CEFACT and the implementation of its programme of work.

37. The Vice Chairs assist the Chair in meeting the requirements of the full portfolio of responsibilities held by the Bureau, with the support of the secretariat and a technical advisory group.

38. The Technical Advisory Group to the Bureau (TAG) is composed of experts, nominated by Plenary heads of delegations (HoDs), that the Bureau has appointed as domain coordinators for the programme development areas (PDAs) on strategic themes for trade facilitation and e-business.

39. The principal functions of the Bureau, with support of the secretariat and the TAG are as follows:

- (a) To prepare the programme of work, for approval by the Plenary, in line with the UN/CEFACT mandate and terms of reference, with a view to providing a coherent framework that serves the needs of United Nations Member States and other stakeholders;
- (b) To manage the strategic planning and coordination of the UN/CEFACT programme of work between Plenary sessions;
- (c) To schedule, coordinate and develop agendas for meetings, including for the Plenary, the Bureau and UN/CEFACT experts, under the leadership of the Chair;
- (d) To verify that UN/CEFACT activities comply with its mandate, terms of reference and rules of procedure;
- (e) To report to the Plenary and the ECE Executive Committee (EXCOM) on activities and decisions and to ensure they are recorded and published;
- (f) To develop and implement the UN/CEFACT program of work by directing the work of the domain coordinator and project leads;
- (g) To develop projects and submit project deliverables to the Plenary;
- (h) To develop and maintain procedures for project proposals, particularly for the development of ECE recommendations and UN/CEFACT electronic business standards (which are subject to the ODP rules and, after approval and prior to starting work, must be accompanied by written expressions of support from three UN/CEFACT HoDs);
- (i) To promote and manage opportunities for outreach, cooperation and collaboration in order to advance the programme of work;
- (j) To ensure coherence in matters relating to policy, capacity-building, cooperation and communication, particularly in the context of activities with other bodies, with a view of achieving common goals and avoiding duplication of work;
- (k) To conduct fundraising activities for the maintenance of flagship deliverables and the development of new deliverables, in line with the programme of work; and

- (l) To develop the terms of reference, to appoint and guide the members of the TAG, which will:
 - i) support the programme of work and the formation of project teams in accordance with the UN/CEFACT ODP;
 - iii) help to ensure that project proposals are effectively contributing to the mandate and programme of work of UN/CEFACT and are highly relevant to the trade community, with clear deliverables, KPIs and timelines;
 - ii) be managed by a leader who is appointed by the Bureau, drawn from the pool of domain coordinators and registered UN/CEFACT experts nominated by Plenary delegations;
 - iv) consist of the domain coordinators of the PDAs who are selected from among the experts nominated by Plenary delegations; and
 - v) provide the Plenary Bureau with a report on its activities, to be submitted to the Plenary.

40. UN/CEFACT has established a code of conduct for all participants in its work. Bureau members shall act on their own behalf, in line with this code of conduct, without representing any special interests, their countries or institutions. Within the procedures associated with its monitoring, the Bureau, in consultation with the secretariat, may nominate an adviser to address specific matters of concern.

41. The modus operandi of the Bureau is as follows:

- (a) The Bureau and its TAG shall meet at least once between Plenary sessions. These meetings may be in-person or via electronic/virtual teleconferences. Specific dates or a schedule of meetings should be agreed, usually with at least two weeks' notice;
- (b) The Chair may invite the leader of the TAG, the Regional Rapporteurs and other experts to participate in Bureau meetings and discussions;
- (c) 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 by a Bureau member for the duration of the meeting as the first agenda item of the meeting;
- (d) Bureau members should make every effort to attend meetings, including 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;
- (e) 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 HoDs who nominated the Bureau member and, as necessary, reported to the Plenary; and
- (f) 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 asking the respective HoDs and/or the Plenary to find a replacement for this Bureau member.

42. The Bureau has established the following procedures on decision-making:

- (a) If any matter requires a formal decision by 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 Chair) 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; and
- (b) 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.

43. Concerning official requests from heads of delegation:
- (a) Requests 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, or directly to the Bureau. The secretariat creates and maintains a roster of such requests;
 - (b) Requests to the Bureau should be transmitted by the Bureau to the secretariat and acknowledged within one week of receipt. 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; and
 - (c) Official requests and replies to delegations may be made available to all HoDs electronically (e.g. through the appropriate email list) at the discretion of the HoD making the request. HoDs should be informed regularly about policy-related or other important topics raised in the official requests received.
44. Concerning projects submission and monitoring:
- (a) Projects submitted to the Bureau should be within 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 either request an adjustment to the programme of work or reject the project proposal on these grounds;
 - (b) The Bureau, supported by the TAG, will approve the appointment of project leaders and will indicate which of the stages of the ODP apply to specific projects. The TAG will monitor the progress of the projects and regularly advise the Bureau; and
 - (c) Project teams will regularly provide updates on project progress to the TAG and secretariat and will make them available on the UN/CEFACT website, which is maintained by the secretariat. Developments in the programme of work and related action items will be taken up regularly, decisions recorded and, as necessary, key discussions duly noted.
45. The Bureau, with the support of the secretariat and the TAG, will ensure timely communication of UN/CEFACT developments, mainly through the website. The Bureau will make supplementary documentation available concerning its plans, activities and procedures, as appropriate, including policies and strategies for implementing its mandate. Examples include strategies within and across PDAs concerning envisaged projects, liaison policy, communications strategy, library maintenance procedures involving Bureau approval, project review procedures, event management, “one voice” procedures for presentations on UN/CEFACT, and the calendar of forthcoming events.

10. The current text of the Section D on the functioning of the Bureau in the *Consolidated UN/CEFACT Mandate and Terms of Reference*, in document [ECE/TRADE/C/CEFACT/2017/15](#), is displayed in Box 2.

Box 2

Current text of the Section D on the functioning of the Bureau in the *Consolidated UN/CEFACT Mandate and Terms of Reference* (ECE/TRADE/C/CEFACT/2017/15)

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 UNECE 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 UNECE 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, including 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 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 programme of work through 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 or directly to the Bureau. The secretariat creates and maintains a roster of such requests. Requests sent to the Bureau should be transmitted by the Bureau to the secretariat within one week of receipt. 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 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 the website. 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, "one voice" procedures for presentations on UN/CEFACT and calendar of forthcoming events.