



Economic and Social Council

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Economic and Social Commission for Asia and the Pacific

Paperless Trade Council of the Framework Agreement
on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

First session

Bangkok and online, 27–29 April 2022

Report of the Paperless Trade Council of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific on its first session

I. Conclusions and recommendations

A. Operation of the Council and its subsidiary bodies

1. The Paperless Trade Council adopts its terms of reference and rules of procedure and the terms of reference and rules of procedure of the Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific as contained in annexes II and III to the present report.

B. Development of plans for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

2. The Council notes the preparatory work of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation with respect to the expected tasks for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific. In this connection, the Council requests the Standing Committee to develop an implementation plan that includes specific priority levels and an implementation timeline for each task and to submit a report on the plan to the Council at its second session.

C. Consideration of proposal to amend the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

3. The Council, with the unanimous consensus of the parties present, adopts an amendment to the Framework Agreement to recognize the French-language text as equally authentic. Resolution 72/4 of the Economic and Social Commission for Asia and the Pacific (ESCAP), by which the Commission adopted the Framework Agreement, contains the French language version in the annex. The amendment to the text of the testimonium includes inserting “French” after “English” and replacing “three” with “four” in the testimonium. The amended text of the testimonium shall read as follows:

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed the present Framework Agreement, in a single copy in the Chinese, English, French and Russian languages, the four texts being equally authentic.

II. Organization

A. Opening, duration and organization of the session

4. The first session of the Paperless Trade Council was held in Bangkok and online from 27 to 29 April 2022.
5. The Executive Secretary delivered an opening statement.

B. Attendance

6. The session was attended by representatives of the following ESCAP member States that are parties to the Framework Agreement: Azerbaijan; Bangladesh; China; Iran (Islamic Republic of); and Philippines.
7. A representative of Timor-Leste attended the session as an observer.
8. In accordance with rule 12 of the Commission's rules of procedure, the Chair and Vice-Chairs examined the credentials of all the representatives and found them to be in order.

C. Election of officers

9. The following officers were elected:

| | |
|--------------|---|
| Chair: | Mr. Mohammed Abdul Hye (Bangladesh) |
| Vice-Chairs: | Mr. Syed Rashedul Hossen (Bangladesh) Ms. Mahsa Nooridaryan (Islamic Republic of Iran) |

D. Agenda

10. The Council adopted the following agenda:
 1. Opening of the session:
 - (a) Opening statements;
 - (b) Election of officers;
 - (c) Adoption of the agenda.
 2. Operation of the Council and its subsidiary bodies.
 3. Development of plans for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific.
 4. Consideration of proposal to amend the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific.
 5. Other matters.
 6. Adoption of the report of the Council on its first session.

Annex I

List of documents

| <i>Document symbol</i> | <i>Document title</i> | <i>Agenda item</i> |
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| <i>General series</i> | | |
| ESCAP/PTA/PTC(1)/2022/1 | Rules of procedure and terms of reference of the Paperless Trade Council | 2 |
| ESCAP/PTA/PTC(1)/2022/2 | 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 | 2 |
| ESCAP/PTA/PTC(1)/2022/3 | Preparatory work of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation | 3 |
| ESCAP/PTA/PTC(1)/2022/4 | Review of tasks for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific | 3 |
| ESCAP/PTA/PTC(1)/2022/5 | Proposal to amend the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific | 4 |
| ESCAP/PTA/PTC(1)/2022/6 | Report of the Paperless Trade Council of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific on its first session | |
| <i>Limited series</i> | | |
| ESCAP/PTA/PTC(1)/2022/L.1 | Annotated provisional agenda | 1 (c) |
| ESCAP/PTA/PTC(1)/2022/L.2 | Draft report | 6 |

Annex II

Terms of reference and rules of procedure of the Paperless Trade Council

I. Terms of reference of the Paperless Trade Council

1. The Paperless Trade Council (hereinafter “the Council”) shall comprise one (1) high-level nominee from each party to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (hereinafter “the Framework Agreement”). One high-level nominee from each State member of the Economic and Social Commission for Asia and the Pacific, other than parties to the Framework Agreement, has an open invitation to join the Council as an observer.
2. The Council shall take final decisions on all matters related to the implementation of the Framework Agreement.
3. The work of the Council shall be conducted in accordance with its rules of procedure. The Council may adopt additional rules of procedure for matters not covered by its existing rules of procedure, by a majority vote of the parties present.
4. The Council shall supervise its Standing Committee of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific and be supported by it in implementing the Framework Agreement.
5. The Council shall adopt the rules of procedure for itself and for its Standing Committee.
6. The Council shall examine and approve the major deliverables of the Standing Committee.

II. Rules of procedure of the Paperless Trade Council

Rule 1 Sessions

The following principles shall apply as regards the convening of sessions of the Paperless Trade Council (hereinafter “the Council”):

- 1.1 Sessions of the Council 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 Council if requested by more than half of the Council members.
- 1.4 The secretariat shall transmit a written invitation to each regular session of the Council, 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 Council members shall be copied to the permanent representatives of each party to the Framework Agreement, 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 Council members.

**Rule 2
Venue**

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

2.2 Council members 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 Council.

**Rule 4
Participation**

4.1 Council members shall participate in the sessions of the Council on a self-financing basis.

**Rule 5
Conduct of business**

5.1 The Council shall at each regular session elect a Chair, who shall serve until the next regular session. The elected Chair shall also chair all the ad hoc sessions until the next regular session.

**Rule 6
Voting**

6.1 In accordance with article 11, paragraph 5, of the Framework Agreement, the Council 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 Council member shall have one vote.

6.3 The Council shall normally vote by a show of hands.

6.4 If the Chair 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 Council shall be drawn up by the secretariat. Council 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. The suggested amendments to the agenda shall be read out by the secretariat at the start of the session.

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 Chair;
- (c) Review of the implementation of decisions emanating from the previous session of the Council;
- (d) Review of resource mobilization;
- (e) Date and venue of the next regular session;
- (f) Other matters.

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

Rule 8
Language

8.1 The sessions of the Council shall be conducted in English and documentation shall be issued in Chinese, English, French and Russian.

Rule 9
Report on the sessions of the Council

9.1 The draft report on each session of the Council shall be prepared by the secretariat and adopted by the Council 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 Council sessions in an observer capacity.

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

Rule 11

Entry into force 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 Council.

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

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

Annex III

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

I. 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 Standing 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 Standing Committee may take decisions itself as necessary and report its decisions to the Council for its attention.

5. The Standing Committee shall submit its major deliverables to the Council for approval.

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

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 Standing Committee members.

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 Standing Committee members shall be copied to the permanent representatives of each party to the Framework Agreement, 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 Committee members.

**Rule 2
Venue**

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

2.2 Standing Committee members 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 Standing Committee members shall participate in the sessions of the Standing Committee on a self-financing basis.

**Rule 5
Conduct of business**

5.1 The Standing Committee shall at each regular session elect a Chair, who shall serve until the next regular session. The elected Chair shall also chair all the ad hoc sessions 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 Chair 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. Standing 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. The suggested amendments to the agenda shall be read out by the secretariat at the start of the session.

- 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 Chair;
 - (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 and venue of 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 Standing 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

Entry 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 shall be followed on any matter that is not covered in the rules of procedure of the Standing Committee.

Annex IV

Chair's summary of the proceedings of the first session of the Paperless Trade Council of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

I. Introduction

1. Owing to the restrictions caused by the coronavirus disease (COVID-19) pandemic, the first session of the Paperless Trade Council of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific was held in Bangkok and online from 27 to 29 April 2022. Because of time constraints linked to the fact that the meeting was held online, and to facilitate an exchange of views on the substantive items, State interventions focused on items 2–5 of the agenda. In the present summary, the Chair does not provide the details of any individual statement made, but only succinctly summarizes the consensus views of the Council on the topics raised under items 2–5 of the agenda.

II. Summary of discussions under items 2–5 of the agenda

A. Operation of the Council and its subsidiary bodies (Agenda item 2)

2. The Council had before it the notes by the secretariat on its rules of procedure and terms of reference (ESCAP/PTA/PTC(1)/2022/1) and the 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 (ESCAP/PTA/PTC(1)/2022/2). The Chief of the Trade Policy and Facilitation Section introduced the agenda item and stated that States members of the Economic and Social Commission for Asia and the Pacific (ESCAP) that were not party to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific could participate as observers in the Council as reflected in the rules of procedure.

3. The Chair invited the representatives of participating member States to comment on the revisions to the rules of procedure and terms of reference of the Paperless Trade Council, including the addition of new paragraphs.

4. The representative of Bangladesh made comments on rule 1 on sessions, rule 5 on conduct of business, rule 7 on agenda, rule 10 on national focal points and other observers, and rule 11 on entry into force as well as on the terms of reference of the Council.

5. The representative of China made comments on rule 1 on sessions, rule 2 on venue, rule 6 on voting, and rule 11 on entry into force as well as on the terms of reference of the Council.

6. In response to a question raised by the representative of the Islamic Republic of Iran, the secretariat clarified that the number of vice-chairs that could be elected for sessions of the Council was not specified.

7. The Council adopted its rules of procedure and terms of reference as contained in annex II to the report of the Council on its first session, incorporating changes proposed by Bangladesh and China.

8. The Chair invited the representatives of member States to comment on the revisions to the rules of procedure and terms of reference of the Standing Committee, including the addition of new paragraphs.

9. Regarding the question of whether the documents of the Standing Committee could be issued in the four official languages of ESCAP, the representative of China noted the secretariat's explanation of the budgetary and operational implications of doing so and agreed to have the documents only in English.

10. The representative of Bangladesh made comments on rule 1 on sessions, rule 5 on conduct of business, rule 7 on agenda, rule 10 on national focal points and other observers, and rule 11 on entry into force.

11. The representative of China made comments on rule 1 on sessions, rule 2 on venue, rule 6 on voting and rule 11 on entry into force as well as on the terms of reference of the Standing Committee.

12. The Council adopted the rules of procedure and terms of reference of the Standing Committee as contained in annex III to the report of the Council on its first session, incorporating changes proposed by Bangladesh and China.

B. Development of plans for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

(Agenda item 3)

13. The Council had before it the notes by the secretariat on the preparatory work of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation (ESCAP/PTA/PTC(1)/2022/3) and on the review of tasks for the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (ESCAP/PTA/PTC(1)/2022/4).

14. The secretariat made a presentation on the tasks from the substantive provisions of the Framework Agreement, the corresponding work done by the Interim Intergovernmental Steering Group based on the draft road map it had developed previously, and follow-up actions for consideration by the Council. The secretariat also introduced the cross-border paperless trade database.

C. Consideration of proposal to amend the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

(Agenda item 4)

15. The Council had before it the note by the secretariat on the proposal to amend the Framework Agreement (ESCAP/PTA/PTC(1)/2022/5). The Chief of the Trade Policy and Facilitation Section introduced the agenda item, noting that France had expressed interest in joining the Framework Agreement and the language implications if it did so.

16. The representative of China welcomed the idea as it could facilitate more ESCAP member States to become parties to the Framework Agreement.

17. The Council unanimously adopted the amendments to the Framework Agreement, as contained in document ESCAP/PTA/PTC(1)/2022/5.

D. Other matters
(Agenda item 5)

18. The Chair, speaking as the representative of Bangladesh, highlighted the importance of the Framework Agreement to his country in its transformation to a digital economy.

19. The representative of China expressed appreciation to the secretariat for the successful organization of the first session of the Council, welcomed the accession of Timor-Leste to the Framework Agreement and encouraged more ESCAP member States to join the Framework Agreement. He also informed the Council of recent advancements to the single window system, customs clearance and e-commerce development in China.

20. The representative of Timor-Leste shared the experience of his Government in acceding to the Framework Agreement. His Government planned to hold the country's first meeting of the National Trade Facilitation Committee and requested continued support from ESCAP regarding his Government's implementation of the action plan developed in 2019.

21. The secretariat informed the Council that it would communicate further with the participating member States regarding the first meeting of the Standing Committee, which would possibly be held in late 2022. It was expected that by then there would be greater clarity on the situation of the pandemic and more member States would have joined the Framework Agreement.
