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UN/CEFACT structure, mandate, terms of reference and procedures

Draft revised UN/CEFACT Code of Conduct

Submitted by the UN/CEFACT Bureau for approval

Summary

This draft Revised UN/CEFACT Code of Conduct is envisaged to replace the current rules contained in documents Rules of Procedure for the UN/CEFACT Bureau, TRADE/R.650/Rev.4/Add.2 and UN/CEFACT Forum Procedures, TRADE/CEFACT/2005/4. It is submitted for review and approval by the UN/CEFACT Plenary.

UN/CEFACT Code of Conduct

1. This code of conduct is applicable to all UN/CEFACT members and participants. It is applicable in physical meetings as well as in meetings conducted virtually such as e-mails, webinars and audio conferences.
2. UN/CEFACT members and participants must at all times and unconditionally observe the following rules:
 - Meet the highest standards of impartiality, integrity and objectivity during their participation in UN/CEFACT work.
 - Treat everybody fairly, equally and with respect.
 - Respect the right of privacy of all participants.
 - Take all reasonable care that UN/CEFACT work and work products cause no avoidable damage and no personal harm to anybody.
 - Respect the right of all authorized parties to freedom of access to information and communication.
 - Be forthright and to the extent possible realistic in stating claims and estimates.
 - Communicate with everybody with civility and courtesy.
 - Avoid promoting individual companies, organizations or affiliations during UN/CEFACT meetings and communications, or while representing UN/CEFACT in external meetings and communications.
 - Respect legitimate intellectual property rights, refrain from plagiarizing the work of others and acknowledge the contributions of other parties.
 - Seek, accept and offer honest assessments of UN/CEFACT work items, which must be properly acknowledged and corrected as required.
 - Encourage other members of UN/CEFACT to follow this code of conduct.

Sanctions and appeal

3. Failure to respect the code of conduct may result in an official warning from the Bureau. If the behaviour is considered significant and is not corrected, the participant's membership of UN/CEFACT may be revoked and the responsible Head of Delegation requested to withdraw the nomination. Appeals may be submitted to the Ombudsman, including in cases in which one or more of the parties subject to disciplinary action is a Bureau member. The Ombudsman's decision is final unless appealed by a country Head of Delegation to the Plenary.

Conflict of interest

4. All UN/CEFACT members and participants are expected to work towards the advancement of UN/CEFACT's mission while engaged in UN/CEFACT activities, meetings and events. Should a conflict of interest arise, the following rules are applicable:

Declaration of Conflict of Interest

5. A conflict of interest may arise from the following:
 - Personal, professional or financial interest, which may be in direct conflict with UN/CEFACT's mission.

- Decision-making role/responsibility in other standards organisations, Board membership, etc.
- Position in publicly visible advisory bodies.

6. In those cases, and all cases where significant relationships might reasonably be perceived as creating a conflict of interest, a written declaration of conflict of interest must be made by that member or participant; such declaration must be sent to the Bureau, and a record of such declarations will be kept by the UNECE secretariat. The Plenary will be informed upon request.

Recusal or withdrawal

7. A conflict of interest may also arise as a consequence of employment (whether salaried employment or paid consulting or equity compensated consulting) when the employer instructs the member or participant to engage in activities that are detrimental to or conflict with UN/CEFACT's mission.

8. Because a public declaration of conflict of interest may negatively affect that member's or participant's employment situation, such declaration can be made confidentially to the Bureau (or in the case of a Bureau member, to the Chair of UN/CEFACT). Moreover, the member or participant must recuse himself or herself from voting or, when the instruction involves a concrete action, the participant must withdraw from the activity in question. For instance, a participant must recuse himself or herself from a vote when the employer instructs him or her to vote in a certain way because it benefits the commercial interests of the employer, even if the employee is convinced that he or she would be voting for the wrong technical solution from UN/CEFACT's perspective. And the employee must withdraw from further participation in a given activity if the employer instructs him or her to create work in another organization that would be in direct competition with existing UN/CEFACT work that the employee is engaged in.

Sanctions and appeal

9. Sanctions and appeal:

- Failure to declare a conflict of interest will result in a request from the Bureau to submit this declaration within 30 days. If such declaration is not received within this period, the participant's membership of UN/CEFACT is revoked and the responsible Head of Delegation is requested to withdraw the nomination.
- Failure to recuse or withdraw as required will result in the participant's membership of UN/CEFACT being revoked and the responsible Head of Delegation being requested to withdraw the nomination.
- All work items affected by the conflict of interest must be regarded as void and any work must be recommenced. This is required even if a late declaration is submitted as described above.
- Appeals may be submitted to the Ombudsman, including in cases in which one or more of the parties subject to disciplinary action is a Bureau member. The Ombudsman's decision is final unless appealed by a country's Head of Delegation to the Plenary.

Dissemination of information about this Code of Conduct

10. This information will be disseminated by the following means:

- Information about the code of conduct to heads of delegation.
- Information about the code of conduct to the nominees by the heads of delegation.
- Publication of the code of conduct on the UN/CEFACT website.

Annex

UN/CEFACT Conventions of Netiquette

UN/CEFACT supports the following conventions for e-mail exchange. These are guidelines for improving the effectiveness of communications and avoiding unintended misunderstandings and interpretations. Violating the normative conventions below can result in sanctions by the Bureau, such as removal from UN/CEFACT membership. Violating the informative conventions below may not result in sanctions by the Bureau, but may result in peer imposed ones.

I. Normative:

1. Do not upload files or post messages that contain photos, software or other material protected by intellectual property laws, copyright or rights of privacy or publicity or any other applicable law, unless you own or control the rights thereto or have obtained all necessary permissions.
2. Do not send chain letters.
3. Do not indulge in personal attacks.
4. Do not post commercial messages.
5. Do not post files or program with destructive features (e.g. viruses).
6. Do not use language that is clearly not in keeping with the UN/CEFACT code of conduct.
7. Do not post messages that encourage or facilitate members to arrive at any agreement or understanding that, if carried out, would be likely to lessen competition to a significant extent among or between members, or that could be construed as a violation of anti-trust laws.
8. Do not falsely impersonate anyone.

II. Informative:

1. Use e-mail the way you would want others to use it; you can significantly influence the behaviour of others -- even when you just write an e-mail.
2. Read your message before sending it; avoid unwanted surprises; clean up e-mail messages before forwarding them.
3. Use cc: sparingly. In particular, avoid copying others when a conversation has become a dialogue.
4. Quote original messages properly in replies; crop long message threads in your responses, making sure you include enough original material but no more.
5. Be careful with irony in e-mails; avoid comments that could offend or confuse; if you have to use a smiley you should think twice before sending the message.
6. Writing in all caps is like shouting; don't shout, it's not nice.

7. Try to avoid sending huge attachments; many e-mail servers and routers silently delete attachments that are bigger than 10 Mbs; even 5 Mbs is considered too much by some entities; try to upload such large materials instead of sending them by e-mail.
 8. E-mail is not a secure mechanism unless you use encryption; never put in an e-mail something you would not write in a postcard.
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