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**United Nations Commission on
International Trade Law**
Fifty-seventh session
New York, 24 June–12 July 2024

Provisional agenda, annotations thereto and scheduling of meetings of the fifty-seventh session

I. Provisional agenda, scheduling of meetings and documentation

<i>Agenda item</i>	<i>Proposed date(s)/time for consideration</i>	<i>Pre-session documentation</i>
1. Opening of the session. 2. Election of officers. 3. Adoption of the agenda.	Monday, 24 June, 10.30 a.m.	Provisional agenda, annotations thereto and scheduling of meetings of the fifty-seventh session: A/CN.9/1157
4. Consideration of draft model law on warehouse receipts and guide to enactment	Monday, 24 June– Wednesday, 26 June	Draft model law on warehouse receipts, accompanying guide to enactment and comments by States: A/CN.9/1182 , A/CN.9/1183 and A/CN.9/1188 Reports of Working Group I (Warehouse Receipts) on the work of its fortieth and forty-first sessions: A/CN.9/1158 and A/CN.9/1165
5. Coordination and cooperation	Wednesday, 26 June	A note by the Secretariat on coordination and cooperation: A/CN.9/1176 A note by the Secretariat on invited organizations: A/CN.9/1187 [Oral reports by invited international organizations may be expected at the session under this item]
6. Secretariat reports on non-legislative activities: (a) Overview of non-legislative activities; (b) Status and promotion of UNCITRAL legal texts;	Id.	A note by the Secretariat on non-legislative activities (A/CN.9/1174) and its addenda: Technical cooperation and assistance: A/CN.9/1174/Add.1/Rev.1



<i>Agenda item</i>	<i>Proposed date(s)/time for consideration</i>	<i>Pre-session documentation</i>
<p>(c) Relevant General Assembly resolutions;</p> <p>(d) Current role of UNCITRAL in promoting the rule of law; and</p> <p>(e) Bibliography of recent writings related to the work of UNCITRAL.</p>		<p>Activities of the UNCITRAL Regional Centre for Asia and the Pacific: A/CN.9/1174/Add.2</p> <p>Ways and means of ensuring a uniform interpretation and application of international conventions and uniform laws in the field of the law of international trade: CLOUT, digests and other materials: A/CN.9/1174/Add.3</p> <p>Operation of the transparency repository: A/CN.9/1174/Add.4</p> <p>UNCITRAL's online and social media presence: A/CN.9/1174/Add.5</p> <p>UNCITRAL Law Library, publications, press releases and other outreach activities: A/CN.9/1174/Add.6</p> <p>Internship programme and moots: A/CN.9/1174/Add.7</p> <p>Planned activities for the period 1 January 2024 onwards: A/CN.9/1174/Add.8</p> <p>Resources and funding: A/CN.9/1174/Add.9</p> <p>A note by the Secretariat on the status of conventions and model laws and other UNCITRAL texts: A/CN.9/1172/Rev.1</p> <p>A note by the Secretariat on relevant General Assembly resolutions: A/CN.9/1173</p> <p>A note by the Secretariat on the current role of UNCITRAL in promoting the rule of law and the implementation of Sustainable Development Goals: A/CN.9/1177</p> <p>Bibliography of recent writings related to the work of UNCITRAL: A/CN.9/1171</p>
7. Progress report of working groups	Thursday, 27 June	<p>Reports of Working Group V (Insolvency Law) on the work of its sixty-third and sixty-fourth sessions: A/CN.9/1163 and A/CN.9/1169</p> <p>Reports of Working Group VI (Negotiable Cargo Documents) on the work of its forty-third and forty-fourth sessions: A/CN.9/1164 and A/CN.9/1170</p>
	Friday, 12 July	<p>Report of Working Group IV (Electronic Commerce) on the work of its sixty-sixth session concerning data provision contracts: A/CN.9/1162</p>

<i>Agenda item</i>	<i>Proposed date(s)/time for consideration</i>	<i>Pre-session documentation</i>
8. Work programme of the Commission:	Thursday, 27 June	UNCITRAL/UNIDROIT study on the legal nature of verified carbon credits issued by independent carbon standard setters and comments to be received from States: A/CN.9/1191 and A/CN.9/1192
(a) Consideration of climate change mitigation, adaptation and resilience;		
(b) Consideration of secured transactions using new types of assets and their treatment under the UNCITRAL Model Law on Secured Transactions;	Friday, 28 June	A note by the Secretariat giving a general overview of the work programme of the Commission and of its working groups and secretariat: A/CN.9/1180
(c) Methods of work, including streamlining General Assembly resolutions;		
(d) Consideration of dispute resolution in the digital economy;	Monday, 1 July	Stocktaking of Developments in Dispute Resolution in the Digital Economy – progress report: A/CN.9/1189 Stocktaking of Developments in Dispute Resolution in the Digital Economy – future work proposals: A/CN.9/1190
(e) Consideration of legal issues relating to the use of distributed ledger technology in trade; and	Thursday, 11 July	Legal issues relating to the use of distributed ledger technology in trade: A/CN.9/1175
(f) Consideration of any additional topics for possible future work by UNCITRAL.		[Proposals by States and international organizations for future work may be expected]
9. Consideration of draft model clauses on specialized express dispute resolution (SPEDR)	Monday, 1 July	Draft UNCITRAL Model Clauses on Specialized Express Dispute Resolution (SPEDR): A/CN.9/1181 Reports of Working Group II (Dispute Settlement) on the work of its seventy-eighth and seventy-ninth sessions: A/CN.9/1159 and A/CN.9/1166
10. Consideration of texts prepared in the context of investor-State dispute settlement reform:	Tuesday, 2 July; Wednesday, 3 July; Friday, 5 July	Reports of Working Group III (ISDS) on the work of its forty-sixth, forty-seventh and forty-eighth sessions: A/CN.9/1160 , A/CN.9/1161 and A/CN.9/1167
(a) Consideration of the draft statute of an advisory centre on international investment dispute resolution; and		Draft statute of an advisory centre on international investment dispute resolution: A/CN.9/1184
(b) Consideration of draft toolkit on dispute prevention and mitigation.		Draft toolkit on dispute prevention and mitigation of international investment disputes: A/CN.9/1185 and A/CN.9/1186

<i>Agenda item</i>	<i>Proposed date(s)/time for consideration</i>	<i>Pre-session documentation</i>
11. Consideration of draft provisions on automated contracting and guide to enactment	Monday, 8 July– Thursday, 11 July	Draft provisions on automated contracting and accompanying guide to enactment: A/CN.9/1178 and A/CN.9/1179 Report of Working Group IV (Electronic Commerce) on the work of its sixty-sixth session: A/CN.9/1162
12. Date and place of future meetings	Friday, 28 June	Provisional agenda, annotations thereto and scheduling of meetings of the fifty-seventh session: A/CN.9/1157 (see para. 44 below)
13. Other business: (a) Evaluation of the role of the UNCITRAL secretariat in facilitating the work of the Commission; and (b) Other matters.	Id.	–
14. Adoption of the report of the Commission	Friday, 28 June; Friday, 5 July; and Friday, 12 July	–

II. Annotations to agenda items provisionally scheduled for the fifty-seventh session

1. Opening of the session

1. The fifty-seventh session of the Commission will be held at the United Nations Headquarters in New York, from 24 June to 12 July 2024.¹ The session will be opened on Monday, 24 June 2024, at 10.30 a.m. (see below, section III, for more details about the schedule of meetings). The Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, Mr. Miguel de Serpa Soares, is expected to open the session.

2. As at 24 June 2024, the United Nations Commission on International Trade Law will be composed of the following member States: Afghanistan (2028), Algeria (2025), Argentina (2028), Armenia (2028), Australia (2028), Austria (2028), Belarus (2028), Belgium (2025), Brazil (2028), Bulgaria (2028), Cameroon (2025), Canada (2025), Chile (2028), China (2025), Colombia (2028), Côte d'Ivoire (2025), Croatia (2025), Czechia (2028), Democratic Republic of the Congo (2028), Dominican Republic (2025), Ecuador (2025), Finland (2025), France (2025), Germany (2025), Ghana (2025), Greece (2028), Honduras (2025), Hungary (2025), India (2028), Indonesia (2025), Iran (Islamic Republic of) (2028), Iraq (2028), Israel (2028), Italy (2028), Japan (2025), Kenya (2028), Kuwait (2028), Malawi (2028), Malaysia (2025), Mali (2025), Mauritius (2028), Mexico (2025), Morocco (2028), Nigeria (2028), Panama (2028), Peru (2025), Poland (2028), Republic of Korea (2025), Russian Federation (2025), Saudi Arabia (2028), Singapore (2025), Somalia (2028), South Africa (2025), Spain (2028), Switzerland (2025), Thailand (2028), Türkiye (2028), Turkmenistan (2028), Uganda (2028), Ukraine (2025), United Kingdom of Great

¹ *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 17 (A/78/17)*, para. 314.

Britain and Northern Ireland (2025), United States of America (2028), Venezuela (Bolivarian Republic of) (2028), Viet Nam (2025) and Zimbabwe (2025).²

3. Member States not members of the Commission, non-Member States having received a standing invitation to participate as observers in the sessions and the work of the General Assembly, and international governmental organizations may attend the session as observers and participate in the deliberations. In addition, invited international non-governmental organizations may attend the session as observers and represent the views of their organizations on matters where the organization concerned has expertise or international experience so as to facilitate the deliberations at the session.

2. Election of officers

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

4. Consideration of the draft model law on warehouse receipts and guide to enactment

5. At its forty-ninth session, in 2016, the Commission decided to place the topic of warehouse receipt financing on its future work programme.³ At the fifty-third session, in 2020, the Commission agreed to carry out the project jointly with UNIDROIT, noting with appreciation that the Governing Council of UNIDROIT had already authorized its secretariat to participate in such a joint project. The Commission further agreed that the final text to be adopted by UNCITRAL would bear the names of both organizations, in recognition of their close cooperation and the contribution by UNIDROIT during the preparatory phase of the project. In conclusion, the Commission requested its secretariat to proceed with the preparatory work in cooperation with UNIDROIT towards the development of a model law on the private law aspects of warehouse receipts, as proposed in a note by the secretariat (A/CN.9/1014, paras. 24–26).⁴

6. At its fifty-sixth session, in 2023, the Commission considered the note by the secretariat summarizing the work done by the Working Group on a Model Law on Warehouse Receipts convened by UNIDROIT in consultation with the UNCITRAL secretariat (hereafter the “UNIDROIT/UNCITRAL Working Group”) and containing the draft model law as revised by the Drafting Committee following the sixth session of the UNIDROIT/UNCITRAL Working Group and the subsequent written consultation of that Working Group (A/CN.9/1152). In addition, the Commission was informed that the UNIDROIT Governing Council, at its 102nd session (Rome, 10–12 May 2023), had agreed that the draft was ready for submission to UNCITRAL for State negotiations and completion.⁵ After deliberation, the Commission agreed to refer the draft model law on warehouse receipts to Working Group I. In doing so, the Commission noted the advanced stage of the draft model law on warehouse receipts and its belief that consideration of the text by the Working Group would require only a short amount of time, possibly two sessions.⁶

7. At its fortieth session (Vienna, 25–29 September 2023), Working Group I completed a first reading of the draft model law on warehouse receipts (A/CN.9/1158). At its forty-first session (New York, 5–9 February 2024), the Working Group completed a second reading of the model law and requested the secretariat to

² The membership of the Commission was increased from 60 to 70 States by resolution A/RES/76/109 of 9 December 2021. Five additional members will be elected during the seventy-ninth session of the General Assembly.

³ *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17 (A/71/17)*, para. 125.

⁴ *Ibid.*, *Seventy-fifth Session, Supplement No. 17 (A/75/17)*, para. 61.

⁵ *Ibid.*, *Seventy-eighth Session, Supplement No. 17 (A/78/17)*, para. 177.

⁶ *Ibid.*, paras. 22(b) and 177.

revise the draft model law to reflect its deliberations and decisions during the session, and to transmit the revised draft to the Commission for consideration and possible approval at its fifty-seventh session (A/CN.9/1165, para. 9).

8. At its fifty-seventh session, the Commission will have before it the draft model law on warehouse receipts (A/CN.9/1182), the accompanying guide to enactment (A/CN.9/1183), and a compilation of comments by States and international organizations on that model law (A/CN.9/1188). The Commission may also wish to take into consideration the deliberations and decisions made by Working Group I at its fortieth and forty-first sessions (A/CN.9/1158 and A/CN.9/1165).

5. Coordination and cooperation

9. The Commission will be informed by a note of the Secretariat about activities undertaken by the secretariat since the Commission's previous session to ensure coordination with the work of other organizations active in the field of international trade law (A/CN.9/1176).

10. Representatives of international organizations will be given an opportunity to apprise the Commission of their current activities and possible means of strengthening cooperation with UNCITRAL.

11. The Commission may wish to recall that from its forty-fourth to fiftieth session, in 2011 to 2017, it heard oral reports by the secretariat about intergovernmental and non-governmental organizations invited to sessions of UNCITRAL,⁷ including comments on the manner in which invited organizations fulfilled the criteria applied by the secretariat in making its decision to invite non-governmental organizations.⁸ At its fiftieth session, in 2017, the Commission requested the secretariat to provide such information in writing for future sessions.⁹ Pursuant to that request, since its fifty-first session the Commission had before it notes by the Secretariat on international governmental and non-governmental organizations invited to sessions of UNCITRAL and its working groups (A/CN.9/951, A/CN.9/984, A/CN.9/1023, A/CN.9/1072, A/CN.9/1106 and A/CN.9/1143).¹⁰ A similar note will be before the Commission at its fifty-seventh session (A/CN.9/1176).

6. Secretariat reports on non-legislative activities

12. As requested by the Commission at its fifty-first session, in 2018,¹¹ the Commission will have before it a note by the Secretariat on non-legislative activities (A/CN.9/1174) and its addenda: (a) technical assistance and cooperation activities (A/CN.9/1174/Add.1/Rev.1); (b) activities of the UNCITRAL Regional Centre for Asia and the Pacific (A/CN.9/1174/Add.2); (c) ways and means of ensuring a uniform interpretation and application of international conventions and uniform laws in the field of the law of international trade: CLOUT, digests and other materials (A/CN.9/1174/Add.3); (d) operation of the transparency repository (A/CN.9/1174/Add.4); (e) UNCITRAL's online and social media presence (A/CN.9/1174/Add.5); (f) UNCITRAL Law Library, publications, press releases and

⁷ Ibid., *Sixty-sixth Session, Supplement No. 17 (A/66/17)*, paras. 288–298; *ibid.*, *Sixty-seventh Session, Supplement No. 17 (A/67/17)*, paras. 174–178; *ibid.*, *Sixty-eighth Session, Supplement No. 17 (A/68/17)*, paras. 257–261; *ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 205–207; *ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 279–281; *ibid.*, *Seventy-first Session, Supplement No. 17 (A/71/17)*, paras. 286–290; and *ibid.*, *Seventy-second Session, Supplement No. 17 (A/72/17)*, paras. 360–364.

⁸ Ibid., *Seventieth Session, Supplement No. 17 (A/70/17)*, para. 280.

⁹ Ibid., *Seventy-second Session, Supplement No. 17 (A/72/17)*, para. 364.

¹⁰ Ibid., *Seventy-third Session, Supplement No. 17 (A/73/17)*, paras. 185–186; *ibid.*, *Seventy-fourth Session, Supplement No. 17 (A/74/17)*, paras. 236–238; *ibid.*, *Seventy-fifth Session, Supplement No. 17 (A/75/17)*, part one, paras. 51–53; *ibid.*, *Seventy-sixth Session, Supplement No. 17 (A/76/17)*, para. 283; *ibid.*, *Seventy-seventh Session, Supplement No. 17 (A/77/17)*, paras. 254–255; and *ibid.*, *Seventy-eighth Session, Supplement No. 17 (A/78/17)*, para. 232.

¹¹ Ibid., *Seventy-third Session, Supplement No. 17 (A/73/17)*, paras. 258–267.

other outreach activities ([A/CN.9/1174/Add.6](#)); (g) internship programme and moots ([A/CN.9/1174/Add.7](#)); (h) planned activities for the period 1 January 2024 onwards ([A/CN.9/1174/Add.8](#)); and (i) resources and funding ([A/CN.9/1174/Add.9](#)).

13. In addition, the Commission will have before it for information notes by the Secretariat on: (a) status of conventions and model laws and other UNCITRAL texts ([A/CN.9/1172/Rev.1](#)); (b) relevant General Assembly resolutions ([A/CN.9/1173](#)); (c) the current role of UNCITRAL in promoting the rule of law and the implementation of Sustainable Development Goals ([A/CN.9/1177](#)); and (d) bibliography of recent writings related to the work of UNCITRAL ([A/CN.9/1171](#)).

7. Progress report of working groups

(a) Working Group I (Warehouse receipts)

14. At its fifty-seventh session, the Commission will have before it the reports of the fortieth and forty-first sessions ([A/CN.9/1158](#) and [A/CN.9/1165](#)) of the Working Group. The Commission is expected to consider that work under agenda item 4 (see paras. 5–8 above).

(b) Working Group II (Dispute Settlement)

15. At its fifty-seventh session, the Commission will have before it the reports of the seventy-eighth and seventy-ninth sessions ([A/CN.9/1159](#) and [A/CN.9/1166](#)) of the Working Group. The Commission is expected to consider that work under agenda item 9 (see paras. 28–29 above).

(c) Working Group III (ISDS Reform)

16. At its fifty-seventh session, the Commission will have before it the reports of Working Group III (ISDS) on the work of its forty-sixth, forty-seventh and forty-eighth sessions ([A/CN.9/1160](#), [A/CN.9/1161](#) and [A/CN.9/1167](#)). The Commission is expected to consider that work under agenda item 10 (see paras. 30–33 above).

(d) Working Group IV (Electronic Commerce)

17. The Commission is expected to consider the work of Working Group IV at its sixty-sixth session on one of the topics mandated by the Commission at its fifty-fifth session, namely data contracts ([A/77/17](#), para. 163).

18. The Commission is also expected to consider the work of Working Group IV on the other topic mandate by the Commission, namely automated contracting ([A/77/17](#), para. 159) under agenda item 11 (see paras. 34–37 below).

19. At its fifty-seventh session, the Commission will have before it the report of the sixty-sixth session of the Working Group ([A/CN.9/1162](#)). The sixth-seventh session of the Working Group has been postponed.

(e) Working Group V (Insolvency Law)

20. The Commission may wish to recall that, at its fifty-fourth session, in 2021, it referred two topics to its Working Group V (Insolvency Law): civil asset tracing and recovery and applicable law in insolvency proceedings.¹² The Working Group commenced consideration of those topics at its fifty-ninth session on the basis of the notes by the Secretariat ([A/CN.9/WG.V/WP.175](#) and [A/CN.9/WG.V/WP.176](#)) and continued that consideration at its sixtieth to sixty-fourth sessions (New York, 18–21 April 2022; Vienna, 12–16 December 2022; New York, 17–20 April 2023; Vienna, 11–15 December 2023; and New York, 13–17 May 2024) on the basis of the

¹² *Ibid.*, *Seventy-sixth Session, Supplement No. 17 (A/76/17)*, para. 217.

notes by the Secretariat.¹³ At its fifty-sixth session, in 2023, the Commission considered the reports of the sixty-first and sixty-second sessions of the Working Group (A/CN.9/1126 and A/CN.9/1133, respectively).¹⁴

21. The Commission may wish to note that at its most recent sessions:

(a) The Working Group reviewed the second and third drafts of a descriptive, informational and educational text on the topic and a draft toolkit for expedited civil asset tracing and recovery in insolvency proceedings; and

(b) As regards the topic of applicable law in insolvency proceedings, the Working Group continued its consideration of a set of draft legislative provisions and commentary, adding cross-border and new issues for discussion (e.g. the law governing effects of commencement of insolvency proceedings on close-out netting outside payment, clearing and settlement systems, regulated financial markets or other multilateral trading facilities).

22. At its fifty-seventh session, the Commission will have before it the reports of the sixty-third and sixty-fourth sessions of the Working Group (A/CN.9/1163 and A/CN.9/1169).

(f) Working Group VI (Negotiable Cargo Documents)

23. At its fifty-fifth session, in 2022, the Commission agreed to add the topic of negotiable multimodal transport documents to the work programme of the Commission.¹⁵ Background information on the decision to add the topic to the work programme may be found in document A/CN.9/WG.VI/WP.95, paragraphs 5–10. Given that the instrument on negotiable cargo documents may apply to both multimodal and unimodal transport contexts, the title of the Working Group was subsequently revised to “negotiable cargo documents”.¹⁶

24. At its forty-third session, the Working Group continued its article-by-article review of the revised preliminary draft provisions for an instrument on negotiable cargo documents as contained in the annex to the relevant working paper (A/CN.9/WG.VI/WP.100). The Working Group considered draft article 1 (Scope of application), draft article 3 (Issuance of negotiable cargo documents), draft article 4 (Content of the negotiable cargo document), draft article 5 (Deficiencies in the negotiable cargo document), draft article 6 (Evidentiary effect of the negotiable cargo document) and draft article 7 (Extent of rights of the holder under a negotiable cargo document) (A/CN.9/1164).

25. At its forty-fourth session, the Working Group is expected to continue its article-by-article review of the revised preliminary draft provisions for an instrument on negotiable cargo documents (A/CN.9/WG.VI/WP.103), focusing on those draft articles concerning negotiability and not yet considered during its forty-third session. If time permits, the Working Group is expected to examine those draft provisions on electronic aspects.

26. At its fifty-seventh session, the Commission will have before it the reports of the forty-third and forty-fourth sessions of Working Group VI (A/CN.9/1164 and A/CN.9/1170).

¹³ A/CN.9/WG.V/WP.178, A/CN.9/WG.V/WP.179, A/CN.9/WG.V/WP.182 and its addendum; A/CN.9/WG.V/WP.183 and its addendum; A/CN.9/WG.V/WP.186; A/CN.9/WG.V/WP.187; A/CN.9/WG.V/WP.189; A/CN.9/WG.V/WP.190; A/CN.9/WG.V/WP.192; A/CN.9/WG.V/WP.193; and A/CN.9/WG.V/WP.194.

¹⁴ *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 17 (A/78/17)*, paras. 160–165.

¹⁵ *Ibid.*, *Seventy-seventh Session, Supplement No. 17 (A/77/17)*, paras. 22 (h) and 202.

¹⁶ *Ibid.*, *Seventy-eighth Session, Supplement No. 17 (A/78/17)*, para. 174 (f).

8. Work programme of the Commission

27. At its forty-sixth session, in 2013, the Commission agreed that it should reserve time for discussion of future work as a separate topic at each Commission session.¹⁷ Under this agenda item, the Commission will have before it:

(a) A note by the Secretariat giving a general overview of the work programme of the Commission and of its working groups and secretariat (A/CN.9/1180), which includes a proposal to address issues relating to secured transactions using new types of assets and their treatment under the UNCITRAL Model Law on Secured Transactions, and methods of work;

(b) A note by the Secretariat transmitting the UNCITRAL/UNIDROIT study on the legal nature of verified carbon credits issued by independent carbon standard setters (A/CN.9/1191) and comments to be received from States (A/CN.9/1192);¹⁸

(c) Notes by the Secretariat on stocktaking of developments in dispute resolution in the digital economy (A/CN.9/1189 and A/CN.9/1190);¹⁹ and

(d) A note by the Secretariat on legal issues relating to the use of distributed ledger technology in trade (A/CN.9/1175).²⁰

9. Consideration of draft model clauses on technology-related dispute resolution and adjudication

28. The Commission, at its fifty-fifth session in 2022, entrusted the Working Group with considering the topics of technology-related dispute resolution and adjudication jointly and with considering ways to further accelerate the resolution of disputes by incorporating elements of both proposals. It was agreed that the work should build on the UNCITRAL Expedited Arbitration Rules and that the model provisions or clauses, or other forms of legislative or non-legislative text could be prepared on matters such as shorter time frames, appointment of experts/neutrals, confidentiality, and the legal nature of the outcome of the proceedings, all of which would allow disputing parties to tailor the proceeding to their needs to further expedite the proceedings.²¹

29. At its fifty-seventh session, the Commission will have before it draft model clauses on specialized express dispute resolution (SPEDR) (A/CN.9/1181) as well as reports of Working Group II (Dispute Settlement) on the work of its seventy-eighth and seventy-ninth sessions (A/CN.9/1159 and A/CN.9/1166). The draft model clauses, accompanied by explanatory notes, offer customized solutions and guidance, building on the UNCITRAL Expedited Arbitration Rules (“Expedited Rules”, “EARs”).

10. Consideration of texts prepared in the context of investor-State dispute settlement reform

30. At its fiftieth session, in 2017, the Commission entrusted Working Group III with a broad mandate to work on the possible reform of investor-State dispute settlement (ISDS).²² From its thirty-fourth to thirty-seventh session, the Working Group identified and discussed concerns regarding ISDS and considered that reform was desirable in light of the identified concerns.²³ From its thirty-eighth to forty-eighth session, the Working Group considered concrete elements for ISDS

¹⁷ Ibid., *Sixty-eighth Session, Supplement No. 17 (A/68/17)*, para. 310.

¹⁸ Ibid., *Seventy-eighth Session, Supplement No. 17 (A/78/17)*, para. 199.

¹⁹ Ibid., para. 215.

²⁰ Ibid., para. 202.

²¹ Ibid., *Seventy-second Session, Supplement No. 17 (A/72/17)*, para. 264.

²² Ibid.

²³ The deliberations and decisions of the Working Group at its thirty-fourth to thirty-seventh sessions are set out in documents A/CN.9/930/Rev.1; A/CN.9/930/Rev.1/Add.1; A/CN.9/935; A/CN.9/964; and A/CN.9/970, respectively.

reform.²⁴ The following reflects the outcome of the Working Group's work on some of the reform elements.

31. At its fifty-seventh session, the Commission will have before it reports of Working Group III (ISDS) on the work of its forty-sixth, forty-seventh and forty-eighth sessions ([A/CN.9/1160](#), [A/CN.9/1161](#) and [A/CN.9/1167](#)).

(a) Consideration of the draft statute of an advisory centre on international investment dispute resolution

32. At its fifty-seventh session, the Commission will have before it the draft statute on an advisory centre on international investment dispute resolution ([A/CN.9/1184](#)). It is suggested that the draft statute be adopted in principle as issues relating to the operationalization of the advisory centre require further consideration. In this regard, the Commission may wish to consider how to make progress on the establishment and operation of the advisory centre.

(b) Consideration of draft toolkit on prevention and mitigation of international investment disputes

33. At its fifty-seventh session, the Commission will have before it the draft toolkit on dispute prevention and mitigation of international investment disputes ([A/CN.9/1185](#) and [A/CN.9/1186](#)) for its consideration including of the appropriate form of the text and how best to make progress thereafter (including by Working Group III) in light of the desirability to regularly update the text to reflect new practices. The draft toolkit is a descriptive document setting out various strategies and measures that have been adopted by States to prevent and mitigate investment disputes involving foreign investors.

11. Consideration of draft provisions on automated contracting and guide to enactment

34. At its fifty-fifth session, in 2022, the Commission requested its Working Group IV: (a) as a first stage, to compile provisions of UNCITRAL texts that apply to automated contracting, and to revise those provisions, as appropriate; (b) as a second stage, to identify and develop possible new provisions that address a broader range of issues, including those identified by the Working Group at its sixty-third session ([A/77/17](#), para. 159).

35. At its sixty-fourth session (Vienna, 31 October–4 November 2022), the Working Group started a process of distilling principles on the topic from existing UNCITRAL texts and developing additional principles on legal issues not fully addressed in those texts ([A/CN.9/1125](#), paras. 11–90). At its sixty-fifth session (New York, 10–14 April 2023), the Working Group advanced the development of draft principles on the topic ([A/CN.9/1132](#), paras. 52–85).

36. At its fifty-sixth session (Vienna, 3–21 July 2023), the Commission expressed its satisfaction with the progress made, and invited the Working Group to continue work at its forthcoming sessions on the basis of a revised text to be prepared by the UNCITRAL secretariat ([A/78/17](#), para. 158).

37. At its fifty-seventh session, the Commission will have before it draft provisions on automated contracting ([A/CN.9/1178](#)), their accompanying guide to enactment ([A/CN.9/1179](#)) as well as the report of Working Group IV (Electronic Commerce) on the work of its sixty-sixth session ([A/CN.9/1162](#)). The Commission may wish to consider the draft provisions and the accompanying guide to enactment with a view to their adoption.

²⁴ The deliberations and decisions of the Working Group at its thirty-eighth to forty-fourth sessions are set out in documents [A/CN.9/1004](#); [A/CN.9/1004/Add.1](#); [A/CN.9/1044](#); [A/CN.9/1050](#); [A/CN.9/1054](#); [A/CN.9/1086](#); [A/CN.9/1092](#); [A/CN.9/1124](#); [A/CN.9/1130](#); [A/CN.9/1131](#); [A/CN.9/1160](#); [A/CN.9/1161](#); and [A/CN.9/1167](#) (under preparation).

12. Date and place of future meetings

Fifty-eighth session of the Commission

38. The Commission may wish to note that its fifty-eighth session will be held in Vienna. Tentative arrangements have been made for the session to be held from 7–25 July 2025. The Commission may wish to recall that, at its fifty-second session, it confirmed its understanding that two-week sessions would generally be sufficient and that the duration of each annual session was to be determined on a case-by-case basis depending on the expected workload.²⁵

Sessions of working groups

39. At its thirty-sixth session, in 2003, the Commission agreed that: (a) working groups should normally meet for a one-week session twice a year; (b) extra time, if required, could be allocated from the unused entitlement of another working group provided that such arrangement would not result in the increase of the total number of 12 weeks of conference services per year currently allotted to sessions of all six working groups of the Commission; and (c) if any request by a working group for extra time would result in the increase of the 12-week allotment, it should be reviewed by the Commission, with proper justification being given by that working group regarding the reasons for which a change in the meeting pattern was needed.²⁶

40. At its fifty-second session, in 2019, the Commission decided that extra time for conference services, if required, could also be allocated to working groups from the unused time of the Commission session.²⁷ It confirmed that requests by working groups for additional time for conference services would be considered by the Commission on a case-by-case basis, taking into account the needs of the requesting working group, the needs of other working groups and the other needs of the Commission at the given time, and taking into account the views of all member States of UNCITRAL. The Commission also confirmed that the request from a working group should not by itself be treated as a sufficient ground for granting the request; in each case, the request had to be properly substantiated.²⁸

41. At its fifty-fourth session, in 2021, the Commission decided to recommend to the General Assembly that additional conference (one-week session per year) and human resources be allocated to Working Group III (ISDS Reform) for a single period of four years, from 2022 to 2025, on the condition that the Commission would during its annual session re-evaluate and, if needed, revisit its decision concerning the need for allocating one additional one-week session per year and supporting resources to Working Group III taking into consideration the Working Group's report on the use of its resources.²⁹ On 24 December 2021, the General Assembly decided to allocate one additional one-week session per year to Working Group III (ISDS Reform) and the necessary human resources as recommended by the Commission ([A/RES/76/229](#), para. 15).

42. At its fiftieth session, in 2017, the Commission took note of General Assembly resolutions on the pattern of conferences promulgating policies as regards significant holidays, on which the United Nations Headquarters and the Vienna International Centre remained open but United Nations bodies were invited to avoid holding meetings. The Commission agreed to take into account those policies as far as possible when considering the dates of its future meetings.³⁰

43. The Commission is expected to consider conference service requirements in the light of its work programme and reports of its working groups, taking into account

²⁵ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 331.

²⁶ *Ibid.*, *Fifty-eighth Session, Supplement No. 17 (A/58/17)*, para. 275.

²⁷ *Ibid.*, *Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 323.

²⁸ *Ibid.*, para. 325.

²⁹ *Ibid.*, *Seventy-sixth Session, Supplement No. 17 (A/76/17)*, para. 263.

³⁰ *Ibid.*, *Seventy-second Session, Supplement No. 17 (A/72/17)*, para. 485.

that dates proposed below include the following significant holidays of the United Nations: 12 May 2025 – Day of Vesak (which would fall on the first day of the tentative dates of the forty-sixth session of Working Group VI).

	<i>Second half of 2024 (Vienna)</i>	<i>First half of 2025 (New York)</i>	<i>Second half of 2025 (Vienna) (to be confirmed by the Commission at its fifty-eighth session, in 2025)</i>
Working Group I (TBD)	42nd session 21–25 October 2024	43rd session 17–21 February 2025	44th session 29 September–3 October 2025
Working Group II (Dispute Settlement)	80th session 2–6 September 2024	81st session 3–7 February 2025	82nd session 13–17 October 2025
Working Group III (ISDS Reform)	49th session 23–27 September 2024	50th session (Vienna) 20–24 January 2025 51st session 7–11 April 2025	52nd session 22–26 September 2025
Working Group IV (Electronic Commerce)	68th session 18–22 November 2024	69th session 24–28 March 2025	70th session 20–24 October 2025
Working Group V (Insolvency Law)	65th session 25–29 November 2024	66th session 21–25 April 2025	67th session 10–14 November 2025
Working Group VI (Negotiable Cargo Documents)	45th session 9–13 December 2024	46th session 12–16 May 2025	47th session 15–19 December 2025

13. Other business

(a) Evaluation of the role of the UNCITRAL secretariat in facilitating the work of the Commission

44. At its fifty-second session, the Commission recalled that “facilitating the work of UNCITRAL” had been listed among the expected accomplishments of the UNCITRAL secretariat in the old budgetary framework and the performance metric for that expected accomplishment had been the level of satisfaction of UNCITRAL with the services provided by its secretariat, as evidenced by a rating on a scale ranging from 1 to 5 (5 being the highest rating). At that session, the Commission also recalled that the UNCITRAL secretariat had in the past circulated an evaluation questionnaire to elicit evaluation from States. The Commission was further informed at the session that, although continuing that practice was no longer necessary as a result of changes introduced in the budgetary framework, the UNCITRAL secretariat intended to continue circulating a questionnaire during the sessions of UNCITRAL for self-evaluation.

45. At the fifty-seventh session of the Commission, States will be requested to fill in an online evaluation questionnaire that will be circulated during the session, and the Commission may expect to hear an oral report from the UNCITRAL secretariat on the number of responses received and the level of satisfaction with the services provided to UNCITRAL by the UNCITRAL secretariat indicated in those responses.

(b) Other matters

46. The Commission may wish to consider possible other matters under this agenda item.

14. Adoption of the report of the Commission

47. The General Assembly, in its resolution 2205 (XXI) of 17 December 1966, decided that the Commission should submit an annual report to it and that the report should be submitted simultaneously to the United Nations Conference on Trade and

Development for comments. Pursuant to a decision of the Sixth Committee,³¹ the report of the Commission is introduced to the General Assembly by the chairperson of the Commission or by another officer designated by the chairperson.

III. Schedule of meetings and documentation

48. Meetings will be held from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., except on Monday, 24 June, when the morning meeting will commence at 10.30 a.m. No meetings will be held on Monday, 4 July 2024, which is a United Nations official holiday in New York. Livestreaming of the session will not be possible.

49. UNCITRAL documents are posted on the UNCITRAL website (www.uncitral.un.org) upon their issuance in all the official languages of the United Nations. Delegates may wish to check the availability of the documents for the fifty-seventh session by accessing the page of the Commission in the “Working Documents” section of the UNCITRAL website (www.uncitral.un.org).

50. The recommendations on the scheduling of meetings under each agenda item in section I above are intended to assist States and invited organizations in planning the attendance of their pertinent representatives; the actual scheduling will be determined by the Commission itself.

³¹ Ibid., Twenty-third Session, annexes, agenda item 88, document [A/7408](#), para. 3.