



**Economic and Social
Council**

Distr.
GENERAL

TRADE/CEFACT/2005/4
23 May 2005

ENGLISH ONLY

ECONOMIC COMMISSION FOR EUROPE

COMMITTEE FOR TRADE, INDUSTRY AND
ENTERPRISE DEVELOPMENT

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

Eleventh session, 20 – 23 June 2005

Item 3 of the provisional agenda

UN/CEFACT FORUM PROCEDURES

Submitted by the UN/CEFACT Forum Management Group

This document is for **approval**

I. Overview

1. The UN/CEFACT Forum is the operational entity of the UN/CEFACT Plenary. It consists of a number of permanent groups (PGs) managed by the Forum Management Group (FMG) and governed by the Bureau. This document outlines the procedures for membership and decision making in the Forums, the FMG and the PGs. This document is a further refinement of TRADE/R.650/Rev.4 - Mandate and Terms of Reference of UN/CEFACT and therefore should be read in conjunction with R.650.

II. Membership

2. Membership in the Forum is open to experts or representatives who have been nominated by a UN/CEFACT delegation to participate.

3. Nominations shall be made to the UNECE secretariat, which will keep records on membership and inform the PG chairs accordingly. During meetings, Forum participants who are registered in accordance with the procedures established by the UNECE secretariat shall have the status of “experts on mission” in the sense of Section 22 of Article VI of the Convention on the Privileges and Immunities of the United Nations. Membership can be withdrawn either by the member personally or by the Head of Delegation that originally nominated the member.

4. Membership in the Forum resides with the nominated individual (rather than their sponsoring organization). Members of the Forum are expected to contribute to the work based solely on their expertise and to comply with the UN/CEFACT Policy on Intellectual Property Rights and with the UN/CEFACT Code of Conduct.

5. There are five permanent groups:

- Applied Technologies Group (ATG)
- Information Content Management Group (ICG)
- Legal Group (LG)
- International Trade and Business Processes Group (TBG)
- Techniques and Methodologies Group (TMG)

6. In principle, every member of the Forum shall be a member of a Permanent Group, as indicated at the time of their nomination. Decisions within permanent groups are made by consensus. Consensus is general agreement, characterized by the absence of significant and sustained opposition by a relevant minority. If consensus cannot be achieved, the PG, when quorate, shall decide the matter by formal vote. Elections for officers of PGs, working groups or project teams of a PG shall always be carried out by secret ballot when there is more than one nominee for a position.

7. Constructive participation in a Permanent Group, its working groups and/or project teams, is the basis for establishing the right to vote. It requires active engagement in online discussions (e.g. list server, conference call), and where possible attendance at Forum meetings. Each Permanent Group Chair will administer the voting membership list of their PG, according to the list of nominees by HoDs, maintained by UNECE Secretariat. The status of which shall be reported to the FMG on the first day of every Forum meeting. Any disputes will be settled by the FMG. In the case that this is not possible, the Bureau will make the final decision.

8. Subject to approval by the FMG, specific and more restrictive membership rules may be defined for any PG Working Group(s), Project Team(s), and other ad hoc group(s).

9. Officially invited guests are welcome to participate in any Forum meeting and are encouraged to make constructive contributions and participate in the work of the Forum.

III. Forum Management Group (FMG)

10. The FMG is responsible for the executive management of the Forum. Its responsibility, duties and mandate are established according to the UN/CEFACT Mandate and Terms of Reference (TRADE/R.650/Rev.4).
11. The FMG has express authority to overrule any decision taken by a PG.
12. Decisions of the FMG are made by consensus. If consensus cannot be reached, the FMG, when quorate, will decide the issue by formal vote.
13. In principle, the Chair of a PG is the permanent member of the PG in the FMG.
14. The voting membership of the FMG is with the Chair, Vice-Chair, the five PG chairs, and up to two additional members.

IV. Permanent Group Administrative Team Structure

15. The Administrative Team Structure of a PG shall consist of the Chair, the Vice Chair(s) and a secretariat, a Plenary and, optionally, a Steering Committee.
16. The Chair and Vice Chair(s) are elected for a two-year term, and may be re-elected.

PG officers

17. The Permanent Group Chair is an elected position, and is ratified by the UN/CEFACT Plenary. Ratification by the UN/CEFACT Plenary confers Rapporteur status upon the Chair.
18. Nominees for the position of Chair and Vice Chair(s) of a Permanent Group shall come from the membership of that PG and shall meet the following requirements:
 - Have been an active, voting member of the PG in question for the preceding 12 months
 - Have relevant background and experience in the UN/CEFACT process and the work area of the Forum.
 - Commit to making available adequate time to perform the duties and responsibilities;
 - Commit to making available an adequate travel budget for the duration of his/her term;
 - Commit to attend all PG and Forum meetings during his/her term of office.
19. The PG Chair shall assume the following functions:
 - Call to order and preside over meetings
 - Appoint convenors for proposed Working Groups
 - Assign duties as necessary
 - Communicate the official position of the Group
 - Prepare meeting agendas and organize meeting material
 - Presenting a written report at each session of the UN/CEFACT Plenary
 - Attend FMG meetings and provide reports to the FMG
20. The PG Vice Chair(s) shall assume the following functions:
 - Preside at the meeting in the absence of the Chair
 - Assume duties of the Chair in the event of resignation
 - Communicate the official position of the group in the absence of the Chair.
 - Assist the Chair in preparing meeting agendas and in organizing meeting material.

The PG secretariat

21. The PG Secretariat is a volunteer position provided by a PG member. The selection of the position is via the PG Plenary or the PG Steering Committee.
22. The PG Secretary shall assume the following functions:
 - Maintain a log of voting and non-voting members
 - Maintain mailing lists of PG members in conjunction with the UNECE Webmaster
 - Record and distribute the official meeting minutes

- Maintain PG records and correspondence
- Notify members of meeting information and agendas
- Assemble and distribute all documentation and meeting materials to members
- Maintain a list of key process dates relative to PG procedures
- Other record-keeping or administrative duties as assigned by the Chair

23. Elected officers may be removed from office by a two thirds vote of all PG voting members.

PG Plenary

24. The PG Plenary shall be composed of all PG members and may serve as the mechanism for decision making on matters concerning multiple working groups or project teams.

Steering Committee

25. If deemed necessary the PG may establish a Steering Committee (StC).

26. The StC membership may consist of the PG Chair and Vice Chair(s), the PG secretariat, PG Working Group Chair(s), and/or appointed chair(s) of any ad hoc Working Group(s) and/or Project Team(s). In the absence of a Working Group Chair, a designated replacement shall be provided.

27. The PG StC shall assume the following functions:

- Oversee the development, maintenance and use of a comprehensive and coherent set of rules, guidelines and procedures covering all aspects of the PG processes, so as to provide input to the UN/CEFACT process in a timely fashion, taking into account available resources and other implementation constraints.
- Ensure efficient operation of the PG processes and report to each meeting of the PG Plenary on the Group's plans and results.
- Serve as the primary strategic direction-setting body of the PG.
- Act as initial arbitrator in situations where individuals, groups, organizations or countries are of the opinion that they are being excluded from participation in the PG.
- Provide guidance to the PG Chair and PG members for decisions to be taken by the UN/CEFACT Plenary, the UN/CEFACT Bureau and the FMG.
- Ensure that the preliminary agenda for the PG meeting is set sufficiently in advance of the meeting so that attendees can have the agendas in good time.
- Ensure the availability of the current PG work programme schedule at each meeting.
- Subject to approval of the FMG, institute new PG working groups, special ad-hoc work groups, and other special advisory positions, as required. The StC will be responsible for the terms of reference for these groups or individuals being set prior to the PG Plenary. The terms of reference should include purpose, scope and, where applicable, duration.
- Process and approve new project proposals and assign them to working groups.

Formal decision-taking

28. Unless specific, and/or more restrictive rules are approved by the FMG, the rules in this section shall also apply to any PG Working Group(s), Project Team(s), and other ad hoc Work Group(s) created by the PG.

29. All decisions taken by a PG shall be properly minuted and communicated to the FMG for approval.

30. The overall objective within the PG is to achieve a consistent consensus in all matters. In the absence of consensus, then, and only then, shall a vote be taken. Only the Plenary or a StC can make formal decisions within, and on behalf of, a PG.

31. Electronic voting is permitted. The Chair is authorized between meetings to:
- Draft resolutions pertaining to specified subjects
 - Propose such draft resolutions to the members of the Group for discussion by mail
 - Entertain friendly amendments to such draft resolutions and make such changes as shall seem most likely to gain general consent of the members of the Group
-
- Put such resolutions as seem to have gained majority consent to the members of the Group for a vote by mail
 - Conduct votes on such resolutions by mail.
32. "Mail", as the term is applied to the conduct of the Group, shall be construed to mean use of the electronic mail submitted to the Group's general list or other electronic means.

V. Timescale

33. PGs will schedule two meetings per year, which will occur during the UN/CEFACT Forum meetings. Additional meetings may also be scheduled.
34. Detailed timescales are defined in the PG Work and Project Plan.

VI. Reporting

35. The PG chairs, as permanent representative(s) to the FMG, have responsibility for reporting to the FMG on matters concerning PG work items, including submission for FMG approval of new work items and notification of amended, withdrawn and completed work items, as appropriate. In addition, progress with the overall PG work plan will be reported to the FMG for evaluation.
36. The PG chairs have responsibility for presenting a report to the annual UN/CEFACT Plenary detailing the activities of the PG, work accomplished during the past year, the PG's work programme for the coming year (or longer) and any new work items and other relevant issues relating to the operation of the PG. These reports will be approved by the FMG.

VII. Liaisons

37. The PG shall establish and maintain liaisons consistent with its work programme, including liaisons with all UN/CEFACT permanent groups through the FMG and at the Working Group level when required. Liaison with external organizations will be organized through the FMG in line with the UN/CEFACT Liaison Policy. The FMG will coordinate such liaisons with the Standards Liaison Rapporteur and the Bureau.
-