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TRADE AND DEVELOPMENT BOARD  
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### DRAFT REPORT OF THE TRADE AND DEVELOPMENT BOARD ON THE FIRST PART OF ITS FORTY-FIRST SESSION

Rapporteur: Mr. Calson Mbegabolawe (Zimbabwe)

#### ITEM 3 : ROLE AND FUNCTIONING OF EXECUTIVE SESSIONS OF THE BOARD

Speakers: Indonesia (for Asian Group)  
Germany (for European Union)  
Switzerland  
Mexico  
Norway  
China  
United Republic of Tanzania

#### Note for Delegations

This draft report is a provisional text circulated for clearance by delegations.

Requests for amendments - to be submitted in English or French - should be communicated by Friday, 7 October 1994 at the latest to:

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Chapter II

FOLLOW-UP TO THE RECOMMENDATIONS OF THE CONFERENCE  
AT ITS EIGHTH SESSION  
(Agenda item 3)

Role and functioning of the executive sessions of the  
Trade and Development Board

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

"The role and functioning of the executive sessions of the Trade and Development Board" - note by the UNCTAD secretariat (TD/B/41(1)/CRP.1).

2. Introducing the note by the secretariat on this item, the President recalled that the question of the role and function of the executive sessions of the Board had been the subject of discussion for some time. It had been generally felt that the guidelines adopted by the Board at the second part of its thirty-eighth session needed further refinement in order to bring the terms of reference of the executive sessions more into line with the intention of the Cartagena Commitment.

3. The spokesman for the Asian Group (Indonesia) said that the secretariat note gave a clear picture of the way in which the executive sessions had functioned so far. These sessions had played a meaningful role, but it was clear that improvements needed to be made in the way they functioned on both procedural and substantive issues. Referring to the proposals made by Switzerland as reproduced in the secretariat note, he expressed support for the idea that the executive sessions should be convened in two distinct types of meeting: (i) pre-sessional executive sessions which would deal with procedural and administrative matters; (ii) executive sessions meeting at regular intervals to deal mainly with substantive and policy matters, focusing in particular on the setting of priorities among substantive issues in order to ensure the best use of available resources. Ideally the secretariat should arrange for such sessions

to take place one or two months before the regular session of the Board. Finally, he agreed with the proposal that the executive sessions should be structured in such a way as to allow for informal meetings as well as formal plenary meetings.

4. The spokesman for the European Union (Germany) observed that the Conference had established the executive sessions with a view to strengthening the role of the Board. The secretariat note gave a good account of the problems involved and the European Union by and large shared the views and proposals put forward in that note by the delegation of Switzerland, albeit with some reservations. In addition there were several lessons to be drawn from the experience of the executive sessions held recently. In line with paragraphs 11 and 12 of the Board's conclusions on the mid-term review, the European Union felt that the executive sessions should reinforce the Board by relieving the regular sessions of a number of items and by dealing with those issues that required urgent attention between the regular sessions. On the whole, he felt that the pre-sessional executive sessions had a positive record, as demonstrated by the recent seventh executive session. That session had enabled delegations in Geneva to report to their capitals on the state of preparations for the current regular session of the Board, thereby facilitating the work of representatives coming from the capitals. In contrast, the performance of the thematic intersessional executive sessions, as the example of the recent sixth executive session indicated, had not been wholly satisfactory or conclusive. This may have been due in part to the fact that the main substantive item dealt with at that session - i.e. the policy review of technical cooperation - was initially scheduled to be considered at an executive session held before the summer recess. The fact that the session had been deferred until the week before the regular session had meant that that week had proved to be a very busy period. Therefore he considered that the intersessional executive sessions that dealt with specific themes should be well prepared in advance, including by the timely distribution of documents, and should deal with items that did not call for consultations with capitals, in order to ensure that decisions could be taken by the Board independently in the time available. He agreed with the Swiss delegation that time should be allowed for items to be considered in informal meetings and that the executive session should be confined to one day. In this respect, he felt that the executive session scheduled for November/December 1994 to deal with the follow-up to the United Nations International Symposium on Trade Efficiency was

a good example of how the executive session should be prepared and function. In short, he considered that it was dangerous to place on the agenda of executive sessions any item that called for a broad discussion and consultation with capitals. Finally, he agreed that the Board should now reexamine the general principles governing the executive sessions and that, as a first step, the matter could be referred to the monthly Consultations of the Officer-in-Charge of UNCTAD.

5. The representative of Switzerland said that the note by the secretariat provided a good basis for the examination of this question and he supported the proposals for the future course of action. The Swiss authorities remained committed to the executive sessions as a very good management and policy-making tool, as had been pointed out by the representative of Indonesia. For his part, he felt that piecemeal reform and trial and error were the best approach to the task of improving the functioning of the executive sessions.

6. The representative of Mexico said that the executive sessions had already demonstrated their value as a good mechanism but there was still room for improvement. He believed, however, that any reassessment of their functioning should be undertaken in the light of the review of the duration and focus of the regular sessions to be carried out by UNCTAD IX. In the view of his delegation, substantive issues should be taken up only at regular sessions of the Board; the executive sessions should deal with procedural matters such as the admission and status of IGOs and NGOs, administrative matters, provisional agendas for future sessions of the Board, and the calendar of meetings. With reference to paragraph 10 of the secretariat note, he doubted whether it was appropriate to discuss substantive items in the executive session, since the experience of the sixth executive session showed that one day was not sufficient to cover such items, particularly if there were to be both formal and informal meetings and the negotiation of a decision. However well prepared the session might be, such a format would require at least two days and possibly three. It was for that reason that his delegation took the view he had just expressed. Finally, his delegation supported the decision for further action proposed in paragraph 15 of the secretariat note.

7. The representative of Norway considered that the seven executive sessions that had taken place since UNCTAD VIII provided sufficient experience to enable

the Board to redefine the role and functions of this mechanism. The executive session was not an end in itself, but a means of facilitating the Board's decision-making between regular sessions. He felt that the focus of such sessions should be largely administrative and that they should be preceded by informal consultations which could, if appropriate, be the monthly Consultations of the Officer-in-Charge of UNCTAD. At UNCTAD IX there would be a further opportunity to take a closer look at the whole system.

8. The representative of China said that the note by the secretariat enabled delegations to gain an overall systematic grasp of the executive sessions that had been held since UNCTAD VIII. He recalled that the executive sessions had been created in order to improve the efficiency of the Board and that their role and functions had been reaffirmed at the mid-term review in May 1994. Experience so far indicated that they had served a useful purpose and that the mechanism was effective and valuable. Precisely because the mechanism was relatively new, however, its role and functioning needed to be constantly perfected. The mid-term review had put forward some useful suggestions for the improvement of the mechanism which should be given serious consideration. At the same time, since the executive sessions were closely related to the regular sessions of the Board and since various participants in the mid-term review had recommended that the question of the format and functioning of the Board itself should be deferred to UNCTAD IX, he felt that the existing situation should in general be maintained. Nevertheless, he agreed that the monthly consultations of the Officer-in-Charge of UNCTAD should study the whole issue of the executive and regular sessions of the board in time to facilitate the review to be carried out at UNCTAD IX.

9. The representative of the United Republic of Tanzania said that his delegation attached great importance to the executive sessions and to the discussions that would prepare the way for consideration of this issue at UNCTAD IX. He considered that any decision on this issue should be subject to approval by the Conference. Finally, he agreed that the matter could be considered further in the monthly consultations of the Officer-in-Charge of UNCTAD.

Action by the Board

10. At its 850th meeting, on 23 September 1994, the Board decided, in the light of the need for further wide-ranging exchanges of views on the subject, to request the Officer-in-Charge of UNCTAD to place this matter on the agenda of a future monthly Consultation, and urged delegations in the meantime to submit their comments and views to the secretariat in writing.