

157. The Commission noted that the Working Group had requested the Secretariat to prepare, on the basis of the deliberations and conclusions of the Working Group, a revised draft of articles 1 to 27 of the uniform law. The Commission further noted that, when discussing the appropriateness of including provisions on conflicts of law and jurisdiction in the uniform law, the Working Group had requested the Secretariat to continue consulting with the Hague Conference on Private International Law on possible methods of cooperation in that field.

158. The Commission expressed its appreciation for the progress made by the Working Group so far and requested it to continue carrying out its task expeditiously.

VII. INCOTERMS 1990

159. At its twenty-fourth session, in 1991, the Commission had considered a request from the Acting Secretary-General of the International Chamber of Commerce (ICC) that the Commission should consider endorsing INCOTERMS 1990 for worldwide use. In order to allow consideration of that request, the Commission had before it the text of INCOTERMS 1990 (A/CN.9/348). It was recalled that the Commission, at its second session in 1969, had endorsed INCOTERMS 1953. Reference was made to the importance of INCOTERMS as a widely used practical tool and to the need for wider awareness of INCOTERMS. Furthermore, appreciation was expressed for the efforts made by ICC to revise INCOTERMS in order to stay abreast of changes in transportation techniques and trade documentation. However, while at the twenty-fourth session several delegations had indicated their desire to endorse the text of INCOTERMS, some delegations had indicated that, owing to the fact that late publication of document A/CN.9/348 had prevented them from carrying out the consultations required prior to endorsement, they had not been prepared to endorse the text of INCOTERMS at that session. The Commission regretfully felt obliged to postpone consideration of endorsement until the current session.

160. At its current session, the Commission was agreed that INCOTERMS 1990 succeeded in providing a modern set of international rules for the interpretation of the most commonly used trade terms in international trade. The Commission noted with appreciation that the new method of presenting INCOTERMS 1990 facilitated their reading and understanding. Several delegations reported that INCOTERMS 1990 were already widely used in their countries. The Commission expressed its appreciation of the continuing cooperation which the Commission had enjoyed with ICC.

161. At its 480th meeting, on 12 May 1992, the Commission adopted the following decision endorsing INCOTERMS 1990:

The United Nations Commission on International Trade Law,

Expressing its appreciation to the International Chamber of Commerce for having transmitted to it the revised text of INCOTERMS, which was approved by

the Commercial Practices Commission of the International Chamber of Commerce and entered into force on 1 July 1990, and for requesting the Commission to consider endorsing INCOTERMS 1990 for worldwide use,

Congratulating the International Chamber of Commerce on having made a further contribution to the facilitation of international trade by revising INCOTERMS to take account of changes in transportation techniques and to adapt the terms to the increasing use of electronic data interchange,

Noting that INCOTERMS constitute a valuable contribution to the facilitation of international trade,

Commends the use of INCOTERMS 1990 in international sales transactions.

VIII. CASE LAW ON UNCITRAL TEXTS (CLOUT)

162. At its twenty-first session (1988), the Commission decided to establish a system for collecting and disseminating information on court decisions and arbitral awards relating to normative texts emanating from the work of the Commission.²⁷ At the current session it was reported that the Secretariat had established the system. It was explained that the system relied on national correspondents designated by those States adhering to a Convention or having enacted legislation based on a Model Law. The Commission was informed that the features of the system were explained in detail in the User Guide that would be published together with the first batch of abstracts of court decisions, which related to the United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980) and the UNCITRAL Model Law on International Commercial Arbitration (1985).

163. The Commission noted with appreciation and satisfaction that the case collection system had been established and congratulated the national correspondents and the Secretariat on the work that had been done so far in relation to the establishment of the system. The Commission further urged States to cooperate with the Secretariat in the operation of the system, and in particular to appoint national correspondents, on whose work the operation of the system was dependent.

IX. COORDINATION OF WORK

164. The Commission had before it a note by the Secretariat on assistance by multilateral organizations and bilateral aid agencies in the modernization of commercial laws in developing countries (A/CN.9/364). The note reported that a number of multilateral organizations and bilateral aid agencies were involved in rendering assistance in activities whose objective was the modernization of commercial law in developing countries. The assistance rendered typically took the form of the provision of experts, as well as of funding to be used in the execution of projects. It was further noted that those activities concentrated on the modernization and development of legislation in the fol-

²⁷Ibid., *Forty-third Session, Supplement No. 17 (A/43/17)*, paras. 98-109.