



General Assembly

Distr.: General
16 May 2022

Original: English

**United Nations Commission on
International Trade Law**
Fifty-fifth session
New York, 27 June–15 July 2022

Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, including report on CLOUT and Digests

Note by the Secretariat

Contents

	<i>Page</i>
I. Introduction	3
II. Dissemination of information through UNCITRAL's online and social media presence	3
A. Background	3
B. Expanded materials on UNCITRAL's social media channels and its website	4
C. Capacity-building materials on UNCITRAL's website	5
D. CLOUT and digests of case law	6
E. Promotion of uniform interpretation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958 (New York Convention)	10
F. Extent of use of the UNCITRAL website	11
III. Other outreach activities	12
A. Press releases	12
B. Induction briefings, capacity-building and provision of information on UNCITRAL to member States and other stakeholders	13
C. International commercial law moot competitions	13
D. Publications	15
E. Contribution to periodicals, reports and other writings relevant to the work of UNCITRAL	15
F. Information lectures in Vienna	16
IV. UNCITRAL Law Library	16
V. Overall picture of non-legislative activities in the reporting period	16



VI.	Planned main activities for the period 1 April 2022 onwards	19
VII.	Resources and funding	20
A.	Trust Fund for UNCITRAL Symposia	21
B.	Trust fund to grant travel assistance to developing countries that are members of UNCITRAL	22
VIII.	Internship programme	22

I. Introduction

1. This Note provides information on Secretariat activities designed to raise awareness of UNCITRAL, its mandate and its texts (globally termed non-legislative activities, or NLA).¹ The activities reported on were undertaken from 1 April 2021 until 31 March 2022 (the reporting period).

2. This Note covers:

(a) Awareness-raising of UNCITRAL and its activities through UNCITRAL's online and social media presence;

(b) Other outreach activities, including International Commercial Law Moot competitions;

(c) Information on the overall picture of all activities to support the adoption, use and uniform interpretation of UNCITRAL texts;

(d) An indication of activities planned for the next reporting period (and, in one case, beyond);

(e) Resource needs for the activities; and

(f) The functioning of UNCITRAL's internship programme.

3. This Note therefore complements the information provided in: Technical cooperation and assistance, [A/CN.9/1099](#); UNCITRAL regional presence – Activities of the UNCITRAL Regional Centre for Asia and the Pacific (RCAP), [A/CN.9/1098](#); and Status of conventions, model laws and operation of the Transparency Registry, [A/CN.9/1097](#).

II. Dissemination of information through UNCITRAL's online and social media presence

A. Background

4. Responding to the Commission's call on the Secretariat to be innovative in its approach to dissemination of information concerning UNCITRAL texts made at its fiftieth session,² the Secretariat has continued to develop and implement additional tools to provide information on UNCITRAL's mandate, activities and texts.

5. The increasing use of Secretariat-produced online materials and social media information during the coronavirus disease (COVID-19) pandemic evidences that the approach of expanding UNCITRAL's outreach activities online is welcomed by users of UNCITRAL materials. An online approach to awareness-raising also enhances efficiency in delivery, and, by reducing overall travel, it also provides a positive contribution to sustainability. From the substantive perspective, it allows the Secretariat to devote more time and resources to preparation for and delivery of in-person activities and targeted capacity-building, thus enhancing outcomes.

6. The Secretariat has therefore sought to complement the legislative texts and guidance materials on UNCITRAL's website through UNCITRAL's social media

¹ The activities have the same overall objective as the Secretariat's technical cooperation and assistance activities described in Technical cooperation and assistance, [A/CN.9/1099](#), but are generally addressed to a wide audience and users of the UNCITRAL website and social media platforms, and/or cover multiple areas and facets of UNCITRAL's mandate and activities.

² Also noting that the dissemination of information concerning international trade law was one of the mandated functions of UNCITRAL and envisaged as a permanent aspect of the work of the Commission. See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 17*, Report of the United Nations Commission on International Trade Law Fiftieth session, 2017, [A/72/17](#), paras. 435–436.

platforms, which serve also to complement awareness-raising, outreach, technical assistance and capacity-building activities.

B. Expanded materials on UNCITRAL's social media channels and its website³

7. During the reporting period, the Secretariat has issued and posted materials on social media channels and the UNCITRAL website to explain implementation issues, common issues of interpretation and UNCITRAL practice guidelines for government officials, judges and legal practitioners.⁴

8. The Secretariat continues to make substantial use of UNCITRAL social media channels as a means of raising awareness. The number of subscribers and views of social media channels increased markedly since the last session. YouTube has been used as a platform for disseminating recordings of events, activities and the work of UNCITRAL, including the side events held during the Commission's fifty-fourth session, the Incheon Law and Business Forum, Webinaire sur la numérisation des pratiques commerciales internationales, the Webinar on COVID-19 Measures Implemented by States and the UNCITRAL Colloquium on Possible Future Work on Dispute Settlement.⁵ The recordings are made available in the language in which they are delivered and are available in all six official United Nations languages when translation services have been provided. During the reporting period, 30 new videos were posted, which garnered 24,938 views, an increase of 58.8 per cent over the prior reporting period. The YouTube channel subscribers increased from 580 to 1,115 during the reporting period, an increase of 92.2 per cent. The first lecture in the CISG@40 Lectures on Transnational Commercial Law received over 9,400 views.

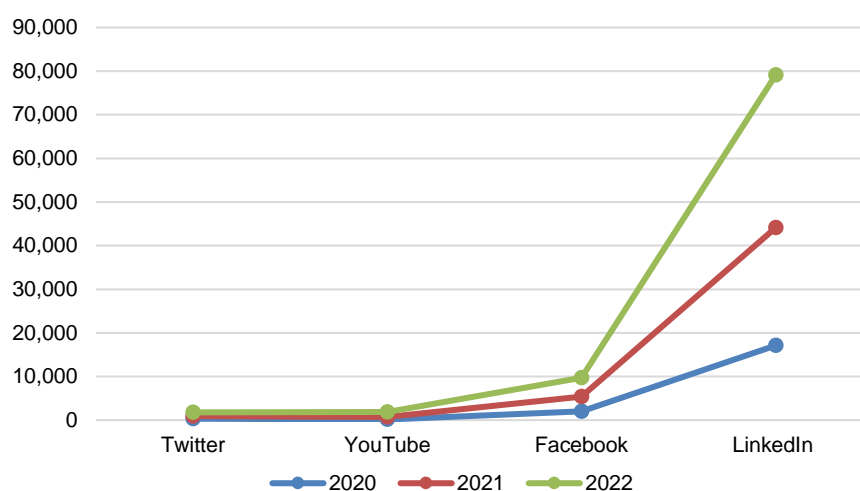
9. UNCITRAL also maintains LinkedIn, Facebook, Soundcloud and Twitter social media accounts. UNCITRAL's LinkedIn account now has 35,000 followers, an increase of almost 8,000 from the previous reporting period. The LinkedIn community is very engaged, and LinkedIn posts regularly receive substantial interest from the community. Highlights from this reporting period include a post on the Tripartite Guide, receiving over 30,000 views, a post on Turkey's ratification of the United Nations Convention on International Settlement Agreements Resulting from Mediation, receiving over 22,000 views, and the a post on the UNCITRAL Legislative Guide on Public-Private Partnerships, receiving over 20,000 views. UNCITRAL also has a Facebook account with more than 4,340 followers. The Secretary of UNCITRAL has a Twitter account to disseminate information about events and the work of UNCITRAL. The Twitter account has 871 followers and generates numerous retweets. The increasing use of social media is shown below.

³ uncitral.un.org. For a recent description of the website and its modernization in 2018, see Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 52–54.

⁴ For background information on the development of these approaches, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, [A/CN.9/1033](#), para. 27.

⁵ www.youtube.com/channel/UCvbVLBJfD94n0H_oFpS7csA/.

Social Media Statistics, 2020–2022



10. These social media channels are accessible from the UNCITRAL website, and the Secretariat posts information about UNCITRAL-related events and activities on the various channels, which offer an entry point into the Commission’s work and have generated significant interest in the work of UNCITRAL, as noted in the preceding paragraphs. Consequently, the Secretariat will continue to develop its presence on these social media channels, in order to generate additional information and content during the next reporting period.

C. Capacity-building materials on UNCITRAL’s website

11. As noted in [A/CN.9/1099](#), paras. 7–8, the Secretariat has issued three self-paced modules of an e-learning programme entitled “Introduction to the United Nations Commission on International Trade Law” (covering providing introductions to UNCITRAL and to its areas of work, and UNCITRAL’s contribution to the Sustainable Development Goals), in cooperation with the International Labour Organization’s International Training Centre (ITCILO).⁶ The Modules can be accessed through the homepage of the UNCITRAL website and on the ITCILO e-campus website.⁷ A second series of modules, on public-private partnerships and public procurement, mediation and arbitration, is anticipated shortly.

12. The e-learning programme was conceived as a tool to raise awareness of UNCITRAL and its work. Through providing such an introduction, the programme can be complemented by targeted capacity-building activities. Those follow-on activities will presuppose that the participants possess sufficient understanding of UNCITRAL and its work to allow for in-depth discussion of UNCITRAL subjects and texts.

13. The e-learning Modules are also aimed at prospective UNCITRAL delegates, representatives of permanent missions and government officials dealing with UNCITRAL matters who may request technical assistance and capacity-building support from the Secretariat.

14. Availability through both the UNCITRAL website and on the ITCILO e-campus website enables the secretariat to reach an expanded audience, such as technical contributors and researchers and practitioners with a general interest in UNCITRAL, and potential users of UNCITRAL texts that might otherwise remain invisible to the Secretariat. To date, there have been 259 Chinese-language participants and

⁶ Financial support was also provided under a memorandum of understanding with the Ministry of Commerce of China, concluded on 7 August 2019.

⁷ Access and registration are at <https://ecampus.itcilo.org/login/index.php>.

3,985 English-language participants in these modules, highlighting this expanded reach.

15. The programme therefore sits within the Secretariat's objective for NLA: to explain UNCITRAL texts, their benefits and usefulness to the attention of both those already engaged with UNCITRAL and those interested in commercial law reform in the broader context.

16. The considerable successes of UNCITRAL's Asia Pacific and Latin American Days⁸ have also generated significant interest from a younger demographic, including among students and early practitioners.⁹ For example, the number of Spanish-language visitors to the UNCITRAL website increased 81 per cent from 2020–2022, and (also following the release of the e-learning modules in Chinese and other outreach in China),¹⁰ the number of Chinese-language visitors to the website increased 187 per cent over the same period.

D. CLOUT and digests of case law

1. CLOUT¹¹

Cases reported in CLOUT

17. At 31 March 2022, 214 issues of CLOUT had been published, dealing with 1,973 cases from 78 jurisdictions.¹²

18. The cases published in the reporting period relate to the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) (27 cases), the UNCITRAL Model Law on International Commercial Arbitration (15 cases), the United Nations Convention on Contracts for the International Sale of Goods, 1980 (CISG) (15 cases), the Convention on the Limitation Period in the International Sale of Goods (1 case), the UNCITRAL Model Law on Cross-Border Insolvency (12 cases) and, for the first time, the UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation (1 case). The distribution of cases by areas of work of UNCITRAL follows an established pattern (A/CN.9/1017, para. 7).

19. Similarly, with respect to the geographic origin of reported cases, most abstracts published in the reporting period continue to originate from jurisdictions located in the Western European and other States Group (see A/CN.9/1017, para. 14), as the following graphic indicates.

⁸ See A/CN.9/1098, para. 4(e) and A/CN.9/1099, paras. 46–55, and the eponymous reports available under the Commission's 55th session section of www.uncitral.un.org.

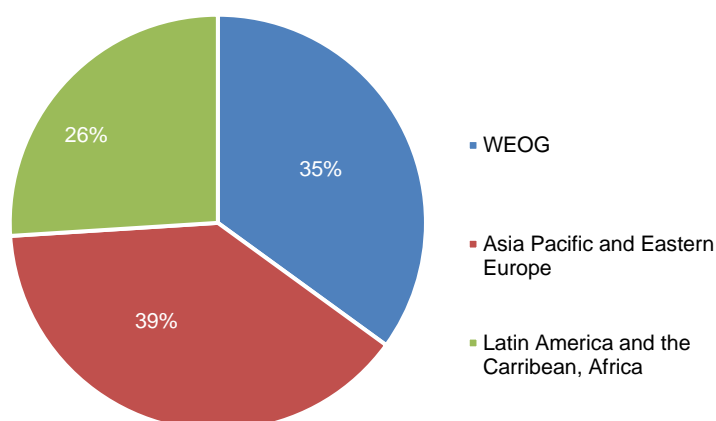
⁹ The UNCITRAL Asia Pacific Day Report 2020 and the UNCITRAL LAC Day Report 2020 are available at https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/apdayreport_2020.pdf, https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/lacdayreport_2020.pdf and https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/es/lacdayreport_2020.pdf, respectively.

¹⁰ See A/CN.9/1099, paras. 7–9.

¹¹ For background information on the Case Law on UNCITRAL Texts (CLOUT) system, see Publications to promote a uniform interpretation and application of UNCITRAL texts (CLOUT and digests) and support their implementation and enactment, A/CN.9/1017, paras. 1–6.

¹² During the reporting period, two cases from Nepal have been published for the first time in CLOUT.

CLOUT cases by region



Rejuvenation of CLOUT

20. The Commission regularly highlights the value of CLOUT, including Digests of Case Law on UNCITRAL texts, in promoting the uniform application of those texts, and has noted the following points relevant to the system and its operation:

(a) The increasing proportion of CLOUT abstracts from voluntary contributors, which now slightly exceeds those provided by national correspondents (only 15 per cent of which are active CLOUT contributors);

(b) The objective of ensuring that CLOUT cases reflect the pattern of adoption and use of UNCITRAL texts, from both civil and common law systems and all regions (welcoming, for example, the increased number of CLOUT abstracts from China in recent years);

(c) The objective of expanding the scope of UNCITRAL texts covered: although there was an increasing number of cases applying the Model Law on Cross-Border Insolvency, CLOUT as a whole remains concentrated on alternative dispute resolution – the Model Law on International Commercial Arbitration and New York Convention – and international sale of goods (CISG);

(d) Developments in technology, which have rendered the design of CLOUT issues relatively inaccessible compared with more modern tools. (CLOUT abstracts, published in the Organization's Official Documents system, are available only as part of a CLOUT Issue and not individually.) Information on CLOUT cases is available in the CLOUT database, but the database is not fully searchable and relies on manual indexing that may not be fully accurate;

(e) The potential contribution of CLOUT to capacity-building activities; and

(f) Increasing demand for guidance on interpretation and application of UNCITRAL texts, including from providers of legal services as well as from adjudicators.¹³

21. In 2019, the Commission requested the Secretariat to rejuvenate and expand the CLOUT system, through:

(a) Establishing a Steering Committee;

(b) Establishing a CLOUT Network of Partners and CLOUT Partnerships;

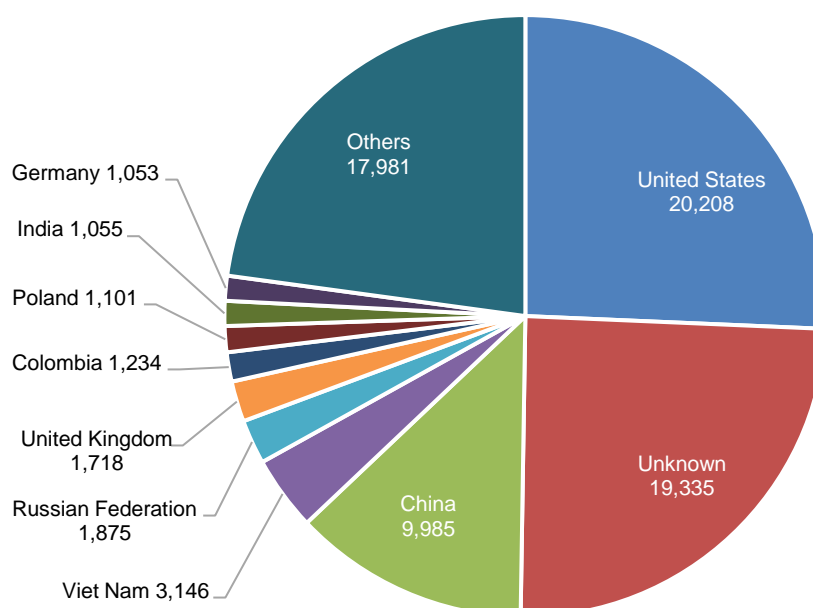
¹³ As highlighted by the existence of international and national databases of UNCITRAL-related case law hosted by a variety of bodies, and by the 2019 Office of Internal Oversight Services evaluation of the Office of Legal Affairs (E/AC.51/2019/9, para. 39).

(c) Finding a sustainable solution for the electronic dissemination of CLOUT.¹⁴

22. The Commission's request was motivated by a recognition that a rejuvenation could support CLOUT in operating as an effective interpretative tool for use among States that had adopted UNCITRAL texts. While relevant case law and consequently CLOUT abstracts would naturally emanate from national laws based on UNCITRAL texts (and would reflect the increasing adoption rate of some texts, such as the CISG), the Commission noted the Secretariat's analysis showing that some regions and systems appeared to be underrepresented in CLOUT. Reasons for this situation could include the relative ease of access to case law: jurisdictions where case reporting was more challenging were less likely to be represented in CLOUT, and in some languages, CLOUT is the main or even sole source of relevant information.

23. Since 2019, the Secretariat has been granted access to statistics on users of the CLOUT database. For example, in April 2022, the pattern was as follows, demonstrating that many users are from developed and middle-income countries.

Locations of top 10 users (by country, in pages accessed) of the CLOUT database



24. The following paragraphs set out some approaches that the Secretariat has identified to address the Commission's requests.

25. First, as regards the proposal for a Steering Committee,¹⁵ the COVID-19 pandemic has prevented in-person Commission sessions and the planned meeting of National Correspondents, meaning that a vision for implementing this proposal has not yet been explored. As reported in [A/CN.9/1017](#), paragraph 22, Thailand is the only State to have appointed a member to the Steering Committee. The Commission may therefore wish to revisit this proposal, and look afresh at the potential scope and role of a Steering Committee. (A note verbale was issued inviting States to appoint National Correspondents for the next five-year period (to 2027), pending any change

¹⁴ See, *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 17, Report of the United Nations Commission on International Trade Law, Fifty-second session, 2019, A/74/17*, paras. 239–248.

¹⁵ For the proposed functions of the Committee, see paras. 242–244.

in approach that the Commission may decide as a result of its consideration of the future direction of CLOUT and of a Steering Committee.)

26. Secondly, as regards establishing a CLOUT Network of Partners and CLOUT Partnerships, one approach is to focus on developing a CLOUT community of contributors of CLOUT abstracts, recognizing that CLOUT abstracts are the backbone of the system. The Secretariat could build onto its technical assistance and cooperation activities to implement this approach, as set out below.

27. Raising awareness of the benefits of participation in the CLOUT community, including:

(a) Publicizing CLOUT Issues in social media, with short descriptions of the content of the Issue and acknowledgement of contributors;

(b) Embedding tools supporting the uniform interpretation of UNCITRAL texts into all technical assistance and cooperation activities. The Secretariat includes a CLOUT element in all briefing sessions, introductory webinars to UNCITRAL, and other awareness-raising and capacity-building activities so far as possible. For example, during the G8 Insolvency and Restructuring Program organized by IBAJUD (Brazilian Institute of Insolvency), the Secretariat's presentation of CLOUT has generated several CLOUT abstracts on the MLCBI, to be included in a forthcoming CLOUT Issue. As UNCITRAL Day activities are focused on law students and young lawyers who engage in research, each activity highlights the possibility of acting as a voluntary contributor and explains how the contributions can be made;

(c) Raising awareness of the existence of CLOUT in all regions, to encourage its broader use.

28. Building a more active network of contributors to CLOUT, as part of and in following up the awareness-raising activities noted above, including:

(a) Engaging with current and potential contributors to generate a regular stream of high-quality CLOUT abstracts, in all United Nations languages (including developing tools to recognize their contributions such as a visual identity and dedicated web page as for CLOUT partners, as set out below);

(b) Encouraging contributors to raise awareness of relevant cases, including in languages other than those of the United Nations, in their own networks. First-instance case reports (submissions of which, as noted above, have increased) commonly apply legal principles to complex facts and extend beyond the consideration of legal principles that feature in many appeal cases (perhaps interpreting a single provision in an UNCITRAL text). This development offers the opportunity to discuss CLOUT cases and abstracts and to develop guidance on practical questions commonly encountered in commercial transactions, in addition to interpreting provisions in an UNCITRAL text.

29. Concluding partnerships to support wider publication of freely-available case law on UNCITRAL texts over the longer term. In this regard, the Secretariat:

(a) Has developed terms of reference to reflect the Commission's indications as to the bodies that can operate as potential partners (universities, judicial training institutes, etc.) and their roles and tasks.¹⁶ For example, partners are invited to develop guidance materials with illustrative cases;

(b) Has agreed the broad terms of a partnership with the Faculty of Law of the University of Basel, which is expected to be concluded before the Commission session;

(c) Has engaged in active discussions with other potential partners in several regions;

¹⁶ See [A/74/17](#), *supra*, paras. 244–245.

(d) Is developing tools for formal recognition of CLOUT Partners, such as a visual identity and dedicated web page;

(e) Plans to institute regular meetings on CLOUT, to be held together with the VIS Moot in Vienna in the spring of each year and in conjunction with other relevant Secretariat activities. These meetings would discuss updates in case law in subject areas, perhaps focusing on a specific issue or text, and other issues relating to interpretation of UNCITRAL texts. For example, there may be benefits in sharing information on a broader range of cases among the network (including through external case law databases of partners) than those for which CLOUT abstracts will be issued. The meetings could also include discussions among contributors on potential new projects, draft digests or materials for capacity-building, developments of the CLOUT network and ongoing support to the network.

30. The third request of the Commission was to find a sustainable solution for the electronic dissemination of CLOUT.¹⁷ As subsequently reported to the Commission, the CLOUT database is not yet available on the main UNCITRAL website, and the Secretariat is preparing the functional approach to a new online CLOUT database prior to an upgrade and migration, including a consideration of the optimal presentation of CLOUT abstracts, case materials and Digests from the user perspective.

31. As an initial step, the Secretariat is revisiting the design and layout of CLOUT Issues and proposes that they be redesigned and modernized to suit an online format. First, the one-page introduction (repeated in every issue) could be streamlined and include a weblink to more extensive information. Secondly, the issue could provide a summary of the cases, i.e. a one-sentence description of each case in the opening page, followed by the abstract.

32. As regards the digests, it is clear that users are seeking an online tool in a user-friendly format, rather than the traditional paper or e-book. A key function of such a tool is that it enables searches across digests and CLOUT cases (taking into account the scope and presentational issues noted above).

33. The functional objective of the proposed revised electronic dissemination of CLOUT is to generate a database in the form of an online tool available in all official languages on the UNCITRAL website, to include CLOUT abstracts and digest content. Its scope and functionality should allow searches to generate individual abstracts and relevant returns from within the various digests.

34. The Commission may wish to provide additional instructions or commentary on the approach to the rejuvenation and expansion of CLOUT, including on the tools to acknowledge and recognize contributors, both to assist the Secretariat in proceeding as swiftly as resources allow, and to enable CLOUT to fulfil its potential as an interpretative and guidance tool that provides easy and multilingual access to relevant decisions on a wide range of UNCITRAL texts. The Commission may also wish to assist in the identification of the resources required to complete the rejuvenation and expansion of CLOUT.

E. Promotion of uniform interpretation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958 (New York Convention)

35. The Secretariat has continued its coordination of materials published on the Convention Guide Web Platform (available at www.newyorkconvention1958.org) and the CLOUT database, though the extent of cooperation was limited by the COVID-19 pandemic and measures taken to address it. The Convention Guide Web

¹⁷ The Commission's consideration of this point is in [A/74/17](#), *supra*, paras. 248–249.

Platform continues to increase the volume of case law published on the application of the Convention.¹⁸

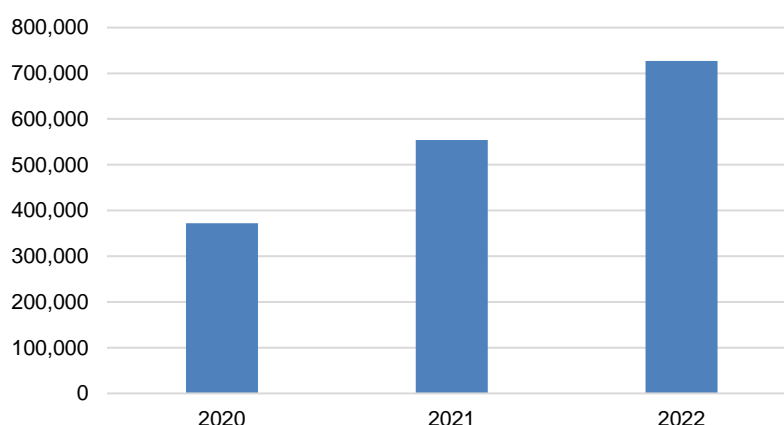
F. Extent of use of the UNCITRAL website

36. The UNCITRAL website (uncitral.un.org) is available in the six official languages of the United Nations and provides access to full-text UNCITRAL documentation and other materials relating to the work of UNCITRAL, such as publications, treaty status information, press releases, and events and news. In line with the organizational policy for document distribution, official documents are provided, when available, via linking to the United Nations Official Document System (ODS).

37. In conjunction with the Office of Information and Communications Technology (OICT), the Secretariat was able to gain access to a statistic gathering tool for the UNCITRAL website, including retrospective data. This tool was unavailable to the Secretariat for reporting to the Commission at the fifty-third and fifty-fourth sessions, so data from those time periods are included below, allowing the Commission to assess the trends in website usage.

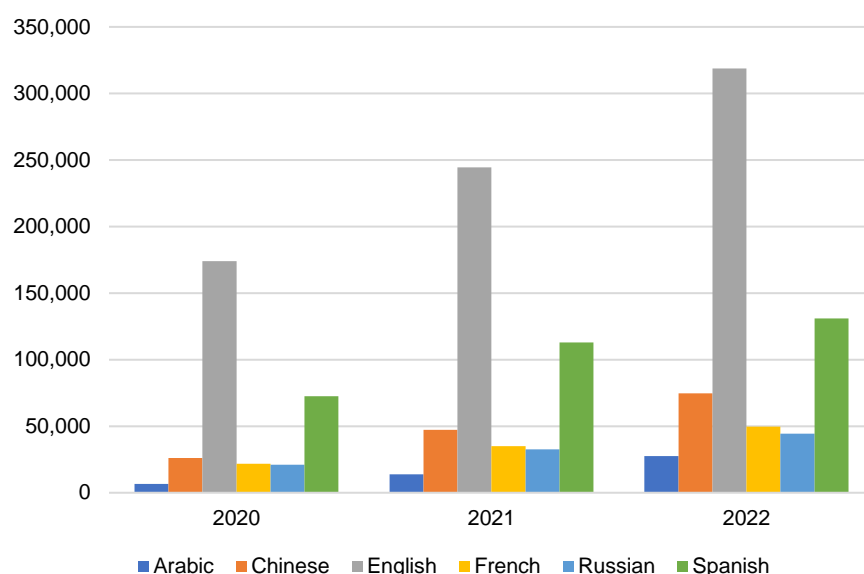
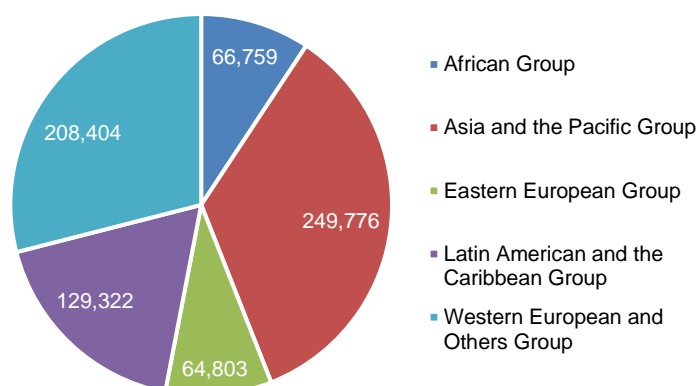
38. The website received 372,375 unique visitors in 2020, 554,463 unique visitors in 2021 and 726,765 unique visitors during the most recent reporting period, as set out in the chart below.

Website visitors, 2020–2022



39. Of the visitors to the website during the reporting period, 44 per cent of visitors were directed to pages in English, with 56 per cent directed to pages in Arabic, Chinese, French, Russian and Spanish. This is in comparison to 60 per cent directed to pages in English and 40 per cent directed to pages in Arabic, Chinese, French, Russian and Spanish, as reported the last time statistics were available in 2019. For ease of understanding, these statistics and a presentation of visitors per regional group are reproduced in graphical form below.

¹⁸ For a fuller description of the scope and content of the Platform, see Publications to promote a uniform interpretation and application of UNCITRAL texts (CLOUT and digests) and support their implementation and enactment, [A/CN.9/1017](#), paras. 41–46.

Visitors by United Nations language, 2020–2022**Website visitors by regional group, 2022**

40. The statistics show an increased interest in non-English sources, while also reinforcing the significance of the UNCITRAL website as a multilingual source of information on international trade law.

III. Other outreach activities

A. Press releases¹⁹

41. The Secretariat issued 13 press releases during the reporting period, to mark treaty actions relating to UNCITRAL, when advised of the adoption of an UNCITRAL model law or other relevant text, and to communicate other information of particular importance and direct relevance to UNCITRAL. The Commission may wish to repeat its regular request to States to advise the Secretariat when enacting legislation implementing an UNCITRAL model law or other relevant texts.

¹⁹ A description of the Secretariat's approach to the issue of press releases is found in Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 64–65.

B. Induction briefings, capacity-building sessions and provision of information on UNCITRAL to member States and other stakeholders

42. The Secretariat has continued its induction briefings for member States and other stakeholders,²⁰ and consultations on procedural matters for member States, and has also provided a series of capacity-building information sessions on selected UNCITRAL texts and/or subject-areas. These capacity-building sessions cover law reform needs that UNCITRAL texts in the areas concerned are designed to address, relevant Sustainable Development Goals, the main issues and policy approaches reflected in the texts, and other appropriate contextual information.

43. The Secretariat has provided such capacity-building sessions for the following States:

- (a) Turkmenistan, on e-commerce (Ashgabat/Vienna (online), 10 June 2021);
- (b) Pakistan, on the work of UNCITRAL in reforming ISDS, including the UNCITRAL transparency Standards (online, 16 June 2021); and
- (c) Azerbaijan, introducing UNCITRAL's mandate, working methods, texts and tools to support their effective adoption, use and uniform interpretation to the Government of and stakeholders in Azerbaijan, (Baku/Vienna, 23 February 2022).

44. These capacity-building sessions are generating greater engagement with UNCITRAL and its work, as evidenced in that they have led requests for further capacity-building and support. In this regard, the Commission may recall that the Secretariat provided introductory sessions to Pakistan and Turkmenistan earlier in 2021 (see [A/CN.9/1059](#), para. 27), and a third session with Azerbaijan will take place early in the next reporting period (see para. 79 below). Turkmenistan has acceded to both the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the "New York Convention") and the United Nations Convention on the International Sale of Goods (the "CISG"), and was elected as an UNCITRAL member State for the period 2022–2028.

C. International commercial law moot competitions

1. Willem C. Vis International Commercial Arbitration Moot

45. The Secretariat supported the organization of the 29th Willem C. Vis International Commercial Arbitration Moot, co-sponsored by the Commission. Its oral arguments took place from 9 April to 14 April 2022.²¹ In preparation for the Moot, there were around 50 preparatory pre-moots, held virtually.

46. A total of 366 registered teams, comprising more than 4,500 students, arbitrators and coaches from 87 jurisdictions, participated in the written part of the competition. 59 per cent of all participating students were female, pointing towards diversity in the future pool of arbitrators. The virtual oral arguments involved more than 1,100 arbitrators and 1,000 coaches.

²⁰ As reported to the Commission in 2020, induction briefings cover the legal and policy issues in the topics currently before the Commission and its working groups; the importance of wide and informed participation in its work; UNCITRAL's working methods; and Secretariat activities to support both legislative development in UNCITRAL and the adoption and use of its texts. See Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, [A/CN.9/1033](#), section G.

²¹ Although the dates of the oral arguments fall outside the reporting period, the Secretariat's participation in the Moot preparations takes place from the autumn of the previous year until those dates. The Secretariat therefore reports all Moot-related activities together.

47. The oral arguments of the 18th Willem C. Vis (East) International Commercial Arbitration Moot took place from 27 March to 3 April 2022 with 139 teams from 39 jurisdictions.

2. Additional moots

Moot Madrid – XIV Competición Internacional de Arbitraje y Derecho Mercantil

48. The Carlos III University of Madrid organized the XIV Competición Internacional de Arbitraje y Derecho Mercantil in Madrid (co-sponsored by the Commission), 32 teams from 12 countries and more than 180 arbitrators have registered for oral hearings that took place from 18 to 22 April 2022. The winning team was la Universidad de Cadiz.

Frankfurt Investment Arbitration Moot Court

49. The 14th Frankfurt Investment Arbitration Moot Court (FIAMC), co-organized by the Max Planck Institute for European Legal History and Morgan, Lewis and Bockius LLP, co-sponsored by the Commission, took place from 28 February to 4 March 2022, accompanied by several side events. 103 teams signed up for the international rounds as well as for national rounds and pre-moots. A total of 38 teams from 20 countries participated in the global rounds which were arbitrated by over 80 arbitrators. 55 per cent of the students were female, pointing towards diversity in the future pool of arbitrators. The winning team was the National University of Singapore.

IX International Investment Moot

50. The IX International Investment Moot co-organized by the American University College of Law (AUWCL) and the Center and the Research Group on Contracts and International Dispute Settlement (CYRCI) Universidad Externado de Colombia and co-sponsored by the Commission, included the Rules on Transparency in the moot case. This moot took place online at American University Washington College of Law from 7 to 11 March 2022, with teams from 12 universities from six Latin-American countries. The winning team was the University Externado of Colombia.

XIV International Investment Moot (CIARB)

51. The International Investment Moot (CIARB) is an annual competition organized by the University of Buenos Aires in Argentina and the University of Rosario in Colombia. The UNCITRAL Arbitration Model Law (2006) was part of the 2021 Moot case. This moot took place in October 2021 online and more than 50 teams and 700 students from the region were part in the written and oral stage. The winning team was the Universidad del Pacifico of Peru.

The Foreign Direct Investment International Arbitration Moot

52. The Foreign Direct Investment International Arbitration Moot (FDI Moot) is an annual competition organized by the Center for International Legal Studies, in cooperation with the Suffolk University Law School, Pepperdine University Law School, King's College London, and the German Institution of Arbitration (DIS). Regional qualifying/financing rounds are organized for Africa, South Asia and Asia Pacific with a Moot's global round. The UNCITRAL Arbitration Rules apply to the proceedings of the 2021 Moot case. Overall, 151 teams from 33 countries participated in this edition and only 81 of these 151 teams advanced to the global round. The winner of this global round was the Symbiosis Law School, Pune, India.

*Third Annual Arabic Moot Competition*²²

53. The SCCA Arabic Moot, held in cooperation with UNCITRAL and CLDP, brought together 84 participating teams representing 63 universities from 14 countries, and took place from 14 to 19 May 2022.

Ian Fletcher International Insolvency Law Moot Competition

54. The Insolvency Moot was held in 2022 in a virtual format over Zoom with the final oral rounds having taken place from 12 to 20 March 2022. Thirty-eight teams participated, the winner was Monash University (National University of Singapore). The problem was based on MLCBI and MLEGI. UNCITRAL, as in the past, supported the Moot.

D. Publications²³

55. The following publications were released, primarily in electronic form in the reporting period:

- (a) UNCITRAL Arbitration Rules, Expedited Arbitration Rules, Rules on Transparency in Treaty-based Investor-State Arbitration;
- (b) UNCITRAL Mediation Rules; and
- (c) UNCITRAL Notes on Mediation.

E. Contribution to periodicals, reports and other writings relevant to the work of UNCITRAL

56. During the reporting period, the Secretariat has contributed to the following writings relevant to the work of UNCITRAL:

- (a) On the UNCITRAL Model Law on Electronic Transferable Records, an article entitled “Legge Modello dell’UNCITRAL sui Titoli di Credito Elettronici”, for *Contratto e impresa*, Issue 1, 2021;
- (b) On the work of Working Group III (Investor-State Dispute Settlement Reform), an article entitled “UNCITRAL’s Working Group III discussion on dispute prevention”, for the *University of St. Thomas Law Journal*, Issue 2, 2021;
- (c) On the work of Working Group III (Investor-State Dispute Settlement Reform), an article entitled “Shareholder claims for reflective loss in investor-State disputes and reform options”, for *International Trade Law*, Issue 2, 2021;
- (d) On the work of Working Group III (Investor-State Dispute Settlement Reform), a contribution to the book “Evolution, evaluation and future developments in international investment law: proceedings of the 10 Year Anniversary Conference of the International Investment Law Centre Cologne”;
- (e) On the “UNCITRAL Transparency Standards and public participation in Investor-State Dispute Settlement”, for the *Czech (and Central European) Yearbook of Arbitration* (publication in 2023);
- (f) On the work of Working Group V (Insolvency Law), an article entitled “The current work by UNCITRAL in the area of insolvency law” for the *International Insolvency and Restructuring Report 2021/22*; and

²² Ibid.

²³ A description of the publications issued by the Secretariat, including UNCITRAL texts and its *Yearbook*, is found in Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 61–63.

(g) On the UNCITRAL Commission session, an article entitled “News from the United Nations Commission on International Trade Law (UNCITRAL): the work of the fifty-fourth Commission session”, for the Uniform Law Review, Issue 1, 2022.

F. Information lectures in Vienna

57. In the past, the secretariat has regularly provided information lectures to visitors to the Vienna International Centre.²⁴ As a result of, the COVID-19 restrictions, no such lectures were offered during this reporting period. The information lectures will resume in June 2022. The online course, Introduction to the United Nations Commission on International Trade Law, is available to those who are interested in learning more about the work of the Commission but are unable to visit the Vienna International Centre.²⁵

IV. UNCITRAL Law Library²⁶

58. In the reporting period, Library staff responded to approximately 339 reference requests originating from 59 countries. COVID-19 pandemic measures meant that there were very few visitors to the UNCITRAL Law Library.

59. The Library continues to maintain its online public access catalogue (OPAC) jointly with the other United Nations libraries in Vienna.

60. The “Bibliography of recent writings related to the work of UNCITRAL” is available to the Commission ([A/CN.9/1096](#)), and monthly updates from the date of the latest annual bibliography and a consolidated bibliography remain available on the UNCITRAL website. As at the date of submission of this Note, the consolidated Bibliography contains 11,702 entries, reproduced in English and in the original language versions.

61. In 2021, donations of books were received from the Southwest University of Political Science and Law (China), from the Government of Nigeria, and from the following publishers: Beck, Brill, Cambridge University Press, Globe Law and Business, Hart Publishing, Infotropic Media, LexisNexis, LexisNexis UK, Nomos, Oxford University Press, Routledge, Schulthess, Springer, ToliLex LLC, Verlag Dr. Kovac, and Wolters Kluwer.

V. Overall picture of non-legislative activities in the reporting period

62. Demand for NLA has continued to grow during the reporting period: the Secretariat in Vienna and RCAP carried out over 200 activities, representing an increase of approximately 11 per cent compared with the previous reporting period. Much of the period has continued to be affected by the COVID-19 pandemic, and approximately 75 per cent of all activities have been undertaken online in consequence, with 86 per cent of awareness-raising held online.

63. As reported to the Commission elsewhere,²⁷ and in implementing the strategic approach to its NLA in response to recommendations of the United Nations Office of Internal Oversight Services (OIOS),²⁸ the Secretariat prioritizes delivery of its

²⁴ A description of such lectures is found in Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), para. 67.

²⁵ <https://ecampus.iticilo.org/course/view.php?id=1637>.

²⁶ A general description of the Library and its functions is found in Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 55–60.

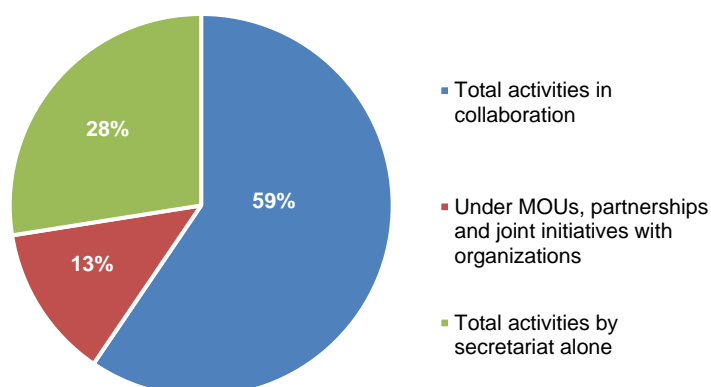
²⁷ Ibid.

²⁸ See, further, Technical cooperation and assistance, [A/CN.9/1032](#), paras. 72–75.

activities through strategically-focused partnerships and joint initiatives to maximize efficiency and impact in delivering capacity-building over the medium-term.

64. As can be seen from the graphic below, a significant majority of the activities are now carried out collaboratively.

Proportion of activities in collaboration with other entities

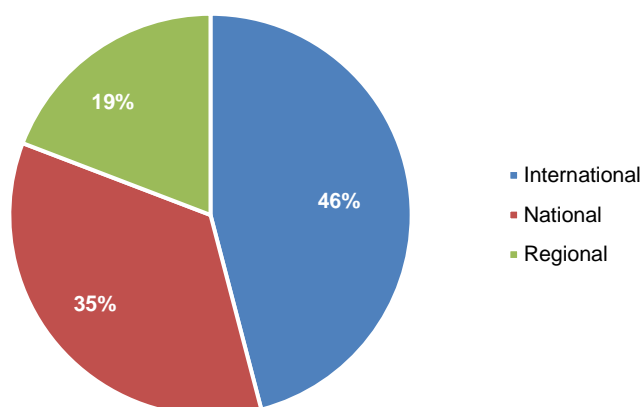


65. The Secretariat also designs and organizes a series of flagship events on an annual basis, so as to focus on the promotion and/or the interpretation of identified texts and subject areas of particular resonance in commercial law reform. For example, the activities celebrating the fortieth anniversary of the CISG in 2020 (“CISG@40”)²⁹ have demonstrated a clear demand for guidance on uniform contract law implementation and capacity-building in the use of the CISG. The UNCITRAL Mediation Academy (held annually in Singapore since 2020) is generating increasing interest in and use of UNCITRAL’s text in this field, with three additional accessions in the reporting period (see [A/CN.9/1097](#)).

66. In addition, the Secretariat has sought to expand the proportion of regional and international events, also to expand their reach, to encourage broader use of UNCITRAL texts throughout regions, and to enhance efficiency in delivery, with the following picture emerging for 2021–2022:

Secretariat NLA classified as national, regional or international, 2021–2022

Proportions of international, regional and national activities



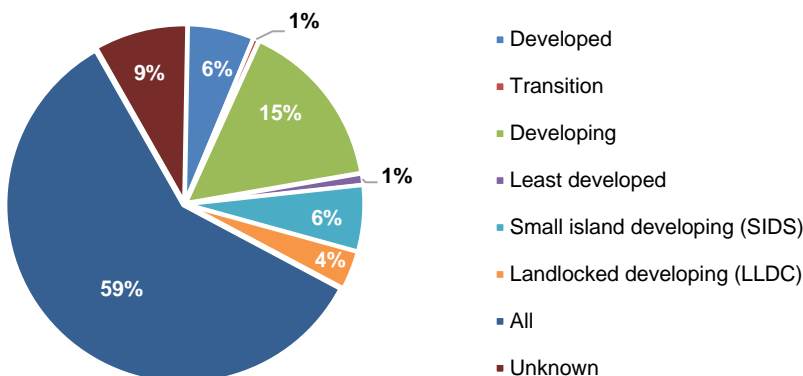
²⁹ See, further, a more detailed discussion in [A/CN.9/1099](#), paras. 65–67, and the CISG@40 report available on the UNCITRAL website.

67. The Secretariat has harnessed its improved data-generation as regards NLA to operate more strategically, to enhance monitoring and follow-up of activities, to respond to requests from within the Organization for data on support to particular groups of States, notably least developed and landlocked developing States, and on language and mode of delivery.

68. For example, activities in States categorized by level of development in 2021–2022 are presented below. The Secretariat will continue to seek to expand its activities among States at lower levels of development in the coming years.

Secretariat awareness-raising – in States at all levels of development, 2021–2022

Activities by classification

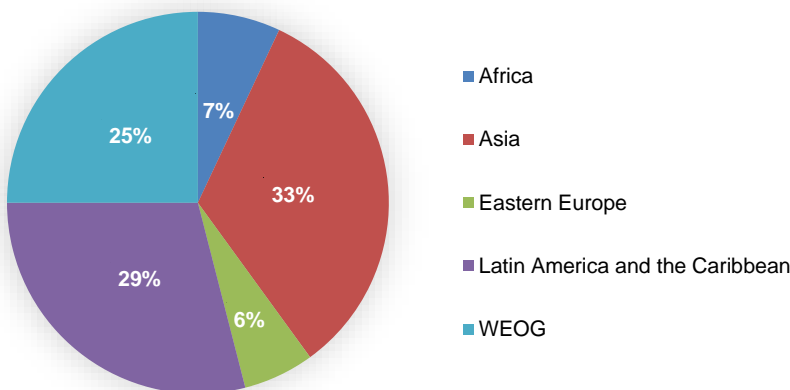


69. Demand for NLA in the reporting period was fairly evenly distributed over UNCITRAL subject areas. The historical pattern that there are relatively more requests regarding more recently-adopted UNCITRAL texts continued, including the Singapore Convention and UNCITRAL mediation texts, the UNCITRAL Model Law on Electronic Transferable Records, and recently-adopted texts on insolvency.

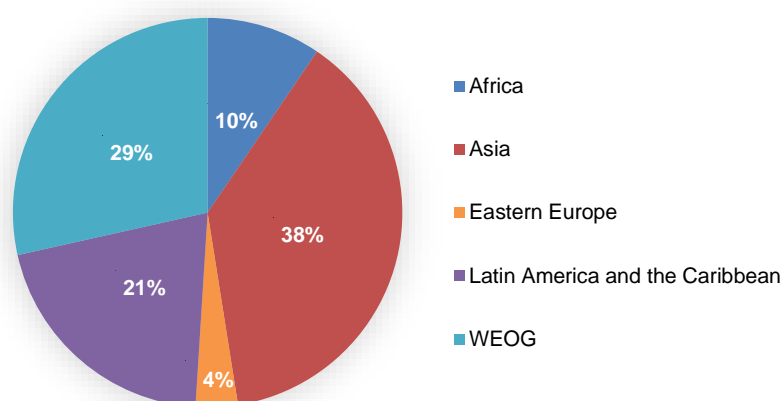
70. The geographical reach of these activities has continued to expand. While all regions have seen an increase in UNCITRAL-related activities, there is a relative increase in Africa and Latin America and the Caribbean as the following charts indicate, a trend that may reflect the newly-introduced UNCITRAL Days in those regions and is expected to continue.

Secretariat NLA by region, 1 April 2020–31 March 2022

1 April 2020–31 March 2021, by region



1 April 2021–31 March 2022, by region



VI. Planned main activities for the period 1 April 2022 onwards

71. The following main activities, some of which will be undertaken through the Regional Centre, are planned for the reporting period commencing 1 April 2022:

(a) Webinars for the Ministry of Justice of Azerbaijan, members of the Bar and practitioners in Azerbaijan, on UNCITRAL texts and their use at the national level (online) (6 and 19 April 2022);

(b) UNCTAD E-commerce week, “Data and Digitalization for Development”, online (25–29 April 2022);

(c) Tripartite Guide launch in the Republic of Korea, organized by RCAP with the Korea International Sales Law Society, Seoul (27 April 2022);

(d) Webinars on public procurement reform with the United States Department of Commerce, Commercial Law Development Program, for the Dominican Republic, Tajikistan and Kyrgyzstan (10 and 31 May 2022);

(e) Webinar on the Model Law on Electronic Transferable Records, “Digitization of commercial documents in Togo and Benin”, organized with the International Chamber of Commerce and others (online) (11 May 2022);

(f) The 2022 World Bank Group Insolvency and Creditor/Debtor Regimes Task Force Meeting (online) (12–13 May 2022);

(g) Webinar “Mercosur Mediation and Arbitration week”, webinar for MERCOSUR legal practitioners hosted by the Secretariat of Mercosur Permanent Tribunal (review), Asunción (16–20 May 2022);

(h) APEC Workshop on Modernising Secured Transaction Legal Regimes in APEC Economies through International Instruments and Effective Dispute Resolution Mechanism, Tokyo (25–27 May 2022);

(i) Launch event of UNCITRAL Days in Africa 2022, Accra/online (27 May 2022);

(j) Commemoration of the 25th anniversary of the Model Law on Cross-Border Insolvency through a series of conferences and events organized by the Secretariat and its partners, including a conference co-organized with INSOL (24 May 2022), and participation in a LAWASIA and National Coordination Committee for Australia conference (27 May 2022);

(k) UNCITRAL MSMEs virtual-knowledge sharing workshop, organized by RCAP with USAID and United Nations agencies in the Lao People’s Democratic Republic, Vientiane (virtual), (late May or early June 2022);

(l) Master of Laws in International Trade Law 2021–2022 Edition, and the 16th Edition of the Master in Public Procurement Management for Sustainable Development Programme, in May and June 2022 (for further details of the programmes, see [A/CN.9/1099](#), para. 19);

(m) INSOL-UNCITRAL-WBG Insolvency Judicial Roundtable, hosted by INSOL International on the margins of its annual conference, London (27 June 2022);

(n) Technical Assistance Panel discussion on sharing experience across regions and recent activities to support the adoption and use of UNCITRAL insolvency texts, online (15 July 2022, during the 55th session);

(o) UNCITRAL Academy 2022 and Singapore Convention Week, organized with Singapore (29 August to 2 September 2022);

(p) 2nd UNCITRAL South Asia Seminar, organized by RCAP with the Ministry of External Affairs and the UNCITRAL National Coordination Committee of India, New Delhi (mid-September 2022);

(q) RCAP@10 regional conference, Incheon, Republic of Korea, (early November 2022);

(r) 11th ADR Asia Pacific Conference, organized by RCAP with KCAB International, Korean Ministry of Justice, ICC, and Seoul IDRC (early November 2022);

(s) Hosting technical meetings as a focal point for Working Group 1 of the partnership of international organizations for effective international rulemaking led by the Organisation for Economic Co-operation and Development (OECD), and participation in the 9th annual meeting of the partnership (in December 2022);³⁰

(t) UNCITRAL Days will be held between September and December 2022 in three regions. In Asia-Pacific, the events will focus on RCAP's 10th anniversary, and the next 10 years of international trade and legal harmonization in the Asia Pacific, in Latin America and the Caribbean the focus will be on micro, small- and medium-sized enterprises (MSMEs), including micro and small enterprises (MSE) insolvency, and in Africa, the focus will be on the legal infrastructure necessary to implement in the African Continental Free Trade Area Agreement's international trade law commitments, including transparency in ISDS and the digitization of the economy; and

(u) A project with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in the Western Balkans to build capacity to adopt and use the Singapore Convention and the UNCITRAL Mediation framework (2022–2024).

72. These and other activities in the coming year will be reported to the Commission at its next session.

VII. Resources and funding

73. Activities to support the adoption, use and uniform interpretation of UNCITRAL texts are resource-intensive, and meeting the demand for them exceeds the financial and human resources available through the organization's regular budget. This lack of funding requires the Secretariat to raise extrabudgetary funds and secure additional financial and human resources to provide for the delivery of support activities.³¹

74. The funds raised take various forms: in-kind contributions to support and fund travel for awareness-raising, technical assistance and capacity-building purposes; contributions to UNCITRAL Trust Funds; provision of Junior Professional Officers

³⁰ For further details of the partnership, see Coordination activities, [A/CN.9/1107](#).

³¹ For a discussion of the need for such funding, and approaches to secure it, see Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 74–87.

by States to support Secretariat staff (while expanding their own knowledge of international trade law) and voluntary contributions to fund the continued operation of the transparency repository as a key mechanism for promoting the UNCITRAL Transparency Standards (United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 2014), the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration (effective date: 1 April 2014) and the Transparency Registry). As reported to the Commission elsewhere,³² the European Commission, the OPEC Fund for International development and the German Federal Ministry for Economic Cooperation and Development (BMZ) have continued their support for the Transparency Registry, with a view to promoting the UNCITRAL Transparency Standards, focusing in particular on African States.

75. The Secretariat seeks to maximize efficiency in the delivery of its awareness-raising, technical assistance and capacity-building activities, but despite these efforts and active fundraising by the Secretariat, the balances in UNCITRAL's Trust Funds remain insufficient to meet the anticipated demand for these activities once COVID-19 travel restrictions start to be lifted and in-person events can resume. In addition, the Secretariat's efforts to enhance UNCITRAL's online presence, as described above, have also generated additional costs and the need to upgrade delivery tools, all of which have required and will continue to require the acquisition of additional competencies and additional financial resources.

76. The Commission may therefore wish to renew its regular appeals for extrabudgetary funding,³³ in particular for multi-year and specific-purpose contributions that would enable effective strategic planning and would enhance the Secretariat's ability to meet the increasing demand for technical assistance and capacity-building on the use of UNCITRAL texts, particularly requests from developing countries and countries with economies in transition.

A. Trust Fund for UNCITRAL Symposia³⁴

77. The Trust Fund for UNCITRAL Symposia finances the participation of UNCITRAL staff or other experts at seminars and other events that consider commercial law reform needs and the adoption and use of relevant UNCITRAL texts. Its objective is to support members of the legal community in developing countries.

78. The total expenditure under the Trust Fund for UNCITRAL Symposia in 2021 was US\$ 627,897.

79. During the year from July 2021 to date, the following additional funds were received:

(a) US\$ 200,000 from the Government of China under a memorandum of understanding with the United Nations;³⁵

(b) US\$ 56,210 under a grant agreement with the Government of France to support research on investor-State dispute settlement reform (ISDS), interpretation and travel; and

(c) US\$ 368,500 from the Government of Japan under a memorandum of understanding with the United Nations in support of stocktaking of developments in dispute resolution in the digital economy.

³² See Status of conventions, model laws and operation of the Transparency Registry [A/CN.9/1056](#).

³³ See, for example, [A/74/17](#), *supra*, para. 260.

³⁴ For a fuller description and history, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, [A/CN.9/1033](#), paras. 40–42.

³⁵ Further details of the partnership with China are set out in Technical cooperation and assistance, [A/CN.9/1058](#), paras. 9–10.

B. Trust fund to grant travel assistance to developing countries that are members of UNCITRAL³⁶

80. A further general trust fund to grant travel assistance to developing countries that are members of UNCITRAL is open to voluntary financial contributions from States, intergovernmental organizations, regional economic integration organizations, national institutions and non-governmental organizations, as well as to natural and juridical persons.

81. During the year from July 2021 to date, the following additional funds were received: US\$ 1,182 from the Government of Austria.

VIII. Internship programme³⁷

82. During the current reporting cycle, 48 interns undertook an internship with the UNCITRAL Secretariat in Vienna and remotely, and a total of 22 interns took up remote internships in the Regional Centre during the same period.

83. While the internship programme's demographic pattern still shows a slight under-representation of candidates from African and Latin American States, and of candidates with fluent Arabic language skills, remote internships improved the geographical diversity and allowed interns from traditionally underrepresented regions to join the internship programme. The Commission may wish to repeat its earlier calls for States and observer organizations to raise awareness of UNCITRAL's internship programme, and for States and observer organizations to consider granting scholarships to support those most qualified for an internship at UNCITRAL, particularly from underrepresented regions.³⁸

³⁶ For a fuller description and history of the Fund, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts [A/CN.9/1033](#), paras. 43–44.

³⁷ Further details of the programme are set out in Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 88–93.

³⁸ See, for example, [A/74/17](#), *supra*, para. 260.