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**DRAFT REPORT OF THE TRADE AND DEVELOPMENT BOARD ON ITS
FORTY-EIGHTH SESSION**

Held at the Palais des Nations
from 1 to 12 October 2001

Rapporteur: Mr. Federico Perazza (Uruguay)

Speakers:
UNCITRAL
Dominican Republic
France
Deputy Secretary-General of UNCTAD
President of the Advisory Board

Note for delegations

This draft report is a provisional text circulated for clearance by delegations.
Requests for amendments to statements by individual delegations should be communicated
by **Wednesday, 17 October 2001** at the latest, to:

UNCTAD Editorial Section, Room E.8102, Fax No. 907 0056, Tel. No. 907 5654/1066.

OTHER MATTERS IN THE FIELD OF TRADE AND DEVELOPMENT

(Agenda item 6)

(b) Progressive development of the law on international trade: thirty-fourth annual report of the United Nations Commission on International Trade Law

1. For its consideration of this item, the Board had before it the following documentation:

“Note by the UNCTAD secretariat” (TD/B/48/11).

2. The representative of the **UNCITRAL secretariat** said that UNCITRAL sought to modernize, harmonize and if possible unify the rules of private law applicable to international trade. However, its work should be seen in a much broader context of efforts to facilitate trade and contribute to world peace. The last year had been a productive one for UNCITRAL and a turning point in terms of its methods of work and composition. Highlights of the year included work on a draft convention on assignment of receivables in international trade, which was designed to facilitate access to credit for international traders and was now before the General Assembly for adoption. Work had also progressed on a draft Model Law on Electronic Signatures, which provided for various techniques for such signatures.

3. With regard to institutional matters, it was proposed to double the membership of the Commission from 36 to 72 in order to allow full participation by more member States. The number of topics in the work programme was also to be doubled, with new topics including transport law, security interests and privately financed infrastructure projects. To deal with the new work load, the number of working groups would be doubled, and each would meet for one week instead of two in order to facilitate attendance. Technical assistance would continue to be provided to member States, though resources were limited.

4. The representative of the **Dominican Republic** said that the tourism sector was of particular interest to countries in his region and to developing countries as a whole, since it could make a major contribution to sustainable development. He therefore wondered whether UNCITRAL had done any work on contracts in the tourism sector and if not how the issue could be introduced into the Commission’s work programme.

5. The representative of **France** asked for further information on possible areas of cooperation between UNCITRAL and UNCTAD in the field of e-commerce.

6. The representative of the **UNCITRAL secretariat** said that the Commission had not worked directly in the field of tourism, but some of its more general legal guides would undoubtedly be of interest to those engaged in the tourism sector. New topics could be introduced into the UNCITRAL work programme at the Commission’s annual session in the spring. With regard to e-commerce, cooperation with UNCTAD, along with ECE, had begun in 1983. UNCITRAL and UNCTAD were currently engaged in a joint e-commerce training

programme in the context of TRAINFORTRADE, and for its part UNCITRAL had been looking mainly at the obstacles to e-commerce. UNCITRAL was also involved in UNCTAD projects relating to dispute settlement.

Action by the Board

7. The Board took note of the report of UNCITRAL on the work of its thirty-fourth session (A/56/17).

OTHER BUSINESS

(Agenda item 8)

Follow-up to paragraph 166 of the Bangkok Plan of Action

8. The **Deputy Secretary-General of UNCTAD**, reporting on the implementation of paragraph 166 of the Bangkok Plan of Action (TD/386), said that the first training course organized in that connection had dealt with “Key Issues on the International Economic Agenda” and had involved 18 participants from developing countries and countries with economies in transition. The syllabus had been designed by the secretariat to draw on UNCTAD perspectives and expertise in the area of trade and development policies, and to disseminate and enhance the understanding of UNCTAD’s analytical work, as well as the lessons drawn from UNCTAD’s technical cooperation activities.

9. The Advisory Body set up in implementation of paragraph 166 had met in September to review the conduct of the first training course. The UNCTAD secretariat was deeply grateful to the Government of Italy, whose generous support had made it possible to pay for all expenses related to the preparation and organization of the training course, as well as daily subsistence allowance for all participants. Some Governments had agreed to cover travel expenses to and from Geneva for their candidates, while the travel expenses for six participants from LDCs had been paid by UNCTAD.

10. The **President of the Advisory Body** established in implementation of paragraph 166 of the Bangkok Plan of Action (the outgoing President of the Board) briefly explained the background to the composition of the Body itself and the views expressed by its members which had led to the organization and conduct of the training course, as described in document TD/B/WP/137 and in a revised note for the President of the Advisory Body. The modules had been designed by the secretariat, and the course had been conducted in Geneva and Turin from 20 June to 17 July 2001. The Advisory Body had met on 27 September 2001, when the Secretary-General of UNCTAD had presented a draft report on the implementation of paragraph 166 by the secretariat. The report would be finalized for an executive session of the Board in March 2002.

11. The Advisory Body had been informed of the overall organization and management of the training course, the reactions of participants, and those of trainers. There had been very positive feedback on the conduct of the course from participants and from their capitals. There was general agreement that the objectives set, especially in terms of transferring knowledge as envisaged under paragraph 166, had been fully met. There was agreement also that the secretariat should now build upon the success of this course and indicate how future courses would be organized, taking into account the existing constraints.

12. The impact of the training course on participants and their sending departments would be monitored by the secretariat, and to that end participants would be requested to complete a questionnaire in about six months on how the course had impacted on the conduct of their

jobs, on the dissemination of knowledge and information to other colleagues, and on how the sending departments assessed the value-added of their staff to the work of the department.

13. The Advisory Body had recorded its support for the holding of future courses. In terms of the content and management of future courses, there was an understanding amongst members of the Body that an identical course could not be undertaken again by the secretariat due to resource constraints and the preparations required. Future courses could be specific in content, for example on WTO issues, while keeping in mind that sectoral and/or regional issues needed to be addressed simultaneously. Trade and development work done at UNCTAD could form the overall concept of a training course, while providing linkages to sectoral issues to reflect the interrelationship between the two. The concept of UNCTAD's work and emphasis on development should be maintained in order to meet the objectives of knowledge transfer and hence ensure the value added of such training courses. It was also agreed that the specificity of UNCTAD could be guaranteed by training future trainers for such training courses.

14. Future courses should be longer in order to allow time for the assimilation of the course content, taking into account the question of financial resources. With the experience acquired in the design of the course, the secretariat should attempt to reduce the burden on trainers in the design of future courses. The Advisory Body had also welcomed the secretariat's initiative to produce a handbook and/or training manual based on the lectures and material provided by the trainers in the first training course.

15. With regard to resources, there were no resources available to conduct a course in any of the developing regions. If more participants were included in future courses, the trainer-participant ratio would be lower, thereby reducing costs, but a higher number of participants entailed other logistical costs. Funds for future courses might be made available from the Development Account should the Fifth Committee approve the programme envisaged under paragraph 166. The Fifth Committee was concerned about the assumed link between the local content of a training course and the geographical venue of the course. The Advisory Body understood that future courses might be held in Geneva to accommodate that concern of the Fifth Committee.

16. A final report would be presented to the Board as soon as participants of the first training course provided feedback on the impact of the course on their work six months after the end of the training course, i.e. in January 2002.