Rules of procedure and terms of reference of the Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

Note by the secretariat

Summary

The present document was prepared by the secretariat to help the Paperless Trade Council to draw up rules of procedure and terms of reference of the Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific. The present document is based on documentation and discussions of the meetings of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation and its Legal and Technical Working Groups.

The Council may wish to discuss and adopt the rules of procedure and terms of reference of the Standing Committee.

I. Rules of procedure of the Standing Committee

Rule 1

Sessions

The following principles shall apply as regards the convening of sessions of the Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (hereinafter “the Standing Committee”):

1.1 Sessions of the Standing Committee shall be held at least annually and as otherwise appropriate.
1.2 Regular annual sessions shall be convened by the secretariat of the Economic and Social Commission for Asia and the Pacific (hereinafter “ESCAP”).

1.3 The secretariat may also convene ad hoc sessions of the Standing Committee if requested by more than half of the members of the Committee.

1.4 The secretariat shall transmit a written invitation to each regular session of the Standing Committee, together with a provisional agenda, at least 60 workdays in advance of the start of the session, and, whenever practicable, a written invitation to each ad hoc session, together with a provisional agenda, at least 30 workdays before the start of each session.

1.5 An invitation to a session shall be sent to the national focal point appointed by each party to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (hereinafter “the Framework Agreement”) at the correspondence address conveyed to the secretariat for official correspondence. Responses to invitations shall be sent by email to the secretariat within the requested time frame, that is, no later than 30 workdays before a regular session and 15 workdays before an ad hoc session.

1.6 All formal correspondence addressed to government members of the Standing Committee shall be copied to the permanent representatives of member States that are members of the Committee, in accordance with the existing rules and procedures of ESCAP, through official channels of communication. Furthermore, formal correspondence shall be addressed to the functional titles, not to the personal names, of those designated to serve as standing members of the Committee.

**Rule 2**

**Venue**

2.1 The sessions of the Standing Committee shall ordinarily be held at the ESCAP headquarters in Bangkok.

2.2 Members of the Standing Committee may make known at a session their offers to host subsequent sessions at an alternate venue.

**Rule 3**

**Secretariat**

3.1 The ESCAP secretariat shall serve as the secretariat of the Standing Committee.

**Rule 4**

**Participation**

4.1 Members of the Standing Committee shall participate in its sessions on a self-financing basis.

**Rule 5**

**Conduct of business**

5.1 The Standing Committee shall at each regular session elect a chairperson who shall serve until the next regular session.
Rule 6
Voting

6.1 The Standing Committee shall, by a majority vote of the parties present and voting, adopt such decisions as may be required for the performance of its functions, provided that at least two thirds of the parties are present to cast votes.

6.2 Each Standing Committee member shall have one vote.

6.3 The Standing Committee shall normally vote by a show of hands.

6.4 If the Chairperson requests a roll call, it shall be taken in alphabetical order of the names of the member States in the English language.

Rule 7
Agenda

7.1 The provisional agenda for each regular session of the Standing Committee shall be drawn up by the secretariat. Committee members may suggest amendments to the agenda in writing in advance of the session or orally and in writing at the start of the session itself.

7.2 The provisional agenda for the regular session shall include:

(a) Opening of the session and adoption of the agenda;
(b) Election of the Chairperson;
(c) Review of the implementation of decisions emanating from the previous session of the Standing Committee;
(d) Review of new proposals by parties to the Framework Agreement;
(e) Review of resource mobilization;
(f) Date of and venue for the next regular session;
(g) Other matters.

7.3 The provisional agenda for ad hoc sessions of the Standing Committee shall be drawn up by the secretariat.

Rule 8
Language

8.1 The sessions of the Standing Committee shall be conducted in English and documentation shall be issued in English.

Rule 9
Report on the sessions of the Standing Committee

9.1 The draft report on each session of the Standing Committee shall be prepared by the secretariat in English and adopted by the Committee members at the end of the session.
Rule 10  
National focal points and other observers

10.1 Each party to the Framework Agreement shall inform the secretariat in writing of the name of its senior representative and confirm the address, including email address, to which official correspondence concerning the national focal point should be sent.

10.2 Subregional intergovernmental agencies, United Nations agencies, development cooperation agencies and development banks may be invited to attend the Standing Committee sessions in an observer capacity.

10.3 Other institutions and individuals, including private sector stakeholders and associations, may be invited to attend the Standing Committee sessions in an observer capacity.

Rule 11  
Enter into force of and amendments to these rules of procedure

11.1 These rules of procedure shall enter into force on the date of their adoption by the Paperless Trade Council.

11.2 Any aspect of these rules of procedure may be amended or overridden by the Paperless Trade Council during its session by a two-thirds majority vote of its members present and voting.

11.3 Unless otherwise specified, the ESCAP rules of procedure will be followed on any matter that is not covered in the rules of procedure of the Standing Committee.

II. Terms of reference of the Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

1. The Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (hereinafter “the Standing Committee”) shall be composed of senior representatives of each party to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (hereinafter “the Framework Agreement”).

2. The Standing Committee shall be responsible for taking actions to ensure the adequate implementation of the Framework Agreement, including preparation and implementation of the action plan for implementation of the Framework Agreement.

3. The Standing Committee may establish working groups to carry out preparations for and implementation of the action plan of the Framework Agreement. Working groups shall report to the Committee on the implementation of the related action plan.

4. The Standing Committee shall make recommendations to the Paperless Trade Council (hereinafter “the Council”) for its decision on policy matters related to the implementation of the Framework Agreement. For routine and operational matters, the Committee may take decisions itself as necessary and report its decisions to the Council for its attention.
III. **Issues for consideration by the Council**

1. The Council may wish to consider taking the following actions:

   (a) To discuss and adopt the rules of procedure of the Standing Committee;

   (b) To discuss and adopt the terms of reference of the Standing Committee;

   (c) To discuss operational issues for its subsidiary bodies, including the timing of the Standing Committee meetings in 2022 and the establishment of working groups.