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UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Nineteenth session
New York, 16 June - 11 July 1986

PROVISIONAL AGENDA, ANNOTATIONS THERETO
AND TENTATIVE SCHEDULE OF MEETINGS

Note by the Secretariat

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening of the session

The nineteenth session will be held at the United Nations Headquarters in New York from 16 June to 11 July 1986. The session will be opened on Monday, 16 June 1986, at 10:30 a.m. The Commission is composed of the following member States: Algeria, Argentina, Australia, Austria, Brazil, Central African Republic, Chile, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Hungary, India, Iran, Iraq, Italy, Japan, Kenya, Lesotho, Libya, Mexico, Netherlands, Nigeria, Sierra Leone, Singapore, Spain, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, and Yugoslavia.

Item 2. Election of officers

Pursuant to a decision taken by the Commission at its first session, the Commission elects, for each session, a Chairman, three Vice-Chairmen and a Rapporteur.

Item 3. Adoption of the agenda

It is suggested that all items be considered in plenary. Part IV of this note sets forth a tentative schedule of meetings.

Item 4. International payments

(a) Draft Convention on International Bills of Exchange and International Promissory Notes

The Commission, at its seventeenth session in 1984, considered over a three-week period the draft Convention on International Bills of Exchange and International Promissory Notes which had been prepared by the Working Group on International Negotiable Instruments. The Commission decided that further work should be undertaken with a view to improving the draft Convention and entrusted that work to the Working Group on International Negotiable Instruments.

At its eighteenth session, the Commission requested the Working Group to complete its work with a view to submitting a draft Convention to the Commission in a form suitable for consideration at its nineteenth session. It was suggested that when the Commission engaged in consideration of the draft Convention, which would have been prepared by the Working Group at sessions in which all member States of the Commission, as well as all other States and interested international organizations, were invited to participate, the re-examination of issues that had been thoroughly discussed should be discouraged unless there was evidently substantial ground for such re-examination.

The Working Group on International Negotiable Instruments held its fourteenth session at Vienna from 9 to 20 December 1985, at which it completed its deliberations on and revision of the draft Convention on International Bills of Exchange and International Promissory Notes. The Commission will have before it the report of the Working Group on the work of its fourteenth session (A/CN.9/273). The Commission will also have before it the text of the draft Convention as revised by the Commission at its seventeenth session and by the Working Group at its thirteenth and fourteenth sessions (A/CN.9/274).

Copies of the commentary to the 1981 draft text of the Convention (A/CN.9/213), of the report of the Commission on the work of its seventeenth session (A/39/17) and of the report of the Working Group on the work of its thirteenth session (A/CN.9/261) will also be made available.

(b) Electronic funds transfers

The Commission, at its eighteenth session, decided to request the Secretary-General to send the draft legal guide on electronic funds transfers to Governments and interested international organizations for comment. It also requested the Secretariat, in co-operation with the UNCITRAL Study Group on International Payments, to revise the draft in the light of the comments received for submission to the nineteenth session of the Commission for consideration and possible adoption.

The Commission will have before it a report of the Secretary-General suggesting actions which the Commission may wish to take in respect of the legal guide as well as possible future work in this field (A/CN.9/278). Copies of the draft chapters of the legal guide (A/CN.9/250 and Add.1-4, A/CN.9/266 and Add.1-2) will also be made available at the present session.

Item 5. New international economic order: industrial contracts

The Working Group on the New International Economic Order will hold its eighth session at Vienna from 17 to 27 March 1986. The Commission will have before it the report of the Working Group on the work of its eighth session (A/CN.9/276). The Commission will also have before it a note by the Secretariat on possible future work by the Commission in the area of the new international economic order (A/CN.9/277).

Item 6. Operators of transport terminals

The Working Group on International Contract Practices held its ninth session in New York from 6 to 17 January 1986. The Commission will have before it the report of the Working Group on the work of its ninth session (A/CN.9/275).

Item 7. Co-ordination of work

(a) Current activities in the field of international trade law

The General Assembly, in resolution 34/142, requested the Secretary-General to place before the Commission at each of its sessions a

report on the activities of other organs and international organizations related to international trade law together with recommendations as to steps to be taken by the Commission.

The Commission will have before it a general report on current activities of international organizations related to the harmonization and unification of international trade law (A/CN.9/281), updating the information contained in an earlier report of the Secretary-General which was submitted to the sixteenth session of the Commission (A/CN.9/237 and Add.1-3). During the consideration of this agenda item by the Commission representatives of international organizations will have an opportunity to make statements concerning the activities of their respective organizations.

(b) Current activities of other organizations in the field of international commercial arbitration

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/280).

(c) Legal aspects of automatic data processing

The Commission, at its seventeenth session, decided to place the topic of legal implications of automatic data processing to the flow of international trade on its programme of work as a priority item. At its eighteenth session, the Commission considered a report of the Secretary-General on the legal value of computer records (A/CN.9/265), and adopted a recommendation on that subject. The Commission will have before it a further report of the Secretary-General on the legal aspects of automatic data processing with suggestions for future actions to co-ordinate work in this field (A/CN.9/279).

Item 8. Status of conventions

The Commission will have before it a note by the Secretariat (A/CN.9/283) concerning the present status of the Convention on the Limitation Period in the International Sale of Goods (New York, 1974); Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980); United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg); United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980); and Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958).

Item 9. Training and assistance

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/282).

Item 10. General Assembly resolutions on the work of the Commission

The Commission may wish to take note of General Assembly resolutions 40/71 of 11 December 1985 on the Report of the United Nations Commission on International Trade Law on the work of its eighteenth session and 40/72 of 11 December 1985 on the Model Law on International Commercial Arbitration of

the United Nations Commission on International Trade Law. Copies of the resolutions and the report of the Sixth Committee (A/40/935) will be made available at the present session.

Item 11. Future work

(a) Date and place of the twentieth session

The twentieth session will be held at Vienna. Information regarding dates available for that session will be supplied by the Secretariat.

(b) Sessions of Working Groups

The Commission may wish to agree upon a schedule of sessions for its Working Groups for the period between the nineteenth and twentieth sessions.

(i) Working Group on International Contract Practices

The recommendation by the Working Group as to its tenth and possible eleventh sessions is contained in the report of the Working Group on the work of its ninth session (A/CN.9/275, paragraph 99). The Secretariat has reserved the dates of 1 to 12 December 1986 for its tenth session, subject to the approval of the Commission.

(ii) Working Group on the New International Economic Order

The recommendation by the Working Group as to its ninth session will be contained in the report of the Working Group on the work of its eighth session (A/CN.9/276).

Item 12. Other business

The Commission will have before it a bibliography of recent writings related to the work of UNCITRAL (A/CN.9/284).

Item 13. Adoption of the report of the Commission

The General Assembly, in paragraph 10 of resolution 2205 (XXI), decided that the Commission should submit an annual report to the General Assembly, and that the report should be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Under a decision of the Sixth Committee (A/7408, paragraph 3), the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer of the Bureau designated by him.

IV. TENTATIVE SCHEDULE OF MEETINGS

- June 16 (Monday) Opening of the session (agenda item 1)
Election of officers (agenda item 2)
Adoption of the agenda (agenda item 3)
Draft Convention on International Bills of
Exchange and International Promissory Notes
(agenda item 4(a))
- June 17 (Tuesday) to
July 3 (Thursday) Draft Convention on International Bills of
Exchange and International Promissory Notes
(continued)
- July 4 (Friday) (No meeting scheduled, United Nations holiday)
- July 7 (Monday) to
July 9 (Wednesday) (Order of the following to be determined at the
session)
Electronic funds transfers (agenda item 4(b))
New international economic order (agenda item 5)
Operators of transport terminals (agenda item 6)
Co-ordination of work (agenda item 7)
Status of conventions (agenda item 8)
Training and assistance (agenda item 9)
General Assembly resolutions (agenda item 10)
Future work (agenda item 11)
Other business (agenda item 12)
- July 8 (Thursday) (No meeting scheduled, preparation of report)
- July 9 (Friday) Adoption of report (agenda item 13)

Meeting hours will be from 10:00 a.m. to 1:00 p.m. and 3:00 p.m. to 6:00 p.m., except on Monday, June 16, when the meeting will commence at 10:30 a.m.