

Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), would hold consultations with Committee D of the International Bar Association.

VIII. ICC UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (UCP 500)

230. The Commission had before it a note containing a request by the International Chamber of Commerce (ICC) to the Commission that it should consider recommending the use in international trade of the 1993 revision of UCP, as had been the case with earlier versions of UCP in 1962, 1974 and 1983 revisions of UCP. The Commission agreed to make such a recommendation, adopting the following resolution:

"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 'Uniform Customs and Practice for Documentary Credits', which was approved by the Commission on Banking Technique and Practice of the International Chamber of Commerce and adopted by the Council of the International Chamber of Commerce on 23 April 1993, with effect from 1 January 1994,

"Congratulating the International Chamber of Commerce on having made a further contribution to the facilitation of international trade by bringing up to date its rules on documentary credit practice to allow for developments in the transport industry and new technological applications, and to improve the functioning of the rules,

"Noting that 'Uniform Customs and Practice for Documentary Credits' constitutes a valuable contribution to the facilitation of international trade,

"Commends the use of the 1993 revision in transactions involving the establishment of a documentary credit."

231. In the discussion that preceded the adoption of the above resolution, the concern was widely expressed in the Commission that a strict application of the copyright held by ICC in UCP (or similarly for ICC's INCOTERMS or the model forms of the International Federation of Freight Forwarders Associations (FIATA)), at least as regards governmental and teaching uses of the text, was inappropriate for such a uniform legal text designed for worldwide use. It was widely felt that a restrictive approach that affected even governmental and teaching functions was detrimental to the objectives of the harmonization of law and dissemination of information and at odds with the aim of securing judicial recognition and other forms of legal support for the text. The Commission requested the Secretariat to convey the concerns that had been raised. As to the endorsement of UCP, the view was expressed that UNCITRAL should not endorse work done by non-governmental organizations without careful consideration. The Commission also expressed interest in the possibility of considering in more general terms questions raised in the discussion as to the endorsement by the Commission of legal texts formulated by other organizations, an activity within the mandate of the Commission.

IX. TRAINING AND TECHNICAL ASSISTANCE

232. The Commission had before it a note by the Secretariat (A/CN.9/400) indicating that it was continuing to conduct an active programme of training and assistance, though what was possible within limited human and financial resources met only a portion of the need and interest.

233. It was reported that, in view of the relative cost-effectiveness of national seminars compared to regional seminars, the Secretariat had continued its emphasis on the holding of national seminars. Since the previous session, national seminars had taken place in: (a) Mongolia (September 1993), in cooperation with the Government of Mongolia, and attended by approximately 30 participants; (b) Karachi, Pakistan (29 and 30 September 1993), in cooperation with the Training Institute of the Customs Authority and the Research Society for International Law, and attended by approximately 35 participants; (c) Bishkek, Kyrgyzstan (5-7 October 1993), in cooperation with the Government of Kyrgyzstan, and attended by approximately 15 participants; (d) Buenos Aires, Argentina (20 and 21 October 1993), in cooperation with the Government of Argentina, and attended by approximately 130 participants; (e) Rio de Janeiro, Brazil (25 and 26 October 1993), lectures on UNCITRAL texts held in cooperation with Candido Mendes University and PETROBRAS, and attended by approximately 65 participants; (f) Istanbul, Turkey (25-27 April 1994), in cooperation with Marmara University and the Union of Turkish Chambers of Commerce, and attended by approximately 50 participants.

234. At the regional level, a four-day UNCITRAL seminar was held within the framework of the biennial conference of the Law Association for Asia and the Pacific (LAWASIA), LAWASIA'93, at Colombo, from 13 to 16 September 1993. It was noted that Secretariat members had participated in and contributed to conferences, seminars and courses related to international trade law organized by other organizations. Furthermore, the Secretariat had agreed to co-sponsor the three-month International Trade Law Postgraduate Course to be organized in 1994 by the University Institute of European Studies and the International Training Centre of the International Labour Organisation in Turin, Italy. Issues of harmonization of international trade law and various items on the Commission's work programme would be covered in the course.

235. It was reported that a two-day programme focusing on legal texts of the Commission had taken place in New York, on 25 and 26 May 1994, organized by the Union Internationale des Avocats, sponsored by the American Bar Association, the Association of the Bar of the City of New York and the New York County Lawyers Association and hosted by the School of Law of Fordham University.

236. The Secretariat reported that growing awareness of the UNCITRAL legal texts in many countries, in particular developing and newly independent States, was resulting in increased requests from countries considering adoption of legislation based on UNCITRAL texts. This frequently involved the review of draft legislation relating to UNCITRAL texts. It was reported that the Secretariat expected to intensify even further its efforts to organize or co-sponsor