

**Webinar on  
Mongolia's Accession to the UN Convention on the Use of Electronic  
Communications in International Contracts**

**17 November 2020 (2-4.30pm, UBT)**

**CONCEPT NOTE**

**Background**

The 2019 UN Global Survey on Digital and Sustainable Trade Facilitation<sup>1</sup> shows that Mongolia has progressed in its implementation of trade facilitation measures, in line with the WTO *Trade Facilitation Agreement* and the ESCAP-facilitated *Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific*. Compared to the 2017 survey, measures related to transparency and formalities have been implemented (albeit partially) and measures related to paperless trade including its cross-border aspects have been initiated (though still at the planning stage). Progress notwithstanding, outstanding issues and challenges remain to be addressed towards further reducing trade costs. This is an important consideration for Mongolia, a landlocked transit country, seeking to broaden and deepen its trade linkages so as to fully benefit from the country's participation in regional and global value chains. From a subregional context, Mongolia's implementation rate of trade facilitation measures stands at 46%, quite distant from the average implementation rate of 79% among East and North-East Asian countries.

A legal environment that facilitates seamless processes for domestic and cross-border trade is an important element in reducing trade costs. In this aspect, for Mongolia, several areas for improvements and reforms have been identified.<sup>2</sup> These include modernizing and simplifying statutes governing electronic documents and signatures as well as acceding to international treaties to incorporate relevant international legal standards and guidelines into its legal frameworks.

On 15 May 2020, the Parliament of Mongolia has passed legislation to accede to the *UN Convention on the Use of Electronic Communications in International Contracts*<sup>3</sup> (ECC). It comes at an opportune time, strengthening the country's legal foundation to further invigorate its business and trade activities. It also reinforces the momentum gained from Mongolia's ratification of the *Asia-Pacific Trade Agreement*<sup>4</sup> in December 2019, with the country's accession effective by January 2021.

<sup>1</sup> [https://www.unescap.org/sites/default/files/East%20and%20North-East%20Asia%20Report\\_y.pdf](https://www.unescap.org/sites/default/files/East%20and%20North-East%20Asia%20Report_y.pdf)

<sup>2</sup> <https://www.unescap.org/resources/readiness-assessment-cross-border-paperless-trade-mongolia>

<sup>3</sup> [https://www.uncitral.org/pdf/english/texts/electcom/06-57452\\_Ebook.pdf](https://www.uncitral.org/pdf/english/texts/electcom/06-57452_Ebook.pdf)

<sup>4</sup> <https://www.unescap.org/apta>

## Objectives and Scope

Building on the momentum of recent developments, there is opportunity to actively engage relevant stakeholders in Mongolia to deepen their understanding on ECC. To this end, the webinar jointly organized by ESCAP East and North-East Asia Office and UNCITRAL RCAP and in cooperation with the Communications and Information Technology Authority (CITA) of Mongolia aims to:

- a. familiarize business and legal sectors in Mongolia with the scope, objectives, and main provisions of the ECC, highlighting the benefits associated with the adoption and use of the ECC; and
- b. discuss the impact of the ECC on the Mongolian law of electronic transactions, including on the use of electronic signatures.

To the extent possible, it is also envisaged that the webinar's discussions will help identify knowledge gaps/skills needs which could inform possible follow-up capacity building activities going forward.

## Participants

Participants include officials from the Communications and Information Technology Authority (CITA), Mongolian National Chamber of Commerce and Industry, General Tax Authority, Mongolian Customs General Administration, and Ministry of Foreign Affairs. Participation from other government entities and other stakeholders (e.g. academe) involved in trade and e-commerce are also be encouraged.

## Organization

The webinar will be held on a virtual platform via MS Teams.

## Contact Information

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