ECONOMIC COMMISSION FOR EUROPE

COMMITTEE FOR TRADE, INDUSTRY AND ENTERPRISE DEVELOPMENT

United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT)
Eighth session, 27 and 28 May 2002

REPORT OF THE EIGHTH SESSION

1. The United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) held its eighth session in Geneva on 27 and 28 May 2002 under the chairmanship of Mr. Christian Frühwald.

2. Participants in the meeting included representatives of the following countries: Australia, Belarus, Belgium, Bosnia and Herzegovina, Canada, Costa Rica, Cuba, Czech Republic, Denmark, Finland, France, Germany, Ghana, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Luxembourg, Malawi, Mauritius, Netherlands, Nigeria, Norway, Oman, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, and Yugoslavia.

3. The following intergovernmental organizations participated: Bank for International Settlements (BIS), Danube Commission (CD), European Organization for Nuclear Research (CERN), League of Arab States, and World Customs Organization (WCO).

4. The following United Nations bodies, regional commissions and specialized agencies were also represented: International Telecommunication Union (ITU), United Nations Commission on International Trade Law (UNCITRAL), United Nations Conference on Trade and Development (UNCTAD), United Nations Economic and Social Commission for Western Asia (ESCWA) and the United Nations Industrial Development Organization (UNIDO).

5. The following non-governmental organizations participated: International Article Numbering Association (EAN International), the Iran Chapter of the International Article Numbering Association (EAN Iran), International Association of Ports and Harbours (IAPH), International Electro-technical Commission (IEC), International Chamber of Shipping (ICS), and International Organization for Standardization (ISO), as well as S.W.I.F.T.

GE.02-32340

Note: Decisions taken during this meeting are shown in bold typeface in the current report.

Introductory remarks

7. Mr. Christian Frühwald, Chairman of UN/CEFACT, opened the meeting by welcoming the delegations and requesting them to participate actively in the deliberations on a number of highly important issues regarding UN/CEFACT’s future.

8. The Director of the Trade Division of UNECE, Ms. Carol Cosgrove-Sacks, addressed the meeting on behalf of the Executive Secretary, Ms. Brigita Schmögnerová, expressing the secretariat’s gratitude to the working groups for their deliverables. She pointed out that the UN/CEFACT Plenary session was opening the most high-profile trade facilitation week ever in UNECE history. Immediately after the Plenary session, an “International Forum on Trade Facilitation: Trade Facilitation: Simpler Procedures for World Trade Growth” was being held, with around 500 participants from all over the world. In addition, a “Round Table on Trade Facilitation in Transition Economies and Land-locked Countries” was being held on 31 May 2002 to discuss some aspects regarding the implementation of trade facilitation tools. She thanked the different UN/CEFACT working groups for their assistance in preparing the Forum and Round Table.

9. The United Nations was focusing on implementing the Millennium Declaration on poverty alleviation, which was aimed at spreading the benefits of globalization and of sustainable development in all its aspects. UN/CEFACT stood right at the centre of globalization with its recommendations and work to promote global trade. Its work fitted well into the higher-level context of the Millennium Declaration.

10. At the beginning of his second term of office, the Secretary-General had called for strengthening the organization. The United Nations regional commissions would be expected to play an active role in the global processes of the United Nations and this was likely to emphasize the global role of UN/CEFACT.

11. UNECE’s Trade Development Programme had already been streamlined as part of these processes and a recent reorganization of the secretariat had taken account of the streamlining. The new Global Trade Solutions Branch comprised a set of dynamic teams, including UneDocs, the Mediterranean Project and Trade Facilitation in the Russian Federation. The Policy and Government Cooperation Branch integrated the servicing of all subsidiary bodies, including UN/CEFACT, with the Committee for Trade, Industry and Enterprise Development. Thus, the Secretary of the Committee, Ms Virginia Cram-Martos, was currently responsible for the UN/CEFACT Plenary session and Mr. Mika Vepsäläinen had been nominated secretary of the Plenary.
12. The Director of the Trade Division further explained that the new focus meant that UNECE still needed to maintain its work on norms, standards, recommendations and best practice, but at the same time was expected to play a role in policy dialogue. In addition, implementation and capacity building were particularly relevant to transition economies.

13. The International Forum on Trade Facilitation on 29 and 30 May 2002 formed part of the new strategic approach to raise the profile of the work being done by UN/CEFACT and UNECE on trade facilitation. The Forum had been proposed by the delegation of the United Kingdom at the seventh UN/CEFACT Plenary in March 2001. Thanks to the Governments of the Netherlands, Switzerland and the United Kingdom, many representatives of transition and emerging economies and developing countries could be invited to participate.

14. An important future orientation included the role of UN/CEFACT in the United Nations Information and Communication Technology (ICT) Task Force and the forthcoming World Summit on the Information Society (WSIS). UN/CEFACT should define its role in the process and see how it could contribute to the European Regional Summit in Bucharest 7 – 9 November 2001, for which UNECE was the regional focal point.

Agenda item 1 - Adoption of the provisional agenda

15. The Plenary approved the revised provisional agenda (TRADE/CEFACT/2002/1/Rev.1) with the changes in the documentation as specified in TRADE/CEFACT/2002/INF/1.

Agenda item 2 - Confirmation of the report from the UN/CEFACT March 2001 Plenary

16. The Plenary confirmed the approval of the report of the seventh session of UN/CEFACT (TRADE/CEFACT/2001/35/REV.1).

17. The document referred to in para 44 and approved, in principle, at the seventh session, will be circulated on a CD. The document can be downloaded from the Working Group’s web pages.
Agenda item 3 - UN/CEFACT Steering Group (CSG) reports

<table>
<thead>
<tr>
<th>TRADE/CEFACT/2002/INF. 2</th>
<th>Report of the UN/CEFACT CSG Chair to the UN/CEFACT Plenary</th>
</tr>
</thead>
</table>

Additional documentation:
- TRADE/CEFACT/2002/15 CSG roadmap explaining details on the EWG CC project: UN/EDIFACT Working Group: the EWG Project Team related to ebXML (CC and BP)
- TRADE/CEFACT/2002/37 CSG roadmap explaining the ebXML projects relationships: UN/CEFACT ebTWG project organization

18. The Chairman of the UN/CEFACT Steering Group (CSG) summarized his report and noted that there were no items for decision-making. The CSG had met more than 60 working days over the past year and a large amount of work had been done. A short presentation on ebXML would be made during the current session, as well as another on the Service Provider.

19. The Plenary noted the report of the CSG Chairman.

20. The Plenary endorsed the reports from CSG meetings held:
   - 30 March 2001 in Geneva (TRADE/CEFACT/2002/3)
   - 14 – 17 May 2001 in Geneva (TRADE/CEFACT/2002/4)
   - 3 – 6 September 2001 in Rotterdam (TRADE/CEFACT/2002/5)
   - 19 – 22 November 2001 in Geneva (TRADE/CEFACT/2002/6)

21. It was agreed that CSG reports would be sent to Heads of Delegation for information within a month of being cleared by the CSG.
Agenda item 4: Proposal for Restructuring of UN/CEFACT Plenary and Groups

<table>
<thead>
<tr>
<th>Document Reference</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRADE/CEFACT/2002/8</td>
<td>Proposal for Future Structure and Organisation of the UN/CEFACT Permanent Working Groups</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/31</td>
<td>Proposal for the establishment of a policy group and a promotion and communication group</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/33</td>
<td>UK comments on the new structure</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/34</td>
<td>Republic of Korea’s comments on TRADE/CEFACT/2002/8</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/35</td>
<td>SWIFT comments on TRADE/CEFACT/2002/8</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/36</td>
<td>IPTWG comments on TRADE/CEFACT/2002/8</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/39</td>
<td>Belgian comments on TRADE/CEFACT/2002/8</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/INF.7</td>
<td>Italian comments on TRADE/CEFACT/2002/8</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/INF.9</td>
<td>Further Comments on TRADE/CEFACT/2002/8 jointly submitted by the Delegations of France, Germany and the United Kingdom</td>
</tr>
</tbody>
</table>

Proposal on the new structure

22. The Chairman introduced the issue by listing the documentation distributed to the delegations, including informal documents 6, 7, 8 and 9.

23. He began by emphasizing that the eighth plenary session was the most important UN/CEFACT meeting in the last five years as it needed to reflect the successes in its structure so that the outside world could see it not only as a technical body but also as a significant policy arena. Trade facilitation was the bedrock of UN/CEFACT, and constituted more than trade procedures, including areas such as the rationalization and harmonization of trade procedures, business process information modelling (buy, ship, pay), benchmarking, metrics and best practice, as well as policy issues. To be able to continuously maintain the delivery of end results at the current high level, it was important to enhance interaction between the groups and focus more on aspects such as policy and communications.

24. The CSG Chairman then briefly summarized the history from WP.4 to the structure in place and outlined the proposed new structure: the Plenary would remain the Centre’s highest decision-making body and the Steering Group its tactical implementation and coordination body. Five groups were suggested as main bodies for undertaking or supporting the programme of work, while working groups, as sub-elements of the groups, would be dedicated to specific tasks. Projects would be the work products of a group or a working group.

25. Three “operational” groups would include: (a) the international trade and business process group (TBG); (b) the information content management group (ICG); and (c) the applied technologies group (ATG). These would be assisted by two “support” groups: the techniques and methodologies group (TMG) and the legal group (LG). The Forum would be managed by a Forum Management Team (FMT), consisting of the chairpersons and vice-chairpersons of the groups. The allocation of specific items into the new groups had been specified in detail in document TRADE/CEFACT/2002/8. The Chairman then concluded that it would take a little time to ensure that the current work had been transferred to the correct organization, and thus some flexibility as to the exact placement would be the responsibility of the new organization. The first meeting of the Forum would be held in Geneva in September 2002.
26. In future, all groups would meet at the Forum twice a year, in global hub cities. However, this did not exclude groups, working groups or project groups additionally meeting when and where they wished. The Forum would thus be a significant promotion and communication event.

27. Offering the floor to delegations, the Chairman requested that the discussion focus on clear priority setting. The allocation of management of the work to the proposed FMT would allow CSG to concentrate on larger issues. He reminded participants that the written comments by the delegations should also be taken into account in finalizing the new structure.

28. The Head of Delegation of the United Kingdom referred to the additional paper (TRADE/CEFACT/2002/INF/9) prepared in cooperation with the delegations of France and Germany. It was very important to recognize the significant role of the work carried out by UN/CEFACT. The TBG would be the core of the Forum and the paper TRADE/CEFACT/2002/33 defined in more detail what the other activities should be. Working groups should remain empowered and all groups needed to work in a highly integrated, democratic and transparent way.

29. The CSG would be tasked with implementing the structure, taking fully into account the comments made at the Plenary. Currently, the key issue was to redirect the work of the groups, the CSG and the secretariat to prepare a complete project database as soon as possible.

30. The Head of Delegation of Belgium restated the Belgian position as expressed in TRADE/CEFCT/2002/39, summarizing that the delegation did not wish to “disorganize” UN/CEFACT but sought stability. The role of the CSG should also be defined within the new structure. The delegation would like to keep the present structure with the CSG and the EWG and develop it further. He also requested that national delegations should listen to their technical experts. He pointed out the views of the Belgian users – and particularly those of customs – who found that the new structure provided an inadequate voice for constituencies and it was his delegation’s view that users should be provided adequate “space” in the UN/CEFACT structures. He then made reference to the deliberations of the EWG session held in Washington in March 2001 and the recommendation to keep the present structure where the final users were properly represented.

31. The Head of Delegation of France supported the proposal put forward by his delegation in cooperation with United Kingdom and Germany. He also pointed out that it might not have been indicated clearly in the proposal that there was room in the Forum for end users. A representative of France then told the meeting that the proposal had been discussed in EWG both in Rotterdam and in Barcelona and that EWG supported the restructuring. However, in its report, TRADE/CEFACT/2002/14, a number of comments had been made which should be taken into account when drafting the final version of the new structure. The members of EWG would in this case support the proposal by the United Kingdom, France and Germany with the TBG as the principal group. However, work should not be duplicated, as a project database had already been created and it should only be modified to cover whole UN/CEFACT work.

32. The Head of Delegation of Switzerland reminded the meeting that the plenary was the highest decision-making body in the UN/CEFACT structure and that the heads of delegation took the decisions. A decision needed currently to be made. However, the delegation of Switzerland wished to know what would happen in the CSG and the UNECE secretariat. The Governments
of the member States fund the UNECE secretariat and there are full-time staff at the secretariat. Thus, there was no need for an external service provider. At the end of the meeting, all delegations would need to know explicitly where the experts working on UN/CEFACT, ebXML, UN/EDIFACT and other areas would meet next time. The delegation of Switzerland presumed that they would all meet in September in Geneva at the Palais des Nations where the secretariat has secured premises. Regarding any restructuring, the three-delegation paper was on the right track. TBG would need to take a leading role in the new structure. However, UN/CEFACT should have only one management team, although it currently seemed that it was going to have several. The overall structure would need to be streamlined.

33. The Head of Delegation of the Netherlands supported, in principle, the new structure, which better integrated the different groups and increased UN/CEFACT visibility globally. The Netherlands agreed to the proposal submitted by the United Kingdom, France and Germany. However, the Netherlands was keen on maintaining the work of the current ITPWG as its work was extremely valuable and could not easily be identified in the new structure. Perhaps a monitoring facility could be added so that the valuable work could be incorporated in the new structure in a best possible way. Regarding ebXML, it was important to bear in mind that the products were now available but that they needed to be sold to countries and industries. The new proposal offered an appropriate way to address this.

34. The Head of Delegation of Canada pointed out that some of the documents had been distributed late but he informed the meeting that Canada endorsed the proposal. However, there were a number of issues that required clarification. The delegation of Canada saw the CGS like an operating board and the role of the FMT would rather be that of a background group to support the CSG in its work. A small group could run it provided that the experts did the work. The TBG was important but would not be the only group. Everybody and all groups would need to work together. The delegation of Canada found that it might be necessary to revisit the new structure in one or two years’ time.

35. The Head of Delegation of the United States emphasized that the United States wanted to focus on results and the delivery of products. It was the responsibility of the Plenary to determine the broad organizational structure, but the details ought to be the responsibility of the Forum and empowered groups. The Plenary ought to set the broad agenda and emphasize the importance of meeting deliverable expectations to Groups.

36. The IMMTA delegation reminded the meeting that document TRADE/CEFACT/2002/36 contained the comments of the IPTWG on the new structure. It had been unanimously adopted by the ITP at its session held in Geneva from 8 to 10 April 2002. In the first paragraph, the Group had stated that it believed that the new structure would lead to the creation of several new layers and a never-ending process that lacked clear ownership of processes and decision-making. Persons who were not specialists in trade facilitation could influence the contents of proposals, which would dilute the work. In addition, the proposal placed too much emphasis on the technological aspects of international trade to the detriment of trade procedures. Furthermore, ITP would suffer significantly if it had to hold meetings outside Geneva. The delegation of Italy also supported the comments of the ITP.

37. The Head of Delegation of Belgium requested Heads of Delegation to participate in the CSG session on the morning of 28 May 2002.
38. The Chairman noted that this was not necessary as the CSG was a body elected by the plenary. In addition, the room reserved for the session was too small to allow all Heads of Delegation to participate.

Proposal on the establishment of policy and communications groups

39. The Chairman then introduced his and the secretariat’s proposal on the establishment of a policy group and a communications group for UN/CEFACT, which, in addition to new projects, needed to balance its work on implementation and promotion as opposed to maintenance of existing results. There was also an ever-increasing need for a policy dimension in trade facilitation. This consideration had led to a proposal for two new groups.

40. The policy group would prepare policy guidelines on eliminating constraints and maximizing the impact of UN/CEFACT. The group would comprise a maximum of 10 members, representing trade facilitation, trade policy, electronic business or information and communications technologies elected by the Plenary on the proposal by the Chairman. The Chairman would bring forward a list of names on the second day of the session.

41. The promotion and communications group would develop policy guidelines for promotion and communication activities of UN/CEFACT, and also promotion materials on the benefits of trade facilitation, including publications, guidelines, initiatives for seminars and events. Up to 10 members with experience in promotional work elected by the Plenary at the Chairman’s proposal would constitute the group. The Chairman would also bring forward a list of names for this group on the second day of the session.

42. The delegation of IMMTA noted that the work of the promotion and communications groups was very similar to the work of the ITP and enquired if this was the new role of the old body.

43. The Chairman explained that two new groups were being established to deal with strategy and policy, which, like enhanced promotion and communications, were needed for the work of ITP but also much more largely throughout the UN/CEFACT.

44. The Head of Delegation of Canada saw a need for an ad hoc group but wanted to hear further justification for establishing a permanent new group. He felt that UNECE should be in charge of promoting the results of UN/CEFACT.

45. The Head of Delegation of Canada expressed his concern about the procedure for electing the members of these two groups and suggested that the members should be elected by the Plenary.

46. The Plenary noted the concern and invited all Heads of Delegation to also make proposals.

47. Though the member list proposed by the Chairman was approved, the comments of the Head of Delegation of Canada were recorded on the minutes of the eighth session since they related to the procedural democracy issue of the UN/CEFACT operation.

48. The Head of Delegation of Ireland supported the establishment of the groups and reminded the delegations that UN/CEFACT had carried out a great deal of good work that, unfortunately, largely remained unknown outside highly specialized expert groups. In
particular, it was essential to achieve a geographical balance, as emerging economies were growing fast and there was a dire need for information in those markets.

49. The representative of the International Telecommunication Union (ITU) endorsed the support of Ireland and further stated that, in principle, it should be possible for ITU to promote some of the work. The ITU liaison officer would be happy to discuss this work in more detail with the UN/CEFACT group.

50. The Head of Delegation of France indicated that it might be necessary to define the roles of the two groups in relation to each other. The policy group’s task would be to explain to UN/CEFACT how to change and what to do in the future, while the communications group should make UN/CEFACT’s results available and known.

51. According to the Head of Delegation of Australia, UN/CEFACT had been accused of adding bureaucracy. Instead, UN/CEFACT should take a close look at what it was doing, but going into policy issues did not necessarily justify the establishment of a new group. The roles of the CSG and the policy group should be clarified.

52. The CSG Chairman pointed out that the word “policy” was used in different ways. The CSG implemented the plenary’s decisions and functioned as a management coordination organization. However, the policy group would be dealing with matters relating to the overall strategic direction of UN/CEFACT, e.g. with issues related to less developed and landlocked countries, interoperability, and similar matters that UN/CEFACT was not currently addressing adequately.

53. The representative of IMMTA noted that UN/CEFACT had not done much for developing countries. Hence, there were plenty of opportunities to get the message out globally. The participation of regional commissions, and particularly ESCWA and ESCAP, was a good start in line with the new focus of the United Nations, to stress the importance of the work of the regional commissions. In the attempt to get the message to developing countries, UN/CEFACT should work together with the regional economic commissions.

54. The Head of Delegation of France expressed concern that some delegations might not have had enough time to familiarize themselves with the proposal and a few matters remained to be clarified: When would the groups meet? What were their mandates and roles? These questions should be discussed at the following session.

55. The Chairman of UN/CEFACT responded that the first meetings of the groups would discuss the programmes of work and concrete tasks, while the Terms of Reference were included in the proposal. The programme of work would be submitted to the Heads of Delegation in accordance with the intersessional decision-making process.

56. The Chairman presented the finalized proposal at the beginning of the third session on 28 May. The final version was based on the work of the CSG session during the morning of 28 May taking into account the written comments received by the secretariat and the verbal comments made in the first two sessions on 27 May. The full text would be included in document TRADE/CEFACT/2002/8/Rev.1.
57. The representative of S.W.I.F.T. asked what would be the role of the Group Chairs who were not members of the CSG, and if the Forum Coordination Team (FCT) would also review current projects.

58. The Head of Delegation of Australia supported the proposal as put forward and noted that UN/CEFACT could not wait until the document had been printed but a decision had to be made at the session.

59. The representative of Canada pointed out that the word “would” in paragraph 22 of the finalized proposal should read “shall”. Furthermore, he said that vice chairpersons became FCT members ex officio. He then asked when the delegations could vote on the document. After such a lengthy discussion, the Plenary should approve the document in principle and leave the outstanding details to the FCT.

60. The CSG Chairman apologized for the fact that the finalized document could not be printed. However, hard copies of the Chairman’s slides had already been made available. Regarding the comment from S.W.I.F.T., he indicated that the Rules of Procedure (R.650) would need to be changed accordingly and that this could be done in an intersessional process. Furthermore, the usual UN/CEFACT practice was that the chairpersons of all groups were invited to the CSG meetings irrespective of whether or not they were members and this practice would be continued.

61. The Chairman then concluded that the FCT would be the organ to identify where projects would belong in the new structure; this would be one of the first tasks of the team at the first Forum in September. He then stated that both chairpersons and vice chairpersons of groups would be members of the FCT, while only chairpersons would be members ex officio to the CSG.

62. The CSG Chairman stated that the final text on restructuring was a bulky document. The technical background was not so important to the Plenary and thus, detailed approval might not be necessary.

63. The Head of Delegation of Switzerland noted that there seemed to be a consensus in the room regarding paragraphs 21, 22 and 23 of document TRADE/CEFACT/2002/8. However, Switzerland required that a statement regarding the management functions be included in the report of the meeting, and this was agreed. Furthermore, the delegation would need to see all of the documentation on the management structure.

64. The Head of Delegation of Belgium requested that a statement regarding the respect of UN rules be added to the decision, and this was agreed.

65. The Head of Delegation of the United States requested that the FCT should, at the first Forum in September, define the products to be delivered; it should then report quarterly to the Heads of Delegation. The Chairman asked for this to be included in the report.

66. The Head of Delegation of France responded to the delegation of Canada by suggesting that the Plenary should adopt the new document on restructuring. He also re-iterated his statement of the previous day and requested UN/CEFACT to be coherent with ongoing work and take note of databases in preparation before setting up new ones. The Chairman asked for this to also be included in the report. The Head of Delegation of France then requested more time for
the delegations to familiarize themselves with the document, as a number of elements had still not been included in the version that had last been circulated among the delegations.

67. The UN/CEFACT Chairman then concluded that the final version of the document would be circulated with the report of the meeting.

Recent development regarding ebXML

68. The CSG Chairman reported on the ebXML initiative. Its objective was to produce an open interoperable, industrial strength, framework for electronic Business. EbXML supported web services, which would measurably benefit developed, transition and developing economies and their enterprises - irrespective of size. The founders were UN/CEFACT and the Organization for the Advancement of Structured Information Standards (OASIS).

69. The results of phase 1 had been extremely encouraging. The technical quality of the results was highly satisfying and the process produced 8 technical specifications (PASs), 14 technical reports, 1 glossary and 3 white papers. In addition, the work had led to an agreement with OASIS on the division of future responsibilities for continuing the work. Subsequently, OASIS had become a participant in the Memorandum of Understanding between ISO, IEC, ITU and UNECE on 1 March 2002.

70. EbXML has been adopted by organizations and companies such as Rosetta.Net; ALAT; Covisint (including GM, Ford and Daimler-Chrysler); and Open Travel Alliance. The Open Applications Group had integrated ebXML into 182 Business Transaction Standards and the Global Commerce Initiative (GCI) had adopted ebXML for B2B Trade in Consumer Goods. The Government of Iceland had implemented ebXML for its Dairy Products. A recent survey showed that over 51% of companies considered ebXML to be the way forward. Many vendors had advanced implementation plans.

71. International organizations contributing to the work included ALAG, EAN International, S.W.I.F.T. and BIS.

72. EbXML Phase 2 was well under way, with detailed technical work being developed by both UN/CEFACT and OASIS. The work was being coordinated by a Joint Coordination Committee (JCC) supported by a Joint Technical Liaison Team.

73. The result would be an open, interoperable, industrial strength, framework for eBusiness Web Services with deliverables such as:

- Further and enhanced specifications to support the industrial strength, mission critical, framework including the content link of core components
- Semantic interoperability
- Profile - selected combinations of tested and implementable schemas produced to a schedule
- UN Recommendations and Input specifications to W3C, ISO and other relevant bodies.
Intellectual Property Rights (IPR) of ebXML

74. The CSG Chairman introduced the discussion stating that the original agreement between UN/CEFACT and OASIS had been to have joint IPR. However, the United Nations Office for Legal Affairs (OLA) had recommended that UNECE should hold the sole IPR. This viewpoint was not shared by the Chair of ebXML, or by the Chairman of CSG. Furthermore, the UN/CEFACT Legal Rapporteur (Mr. Marsh) and other legal experts in the working groups disagreed with OLA. The issue still needed to be resolved, probably by face-to-face discussions.

75. The UN/CEFACT Legal Liaison Rapporteur (Mr. Marsh) indicated that it was of great importance that the international standards developed as part of the deliverables of UN/CEFACT be unconditional and royalty free, and freely available to all users.

76. OLA had suggested that all intellectual property rights resulting from the work jointly carried out by UN/CEFACT and OASIS should be owned exclusively by the United Nations. However, this was very likely to discourage contributions from industry participants in UN/CEFACT deliverables and would therefore seriously affect UN/CEFACT work. This position was not supported by the Plenary.

77. The Deputy Director of the Trade Division thanked the Legal Rapporteur for the introduction. He pointed out that the issue was problematic and, to an extent, controversial as regards the position of the United Nations. OLA felt that the best way of ensuring the free availability would be through the United Nations owning the IPR fully. The secretariat had received a note from the OLA on this issue, which would be discussed with the Legal Rapporteur, and perhaps a revised statement might be received from him the following day.

78. The Head of Delegation of France noted that this item had been discussed earlier in the context of ISO and ITU. Two things should not be mixed up: IPR, which were involved in the standardization process and the products that would later be based on the standards. Royalties should not be paid for a standard produced in the context of the United Nations.

79. The representative of ITU reminded the meeting that the United Nations had a policy on this topic and a copy could be made available. ITU had experienced a similar situation and had developed three options: (a) free availability; (b) free licences on an equitable and non-discriminatory basis; and (c) producers keep all IPR. No ITU standards had been based on option 3.

80. The Chairman of OASIS reinforced the comments of the CSG Chairman regarding joint efforts. One of the points that had allowed such cooperation was the agreement that IPR brought to the process by commercial entities would be protected, and OASIS was looking for an appropriate resolution by the United Nations on this topic. The delegation of France pointed out that other international organizations had IPR policies and that these should be evaluated.

81. The representative of Canada reported that IPR had been discussed the previous week at the meetings in Barcelona and Mr. Marsh’s view had been largely shared. Without a clear statement, UN/CEFACT would be losing a lot of contributors, and a position needed to be taken soon.
82. The Plenary endorsed the conclusion of the Legal Rapporteur. It decided that the UN/CEFACT secretariat should make strenuous efforts to resolve the question of UN/CEFACT policy on this matter in a way that was consistent with the objectives of UN/CEFACT.

83. The Plenary requested the CSG to discuss the issue as a matter of urgency.

Support Service Provider

84. The CSG chairman provided a brief summary of the need for a support service provider to open the discussion. The continued requirement for services to support UN/CEFACT work and particularly, the enormous need for services for ebXML were critical issues that affected the long-term success of UN/CEFACT. The matter was becoming increasingly pressing. The basic question had been how operational services could be provided to all the persons interested in UN/CEFACT work without increasing the size of our secretariat. The problem came to a sharp focus, particularly when one looked at ebXML. Future work would be Internet based and UN/CEFACT needed to be capable of supporting this new working environment. Storing work products in a repository, establishing and maintaining that repository and ensuring its accessibility was complex and expensive. EDIFACT had managed through the directory but the groups had struggled to ensure that the data was correctly portrayed in the directory. Given the current operating environment, a significant question arose as to how to secure and finance the necessary service requirements and the operation of repositories. Some cost estimates approached 2 million dollars. Given the current finances of the United Nations, it was not feasible to expect such increased resources. The full level of secretariat resources continued to be available for UN/CEFACT work, but no increase could be foreseen.

85. One crucial question had been the identification of secretariat core work. Certain tasks were essential-- e.g. be a “gatekeeper”, ensuring that UN/CEFACT followed the highest possible operating standards and procedures, transparency, openness, etc. The secretariat should also undertake more research and development work (identified by the Plenary), increase UN/CEFACT credibility, and protect its interests. A discussion on how to arrange this had been initiated 2 years before, concluding that a support service provider ought to be identified. EDIFACT meetings had been using a service provider for a long time. The Plenary was being asked to consider a source for the more traditional support as well as a much wider scope in terms of the operational and fiscal requirements attributable to the services.

86. The delegation of the United States had put a tremendous amount of work into developing and defining this requirement over the past 18 months. A paper entitled “UN/CEFACT support service provider – request for offers” had been developed and discussed with the United Nations procurement office. Subsequently, a statement had been provided indicating that, as no money was involved in the transaction, this request could not be processed through the United Nations procurement services.

87. Thus, the matter was referred to OLA. To this end, the Plenary needed to discuss the matter to define what was required and to see how to proceed. The positions needed to be re-evaluated with the secretariat, including the identification of responsibilities that should remain with the secretariat. Everything UN/CEFACT did in this area needed to be transparent, audited, and
open and to the highest ethical standards. Quality for all different kinds of participants had to be ensured.

88. The delegation of the United States summarized the contents of and rationale behind the paper on “UN/CEFACT support service provider – request for offers”. One fundamental problem was the availability of operating capital: there were physical limitations that UN/CEFACT could not overcome, and the team sought a self-sustaining support service arrangement. Initially the thought had been to deal with a service provider role in support of only the ebXML work. However, the ambitious organizational change had added a need for support services for all groups.

89. In general, the requirements for a service provider included the following: meeting support, operational support to the Forum and all its groups, central support team services and compliance with an agreed service level agreement, communication and training, web and list server support, registry and repository support, and fiscal resource management. Without question, fiscal resource management would comply with the United Nations rules and regulations.

90. The UN/CEFACT Chairman summarized the discussion, concluding that UN/CEFACT was a United Nations body and as such accepted United Nations rules. Some time had been lost in this process but a good document that described the possible tasks of a support service provider was available. The comments of the OLA had been received and the next step to be solved in a few weeks’ time was to prepare a joint agreement between the support service provider team and the secretariat defining the core secretariat functions. OLA’s approval should then be sought for the list, so that UN/CEFACT would have a list of services that it could outsource in order to better render the results available to the user groups.

91. All this done, the Chairman would then revert to the Heads of Delegation to ask all delegations for proposals on how a support service provider could be set up and whom they thought could be such a provider, bearing in mind transparency and openness.

92. The representative of S.W.I.F.T recommended contacting industrial associations that might have a lot of experience in maintaining repositories.

93. The Deputy Director of the Trade Division thanked Mr. Featherstone for the innovative proposal and explained the views of the OLA, pointing out in particular that the decision on outsourcing had to be made by an intergovernmental body. UN/CEFACT had to define what the core activities were, and these could not be outsourced. This information was received from OLA on the Friday before the Plenary on Monday and thus, the secretariat had not been able to further discuss it with anybody. The secretariat would be happy to define the core activities and make the required budget resources available to the core activities.

94. With regard to financial arrangements, the principle of raising and expending funds, as well as auditing, would have to be based on United Nations rules and regulations.

95. The Head of Delegation of France pointed out a few problems. First, the ownership of the contents of the repositories was an issue. The owners would hardly agree to the repositories’ being transferred to a third party. Secondly, a new distribution of the workload was raised. An external audit might therefore be necessary. UN/CEFACT should also consult other international organizations on solutions for external support services. Furthermore, the
delegations would need to know if their advice would be sought on the review of all the tasks of the new organization and on the identification of a support service provider. If so, the Delegation of France would agree, but should the decision on the service provider have to be made at the current time, it would then disagree.

96. The representative of ITU explained that its sector members paid significant sums of money for participation and that the ITU secretariat was taking care of the arrangements. It had to be borne in mind that its secretariat was significantly bigger. A similar language (syntax) had been developed and was being maintained in a repository at the ITU. It had been placed on the web. Details of the cost etc. were available from the ITU representative.

97. The representative of Switzerland reminded the meeting that the document had been submitted for information only and thus no decision could be taken. Switzerland reserved the right to review its position.

98. The Head of Delegation of Belgium pointed out that UN/CEFACT had to define its goals and then explore possibilities for private sector support. While respecting the priorities set by the OLA, those of the market should also be borne in mind. It was essential to have a definition and clear idea of the rules of the game. This was currently not the case and the delegation of Belgium thus agreed with Switzerland.

99. The UN/CEFACT Chairman replied that the issue was to get a “go-ahead” to find a provider and not to finalize or adopt the particular document submitted. All Heads of Delegation were requested to consider whether or not there was a justification for approving the approach.

100. The Head of Delegation of the United States confirmed that it would be advantageous to explore a support service provider. There was a huge need to reach out to developing countries and the Internet was a great leveller. The delegation of the United States was willing to see what could be done with the Government to get this done. In the United States, this would need to be run in an equal open bidding process.

101. The representative of the World Intellectual Property Organization (WIPO) pointed out that if UN/CEFACT wanted to focus on communication, the advice of OLA was difficult to apply. Flexibility was required for marketing purposes.

102. The Head of Delegation of Canada asked if the Identity Manual adopted by the Plenary at its seventh session was still valid and if OLA’s advice had any implications on it.

103. The CSG Chairman summarized the discussion as follows: first, an open discussion with the secretariat was required and secondly, as regards UN/CEFACT’s wish to offer web services to companies globally, progress could not be made without knowing all the details. Thus, he suggested: coming to an understanding on the core services of the secretariat as soon as possible; and to request countries who wanted to make a contribution to do so. An offer had already been received from the United States and another one from S.W.I.F.T. Arrangements had to be made to process these offers.
Decisions:

104. The Plenary approved the proposal with the changes presented to the Plenary by the CSG. Revision 1 of the document TRADE/CEFACT/2002/8 will be sent out together with the full report of the meeting.

105. The Plenary decided to establish a promotion and communication group, as well as a policy group, with a maximum of 10 members each. The proposed list of members of these two groups were approved by the Plenary and will be sent out to all Heads of Delegation after the consultation process has been finalized. The two Groups will draft their programmes of work, which will then be circulated to the Heads of Delegation.

106. The delegation of Switzerland confirmed its request to have a single management group in charge of the management for the functions of the new UN/CEFACT Forum. Hence, it opposed the establishment of a Forum Coordination Team, a Policy Group and a Promotion Group in addition to the existing CSG.

107. The delegation of Belgium asked for further clarification regarding the appointment of the members of the Forum Coordination Team, and the respect of United Nations rules and regulations on public procurement. The delegation then confirmed that it shared the views of the delegation of Switzerland.

108. The Plenary agreed, in principle, that it was necessary to evaluate the need for an external support service provider. A joint agreement between the CSG and the secretariat on what the core secretariat functions are would be prepared as soon as possible. Approval of the United Nations Office of Legal Affairs and the United Nations Controller will then be sought to identify and finalize a list of services that can be outsourced in order to better render the results available to the user groups. After finalization of the list, Heads of Delegation will be requested to submit proposals regarding the contracting of a possible service provider. The United States offered to consider this request and the Chairman strongly encouraged other delegations to follow suit.

109. The delegation of Switzerland reserved its position on the support service provider to a later stage.
Agenda item 5: Programme of work and progress reports from mandated groups

<table>
<thead>
<tr>
<th>Document Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRADE/CEFACT/2002/12</td>
<td>Report of the Codes Working Group (CDWG) to the Plenary</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/13</td>
<td>Report of the Techniques and Methodologies Working Group (TMWG) to the Plenary</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/14</td>
<td>Report of the UN/EDIFACT Working Group (EWG) to the Plenary (also covers work on UN/EDIFACT Standard Directory D. 01A and the group’s work plan)</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/16</td>
<td>eBusiness Transition Working Group (eBTWG) Report</td>
</tr>
</tbody>
</table>

110. The Chairman of the International Trade Procedures Working Group (ITPWG) introduced the Report of the ITPWG. The brochure on trade facilitation was available in three languages. During the last meeting of the Group, the delegation of Nigeria had presented a full report on the extent of Nigeria’s compliance with the United Nations recommendations on trade facilitation, and the ITP was extremely pleased with the work undertaken.

111. The Chairman of the ITP then congratulated the delegation of Nigeria for their excellent work.

112. The Legal Rapporteur presented his report, in which he also discussed the work of the Legal Working Group.


114. The Chairman of the Codes Working Group (CDWG) presented the work of the CDWG and the LOCODE sub-group. In addition to work reported in the document TRADE/CEFACT/2002/12, the group had held a meeting the week before the Plenary. Work on the revision of Recommendation 20 had progressed to an advanced stage and the next draft revision would be released for public comment by September. UN/LOCODE-Recommendation 16, version 2001-1 had been issued with a number of improvements in the presentations. LOCODE currently contained some 35,000 entries and was available for downloading in an MDB format. A non-specific format would be made available shortly.

115. The work on recommendations 29 and 30 had been closed and as a consequence, these numbers could be released for further use. The draft text of Recommendation 21, as contained in document TRADE/CEFACT/2002/24, had been reviewed the week prior to the Plenary and an approved version of the text had been passed to the secretariat, and would be available shortly. A number of changes had been processed on Recommendation 28 and these would be available with the secretariat shortly.
116. The Chairman of the UN/EDIFACT Working Group (EWG) added to the verbal report that the new UN/CEFACT dictionary had been published.

117. The Chairman of the Techniques and Methodologies Working Group (TMWG) and eBTWG made a joint report. Two TMWG meetings had been held since the last plenary, in July in Dublin, and in November in Hong Kong. eBTWG had held a meeting in San Francisco in October. The first joint meeting had been held in Seattle in February 2002.

118. The four-group approach had led to a recommendation regarding “Temporary Document Syntax for ebXML Payloads”. The Heads of Delegation were requested to make public that there was a recommendation on payloads. To the question from ESCWA regarding the availability of a standard syntax on that, the Chairman replied that one was being envisaged for 2003.

119. He then suggested that the message should be strengthened through making this a UN/CEFACT recommendation.

120. In reply to the question from the delegation of Australia regarding the availability of XML standards, the Chairman stated that they were openly available and that the three bodies would make an announcement on their actual location.

121. The Plenary noted the progress in delivering the work programme.

122. The question on the status of the eBTWG recommendations regarding content will be decided by the CSG at its session following the closure of the Plenary on 28 May 2002.

123. The Plenary noted the reports of the International Trade Procedures Working Group, the Legal Working Group, the Business Process Analysis Working Group, the Codes Working Groups, the Techniques and Methodologies Working Group, the UN/EDIFACT Working Group and the eBusiness Transition Working Group.

Agenda item 6 - Reports from UN/CEFACT Rapporteurs, and related matters

<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRADE/CEFACT/2002/17</td>
<td>Rapporteur’s Report for Asia and the Pacific Region to the UN/CEFACT Plenary in May 2002</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/18</td>
<td>Standards Liaison Rapporteur’s Report</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/20</td>
<td>Current work by UNCITRAL in the Field of Electronic Commerce</td>
</tr>
<tr>
<td>TRADE/CEFACT/2002/21</td>
<td>Note regarding Intellectual Property in Work Created by UN/CEFACT</td>
</tr>
</tbody>
</table>

124. The Plenary noted the report of the Rapporteur for Asia.

125. The Standards Liaison Rapporteur introduced his report and concluded that, for personal reasons, he would not be available for the next Plenary. Thus, a successor for liaison needed to be elected. Following discussions with a number of people, he proposed Mr. Pierre Georget (France) for this post.
126. The Chairman of the UN/CEFACT thanked Mr. Claude Hamon for the valuable work he had done as Rapporteur, and pointed out that his resignation would be a great loss to the organization.

127. The delegations of Germany and the Netherlands seconded the candidature of Mr. Georget.

128. Mr. Pierre Georget was elected unanimously as Standards Liaison Officer for a first-time three-year mandate 2002 – 2005.

129. The Plenary noted the report of the Standards Liaison Rapporteur.

130. The re-election of the two Legal Rapporteurs was suggested by the Chairman. Poland and Japan seconded the election of Mr. David Marsh, with the Netherlands seconding the proposal for the re-election of the two rapporteurs.

131. The Plenary noted the reports of the two Legal Liaison Rapporteurs.

132. The Plenary re-elected Messrs David Marsh (United Kingdom) and Renaud Sorieul (UNCITRAL) as Legal Liaison Rapporteurs for a continued two-year mandate 2002 – 2004.

Agenda item 7: Matters arising from the Committee for Trade, Industry and Enterprise Development (CTIED)

133. The Deputy Director of the Trade Division of UN/ECE reported on the activities of the Committee for Trade, Industry and Enterprise Development (CTIED). He informed the Plenary of the current trade facilitation week. The Committee was holding a session parallel to that of UN/CEFACT. The main event for the year would be the two days of the Forum following the UN/CEFACT Plenary, with over 500 people participating. The trade facilitation week would conclude on Friday morning with a Round Table on Trade Facilitation in transition economies.

134. Delegations were requested to check, and correct if necessary, their data in the list of participants.

135. The UNECE had held its annual session from 7 to 10 May. Strengthening of the UNECE had been one of the main topics, including the need for reviewing the work of the principal subsidiary bodies, including that of the Committee. No decision had been taken so far, but the secretariat would continue the dialogue on this issue with the member States. The secretariat would continue to keep UN/CEFACT abreast of developments.

136. The CSG Chairman had given a verbal report to the Committee on the development of the current week, including items such as the new structure, ebXML, and the discussion on a support service provider.
137. The Plenary noted the developments in the Committee for Trade, Industry and Enterprise Development.

Agenda item 8: Memorandum of Understanding with the International Chamber of Commerce - Progress and cooperation under the MoU with the International Electro-technical Commission, the International Organization for Standardization, and the International Telecommunication Union

138. The secretariat informed the Plenary of the latest development on a Memorandum of Understanding that the UNECE was drawing up with the International Chamber of Commerce. The CSG would be informed of all progress made.

139. The Standards Liaison Rapporteur and the secretariat informed the Plenary of the developments in the MoU with IEC, ISO and ITU.

140. The CSG Chairman noted that the team on the MoU was going to hold a conference in Paris at the invitation of ISO and French Telecom and ISO confirmed that the dates would be 4 to 6 December in Paris. All interested parties would be welcome to attend.

141. The Plenary noted the discussions that the UNECE is conducting with the International Chamber of Commerce and asked the secretariat to inform the CSG on any development in the issue. The information will be passed on to the Heads of Delegation after the CSG session in July 2002.

142. The Plenary noted the developments in the context of the Memorandum of Understanding between ISO, IEC, ITU and UNECE.

Agenda item 9 - Approval of Recommendations

143. The Chairman of the Codes Working Group (CDWG) presented for information and noting the revised recommendation.

144. The Plenary noted Revision 4 to annexes V and VI of Recommendation No 21.
145. The Plenary noted the proposal of the United Kingdom (TRADE/CEFACT/2002/32/Rev.1) “Final Proposal for a UNECE Trade Facilitation Recommendation on Providing Guidance to Implementers of Electronic Business” to encourage delegations to consider the ideas contained in the document and decided to request CSG to define where the topic should best be addressed.

Agenda item 10. Conclusions of the Chairman of the International Forum on Trade Facilitation

TRADE/2002/24 Draft conclusions of the Chairman of the International Forum on Trade Facilitation

146. It was noted that the draft conclusions would be available on 29 May 2002.

Agenda item 11 - Reports from regional bodies and initiatives, as well as regional advisors

| TRADE/2002/11 | Technical Cooperation in Support of Trade-Related Norms, Standards and Recommendations |
| TRADE/2002/12 | Operational and Regional Advisory Services |

147. The delegation of the Czech republic informed the Plenary of the joint UNECE and Czech project, with a special focus this year on the Republic of Moldova. The activities had included a contract on implementing United Nations recommendations on electronic data interchanges, training courses and a number of seminars.

148. The UNECE had already worked with the delegation for several years and the project had proved to be highly successful, establishing national trade facilitation bodies in selected eastern European countries. Later in the week, a possible continuation of the project would be discussed.

149. The Plenary noted the presentations on the technical cooperation as well as the operational and regional advisory services rendered in the area of trade facilitation.

150. The Plenary noted the progress of the Czech Technical Cooperation programme and particularly, the recent activities in the Republic of Moldova. The secretariat expressed its gratitude to the Government of the Czech Republic and Mrs. Najmanova for the work undertaken.

Agenda item 12. Current trends in trade facilitation and developments in the transition economies and landlocked countries

| TRADE/2002/18 | Implementation of trade facilitation in transition economies current aspects and issues |
| TRADE/2002/21 | Trade Facilitation in a Global Trade Environment |
| TRADE/2002/22 | The single window concept |
| TRADE/2002/23 | Trade Facilitation in the transition economies and landlocked countries |
151. The documentation for agenda item 12, current aspects of trade facilitation, had been developed as background documents for the International Forum on Trade Facilitation on 29 and 30 May 2002.

152. Document TRADE/2002/21 discussed some theoretical aspects of trade facilitation and its linkages with economies. It described common trade facilitation instruments and formed a basis for the conclusions for the Forum. It also gave a brief summary of the benefits of trade facilitation trying to quantify some of the benefits and included references to a number of studies.

153. Document TRADE/2002/22 had been developed by the ITP group. The single window concept was a piece of work that was at a very advanced stage in the ITP. A number of countries had indicated that a single window environment would enhance trade, and the ITP had developed the document to survey current developments and highlight the various positions. It also looked into some possibilities for the future in terms of facilitating procedures.

154. Document TRADE/2002/23 on trade facilitation in transition economies and landlocked countries was based on a study carried out by a consultant. It covered examples from landlocked countries both in Europe and elsewhere.

155. The Plenary noted the documents submitted by the secretariat.

Agenda item 13 – Progress of the Information and Communications Technology Task Force and the World Summit on the Information Society

| TRADE/CEFACT/2002/30 | Informal Briefing on UNECE’s Work Regarding the World Summit on the Information Society and the UN High Level Task Force on Information and Communications Technology for Development |

156. The Deputy Director of the Trade Division reported on the current status in preparing the world summit. He stated that the UNECE supported two distinct processes: the World Summit on the Information Society (WSIS) and Information and Communication Technologies (ICT) for Development, a task force that the Economic and Social Council had established two years before.

157. WSIS had been initiated by the ITU and was strongly supported by the Secretary-General. Two summits were being organized with the participation of Heads of State, the first in Geneva in December 2003 and the second in Tunis in 2005.

158. UNECE was a focal point for the WSIS project and as such had already organized a regional meeting, on 29 April 2002. A European regional preparatory meeting would be held in Bucharest in November 2002. This was also important for UN/CEFACT, as trade facilitation issues had to be linked to these events, including eDocs and the Mediterranean project.

159. The Plenary noted the documents submitted by the secretariat dealing with the current work of the United Nations ICT Task Force as well as the status of arrangements for the
World Summit on the Information Society, which will take place in Geneva in 2003. The CSG will review the issue at its next session.

**Agenda item 14 - Other business**

160. The Plenary decided to hold its ninth session in the first week of June 2003, together with the next session of the Committee. The detailed schedule would be circulated as soon as it is made available.

161. The CSG would hold its meetings on the following dates:
   - 22 – 25 July, Geneva
   - 23 – 24 October, Berlin

162. The first UN/CEFACT Forum would be held in Geneva starting 9 September.

**Agenda item 15 - Adoption of the report**

163. The Plenary reviewed and approved the list of decisions taken during the meeting.

164. The Chairman thanked the translators, the secretariat, the working groups, and the delegations. He also thanked the permanent mission of Germany to the United Nations Office at Geneva for the reception.

________________