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## **UN/CEFACT**

### **REPORT OF THE UN/CEFACT JOINT LEGAL RAPPORTEUR TO THE UN/CEFACT PLENARY**

**SOURCE:** The Joint Legal Rapporteur  
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Agenda Item 8

**REPORT OF THE UN/CEFACT JOINT LEGAL RAPPORTEUR  
TO THE UN/CEFACT PLENARY**

1 Introduction

This report is supplemental to the report by the Chair of the UN/CEFACT Legal Working Group and covers the work of the Joint Rapporteur in the period since appointment in March 1999.

2 Reporting Procedures

The Joint Legal Rapporteur attended all the meetings of the Legal Working Group during the year and, in addition, attended the UN/CEFACT Steering Group (CSG) meetings during the same period reporting to the CSG on behalf of the LWG on its progress during the period in question.

3 Work Programme

As will be apparent from the Chair of the LWG's report, significant progress was made in relation to the LWG's work programme. At the Plenary in March 2000, the LWG will be submitting its e-Commerce interchange agreement (TRADE/CEFACT/2000/25) for approval as a Recommendation. This draft Recommendation consists of a proforma e-Commerce interchange agreement for use between users of open EDI as a document complementary to the standard interchange agreement (Recommendation 26 of UN/CEFACT).

4 External Relations

During the year the UN/CEFACT Joint Legal Rapporteur attended conferences and made presentations on UN/CEFACT legal issues in Sri Lanka, South Korea, India and the United Kingdom. At these events the work of UN/CEFACT and, in particular, the work of the LWG was reviewed and publicised. In addition, numerous bilateral meetings took place regarding the contribution UN/CEFACT could make to other UN based activities concerning the development of an international convention on e-Commerce digital signatures, the development of a code of conduct for e-Commerce use and continued support for the work of UNCITRAL in relation to the model e-Commerce law.

5 Meetings

It has been the policy of the Legal Working Group that as far as possible difficulties associated with the cost of international air travel and accommodation should not hamper the work of the LWG or discourage potential attendees. To this end, during the last 12 months the Legal Working Group of AFACT has been formally constituted as a sub-group of the UN/CEFACT LWG so that those only able to attend meetings in the Pacific Region should be able to participate in the work. The Joint Legal Rapporteur attended the AFACT LWG meeting in South Korea in October 1999. In addition, a North American sub-group of the Legal Working Group was established under the leadership of Professor Philip Nicholls, Wharton College, University of Philadelphia. This sub-group held its first meeting in September 1999 in Philadelphia. The AFACT Legal Working Group has its own terms of reference and work programme which has been endorsed by the UN/CEFACT LWG and the North American LWG sub-group is presently seeking to develop similar terms of reference and a work programme for subsequent endorsement.

## 6 Participation

It is well recognised that the resources of the LWG are limited because of the degree to which participation is on an unpaid voluntary basis. Enormous gratitude is due to those organisations and individuals who participate and lend their valuable time and resources. The Joint Legal Rapporteur considers that the primary objectives of the UN/CEFACT LWG and the Legal Rapporteurs must be to meet the needs of the other permanent working groups in relation to legal electronic business issues and also to contribute to the work done by other international organisations, including the equivalent bodies within other parts of the United Nations in order to stimulate the development of a safe international legal environment to facilitate international electronic commerce and trade for the benefit of all members of the UN/CEFACT Plenary.

## 7 Future Programme of meetings

At the time of preparation of this report the future programme of dates for meetings has yet to be established as this will be an item for consideration at the upcoming UN/CEFACT LWG meeting which is scheduled for Geneva on 6th and 7th March 2000.

## 8 Secretariat

Although the resources of the UN/CEFACT Secretariat have been expanded during the course of the last year, it is still recognised that these resources are very limited. The Joint Legal Rapporteur would like to pay special thanks to the assistance provided by Secretariat members both to the Rapporteurs and to the LWG in the development of its work.

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