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Trade and Development Board

Fifty-third executive session
Geneva, 27–28 June 2011
Item 3 (e) of the provisional agenda

Draft terms of reference for the Working Party*

Note by the UNCTAD secretariat

Introduction

1. At its fifty-second (resumed) session, held in June 2009, the Working Party on the Strategic Framework and the Programme Budget recommended that the Trade and Development Board “undertake a process to strengthen the Working Party with a view to contribute more efficiently to the formulation of the UNCTAD sections of the Strategic Framework and the Programme Budget, within the broader budgetary process of the United Nations”. At its forty-eighth executive session, in November 2009, the Board requested the President of the Board to “organize informal consultations on the issue... with a view to reaching agreement on how to enhance the functioning of the Working Party”. These informal consultations were completed on 9 March 2010, with the informal approval of draft terms of reference of the Working Party.

2. In accordance with United Nations rules and regulations, the draft terms of reference were transmitted to the Legal Counsel and the Controller of the United Nations, who introduced a number of amendments. The draft terms of reference of the Working Party as amended are reproduced in this document.

* This document was submitted on the above-mentioned date because the agenda for the fifty-third executive session of the Trade and Development Board was approved on 28 April 2011 at the Consultations of the President of the Board.

3. Paragraph 23 of General Assembly resolution 1995 (XIX) of 30 December 1964, entitled "Establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly" requires that, "the terms of reference of... any other subsidiary organs established by the Board be adopted after consultation with the appropriate organs of the United Nations and shall take fully into account the desirability of avoiding duplication and overlapping of responsibilities". As the Working Party's draft terms of reference address administrative and budgetary matters, it is recommended that the Board bring the draft terms of reference to the attention of the General Assembly. The Board will therefore be invited to transmit the draft terms of reference to the General Assembly for approval.

4. The Board is invited to consider taking the following decision:

"The Trade and Development Board

1. *Decides* to adopt the terms of reference of the Working Party as reproduced in this document subject to the approval of the General Assembly;
2. *Requests* the Secretary-General of UNCTAD to transmit the draft terms of reference to the General Assembly for approval."

Annex

Draft terms of reference of the Working Party¹

I. Functions of the Working Party

1. The Working Party on Programme Review,² as a subsidiary organ of the Trade and Development Board:

(a) ~~Reviews the programmatic aspects in the draft biennial programme plan and draft proposed programme budget, and monitors their implementation;~~

Examines the work programme of UNCTAD, i.e. the draft biennial programme plan, with a view to studying whether the balance of activities and priorities assigned to projects, as proposed by the secretariat, is proper and appropriate in the light of the directives and guidelines given by the governing organs of UNCTAD and the resolutions adopted by the General Assembly;³

(b) Serves as a forum for member States ~~on all issues regarding~~ to review the technical cooperation activities of UNCTAD;

(c) Considers the annual in-depth external evaluation of an UNCTAD programme of work;

(d) Follows up on UNCTAD's communications strategy and publications policy;

(e) Serves as a forum for discussion between member States and the secretariat on staffing issues, including gender balance and geographic distribution within UNCTAD;

(f) Reviews progress achieved in mainstreaming cross-cutting issues in UNCTAD's work;

(g) Undertakes other relevant work as determined by the Board.⁴

2. The Working Party reports to the Trade and Development Board and submits its conclusions and recommendations for consideration by the Board. The action taken by the Board on the Working Party's reports and recommendations will be brought to the attention, as appropriate, of the Secretary-General of UNCTAD, the Secretary-General of the United Nations, and other relevant United Nations organs and bodies.

1 As agreed to on 9 March 2010 at the informal consultations of the Trade and Development Board on enhancing the functioning of the Working Party.

2 Previously called the Working Party on the Strategic Framework and the Programme Budget

3 This new text suggested by the Controller attempts to avoid any possible conflict with (a) mandates of other United Nations organs and bodies, in particular the Advisory Committee on Budgetary and Administrative Questions, the Committee on Programme Coordination and the Fifth Committee; (b) provisions of General Assembly resolutions 41/213, 45/253, 58/269, 45/248 B, Part IV and 64/243 and Economic and Social Council resolutions; and (c) the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2000/8) and the Financial Regulations and Rules of the United Nations (ST/SGB/2003/7).

4 The Legal Counsel recommended the deletion of paragraph 1 (g) as the Working Party should not have an open-ended mandate.

II. Scope of work within each function

A. Review of the programmatic aspects of the biennial programme plan and proposed programme budget

3. The Working Party, as per its functions, assists the Trade and Development Board in its oversight function on programme issues, in particular ensuring the faithful translation of UNCTAD's legislative mandates into its draft biennial programme plan and draft proposed programme narrative, and following up on their implementation.
4. Accordingly, the Working Party will:
 - (a) Review the draft UNCTAD biennial programme plan in advance of its submission to the Office of Programme Planning, Budget and Accounts (OPPBA) and subsequent review by the Committee for Programme and Coordination of the official version issued by the United Nations Secretary-General;
 - (b) Review the draft proposed programme narrative of the draft programme budget (i.e. the biennial programme plan approved by the Committee for Programme and Coordination, in conjunction with the performance measures and outputs for each subprogramme). For its deliberations on the programme narrative, the Working Party will have before it UNCTAD's biennial programme performance report for the previous biennium;
 - (c) Submit its conclusions and recommendations to the Trade and Development Board for consideration and the transmittal of those approved to the Secretary-General of UNCTAD, with a view to their incorporation into the draft UNCTAD biennial programme plan and the draft proposed programme narrative of the draft programme budget, prior to the submission of those drafts to the United Nations Secretary-General for consideration by the OPPBA.

B. Review of technical cooperation

5. In accordance with the relevant paragraphs on technical cooperation in the Accra Accord and in Trade and Development Board decision 495 (LV), the Working Party will review UNCTAD technical assistance, with a view, inter alia, to improving its effectiveness, enhancing transparency, sharing successful experiences and encouraging outreach towards potential recipients. That review by the Working Party will be informed by a report presented by the secretariat that will include the following elements:
 - (a) Requests for technical assistance by thematic cluster;⁵
 - (b) The absorptive capacity of the secretariat, including issues related to the availability of resources – ordered by thematic cluster as appropriate – to design and implement technical cooperation activities requested by member States;
 - (c) The availability of extrabudgetary resources for the proposed theme, programme and project, as well as matters related to fund-raising, improved sustainability and predictability of extrabudgetary resources;

⁵ The secretariat will provide an information note to the Working Party listing the requests for assistance and the availability of funding for those requests.

- (d) Resources devoted to fund-raising, project management and evaluation, and communications with member States on technical assistance;
- (e) Past performance and/or evaluations of UNCTAD's technical cooperation activities, including successful experiences;
- (f) Information on efforts made to improve the management, evaluation and reporting of technical assistance activities.

6. The Working Party will also consider UNCTAD's technical cooperation strategy, including exploring ways and options to improve fund-raising and diversification of funding for technical assistance.

C. Consideration of the annual in-depth external evaluation of an UNCTAD programme of work

7. The Working Party will, each year, consider an in-depth external evaluation of an UNCTAD programme, examining the impact of activities against their objectives and proposing practical recommendations to strengthen the programme. In the years following the evaluation, it will receive a progress report on the implementation of recommendations.

D. UNCTAD's communications strategy and publications policy

8. The Working Party will follow up annually on UNCTAD's communications strategy and publications policy to ensure their effective implementation and updating as necessary.

9. The Working Party will consider how to improve the quality and coherence of UNCTAD's communications and publications, including "flagship" reports, as well as review and promote effective communications and dissemination strategies.

10. With regard to UNCTAD's publications programme and policy, the Working Party will review and endorse UNCTAD's biennial publications programme according to established programme budget categories (recurrent, non-recurrent and technical publications), in order to ensure consistency, effectiveness and relevance. It will also review the implementation of UNCTAD's publications policy.

11. In particular, this work involves:

- (a) Reviewing the draft list of publications, as part of its review of the draft work programme;
- (b) At the start of each year, informally discussing the specific list of publications planned for the year;
- (c) At the same time, considering a report of the Secretary-General of UNCTAD on the implementation of the publications policy; and
- (d) Reviewing the results of the survey of publications issued during the previous year, as well as any in-depth readership survey of selected publications.

III. Calendar of meetings for the Working Party

12. The frequency and duration of sessions of the Working Party will be decided by the Trade and Development Board.

13. The calendar of meetings in subsequent biennia should normally follow the pattern indicated in the annex.

Calendar of sessions, taking the biennium 2010–2011 as an example⁶

	Function	Scope of work
		Agreed conclusions or recommendations will be submitted to the Trade and Development Board for consideration.
November 2009 (3 days)	Programmatic	Review the UNCTAD section of the draft biennial programme plan for the biennium 2012–2013.
January/February 2010 (2 days)	Publications policy and communications strategy	Informally discuss the specific list of publications planned for 2010; Consider a report from the Secretary-General of UNCTAD on the implementation of the publications policy and the communications strategy; Review the results of the survey of publications issued during the previous year.
September 2010 (3 days)	Technical cooperation	Serve as a forum for member States on issues regarding technical cooperation, including matters related to the effectiveness of UNCTAD technical assistance and improved sustainability and predictability of extrabudgetary resources.
	Evaluation	Consider the annual in-depth external evaluation of an UNCTAD programme, and provide substantive guidance to the direction of the programme based on the evaluation report.
November 2010 (3 days)	Programmatic	Consider UNCTAD's biennial programme performance report for the biennium 2008–2009. Review the programme narrative component of the draft proposed programme budget for the biennium 2012–2013.
	Publications policy	Review the draft list of publications as part of the review of the work programme for the biennium 2012–2013.
January/February 2011 (2 days)	Publications policy and communications strategy	Informally discuss the specific list of publications planned for 2011; Consider a report from the Secretary-General of UNCTAD on the implementation of the publications policy and the communications strategy; Review the results of the survey of publications issued during the previous year.
June 2011 (date contingent on availability of proposed programme budget)	Programmatic	Receive informal briefing by the secretariat on the proposed programme budget, including resource allocation.

⁶ Including informal consultations of the Trade and Development Board as necessary.

September 2011 (3 days)	Technical cooperation	Serve as a forum for member States on issues regarding technical cooperation, including matters related to the financial structure, improved sustainability and predictability of such resources, and the effectiveness of UNCTAD technical assistance.
	Evaluation	Consider the annual in-depth external evaluation of an UNCTAD programme, and provide substantive guidance to the direction of the programmes based on the evaluation report.
Other issues	Undertake other relevant work as determined by the Trade and Development Board, including following up on the implementation of communications, publications and technical cooperation policies/strategies.	



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Corrigendum

Page 3, annex, section I

Paragraph 1 (g) of the draft terms of reference should be struck through, as follows:

~~(g) — Undertakes other relevant work as determined by the Board.~~
