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

Discussion paper on Election Procedure of UN/CEFACT Bureau

Submitted by the secretariat

Summary

Section 1 of this informal document compiles the electoral procedures followed to elect the Bureau Vice Chairs and the Bureau Chair. Section 2 contains proposals in case a Bureau position will become vacant. The Annex contains the “Guidelines on procedures and practices for ECE bodies”, contained in Appendix III to the Biennial report covering the period from 1 April 2011 to 11 April 2013, adopted by the Economic Commission for Europe (ECE) at the fifth meeting of its sixty-fifth session on 11 April 2013 (E/ECE/1464). The Plenary might wish to discuss if it wants to approve Section 2 of this discussion paper and eventually revised Section 1 in order to align it with ECE guidelines.

This document is for discussion and possible approval.

Section 1

I. Introduction

1. Elections for UN/CEFACT Chair and Vice-Chairs shall be conducted 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.



2. 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 a Plenary other than the first, except as specified later in this document.

3. 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.

II. Requirements for nominations

4. Candidate nominations shall be made by Country Heads of Delegation (HoD)-through their permanent Missions in Geneva. Each Country can nominate one candidate of their choice, using their own criteria for selection. The candidate must be a member of the country's delegation.

5. In the event that a Country HoD nominates himself/herself as a candidate for election, that HoD must resign his/her position as HoD if elected.

6. 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.

7. Country HoD shall send their nominations 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.

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

III. Voting system

9. UN/CEFACT is a Global body, where any member State of the United Nations can participate, on the basis of equality (see document ECE/TRADE/C/CEFACT/2010/15/Rev.5 - paragraph 13), therefore all UN Member States present at the meeting are eligible to vote through their HoDs.

10. 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 in 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.

11. Country HoDs are expected to vote for as many candidates as there are seats to fill. Cumulative voting on one candidate is not permissible.

12. The vote will be cast by the HoD appointed for the meeting by the relevant member States.
13. NGOs and International Governmental Organizations participate in the Plenary as observers and consequently will not be eligible to vote.
14. Member States who are not present will not be eligible to vote. Consequently, electronic or proxy votes will not be accepted.
15. The candidates who obtain the largest number of votes will be elected.
16. The number of votes obtained by the nominated candidates during the election will not be disclosed.

Section 2

V. Duties of Bureau Members

17. All Bureau Members are expected to be active and in good standing, that is, they are expected to participate in a minimum of two thirds of all meetings they are qualified for in a calendar year (both face-to-face and by teleconference) and to discharge the duties they have agreed to upon their election. Bureau Members who do not meet these conditions can be removed from their seat by action of the Bureau Chair or by the Plenary, with no possibility of appeal.

VI. Resignation

18. 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 4 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 work load until the next Plenary when an election can be held.

19. In the event that one Vice Chair is elected as Chair or resigns during the Plenary, the Plenary will have to decide how to proceed to cover the Vice Chair position.

20. 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.

21. If the resignation or triggering event leaves less than 4 Bureau Members remaining, all UN/CEFACT Bureau activity ceases until EXCOM decides how to proceed.

Annex I

Appendix III to the Biennial report covering the period from 1 April 2011 to 11 April 2013 adopted by the Economic Commission for Europe (ECE) at the fifth meeting of its sixty-fifth session on 11 April 2013 (E/ECE/1464)

Guidelines on procedures and practices for ECE bodies

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.

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 two 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 intersessional 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.
