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Status of conventions and model laws and the operation of the Transparency Registry*

Note by the Secretariat

I. Introduction

1. At its thirteenth session, in 1980, the United Nations Commission on International Trade Law (UNCITRAL) decided¹ that it would consider, at each of its sessions, the status of conventions that were the outcome of work carried out by it. Status of the enactment of model laws was added at the twentieth session of the Commission (A/CN.9/294, para. 2), following the finalization of the first UNCITRAL model law.

2. Technical cooperation and assistance activities aimed at promoting the use and adoption of its texts are priorities for UNCITRAL pursuant to a decision taken at its twentieth session (1987).² The secretariat monitors adoption of model laws and conventions. The secretariat also collects and disseminates information on court decisions and arbitral awards that interpret the conventions and model laws that have emanated from the work of the Commission via the CLOUT database.³

3. The present note sets forth the status of the conventions and model laws emanating from the work of the Commission. It also shows the status of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958),⁴ which, although adopted prior to the establishment of the Commission,

* With a view to streamlining the production of documents for the annual sessions of the Commission and standardizing their respective coverage periods, the secretariat has decided that, starting in 2024, all documents providing periodic information or reporting on activities other than the legislative work of the Commission will provide information related to the previous calendar year, and not according to the Commission session cycles. As the previous report on the status of conventions and model laws and the operation of the Transparency Registry (A/CN.9/1136) provided information through 31 March 2023, this document contains information from that date through 31 December 2023. From 2025 onwards the reporting on this topic will cover the full preceding calendar year.

¹ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 17 (A/35/17)*, para. 163.

² *Official Records of the General Assembly, Forty-second Session, Supplement No. 17 (A/42/17)*, para. 335.

³ Case Law on UNCITRAL Texts (CLOUT), available at https://uncitral.un.org/en/case_law.

⁴ United Nations, *Treaty Series*, vol. 330, No. 4739, p. 3.



is closely related to the work of the Commission in the area of international commercial arbitration. The note also provides an update to the status of other UNCITRAL texts, including the UNCITRAL Arbitration Rules and the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration.

4. This note indicates the changes since 1 April 2023, when the last annual report in this series ([A/CN.9/1136](#)) was issued. A decision was made to report on status changes of UNCITRAL texts on a calendar year basis (1 January through 31 December) from this report forward, in contrast to previous notes, which reported on status changes between 1 April and 31 March of the reporting year. Therefore, the information contained herein represents status changes from 1 April 2023 through 31 December 2023. Authoritative information on the status of the treaties deposited with the Secretary-General of the United Nations, including historical status information, may be obtained by consulting the United Nations Treaty Collection (<http://treaties.un.org>) and the information on conventions in this note and on the UNCITRAL website is based on that information.

5. Information on the status of treaties and model laws is also available on the UNCITRAL website, where it is updated as soon as the secretariat is informed of any development. Tables of treaty actions and model laws enactments are available online and are not reproduced here to avoid redundancy.

II. Status of conventions and model laws

6. This note covers the following texts, incorporating as indicated new treaty actions (the term “action” is used generically to denote the deposit of an instrument of ratification, approval, acceptance, accession, or signature in respect of a treaty, or participation in a treaty as a result of an action to a related treaty, or the deposit, withdrawal or modification of a declaration or of a reservation) and enactments of Model Laws based on information received since the last report.

(a) In the area of sale of goods

7. The CISG and other relevant UNCITRAL texts provide a fair, neutral and modern legal framework for the conclusion and performance of contracts for the international sale of goods and related transactions. In doing so, they increase legal predictability and help reduce transaction costs.

Convention on the Limitation Period in the International Sale of Goods (New York, 1974),⁵ as amended by the Protocol of 11 April 1980 (Vienna). Twenty-three States parties; unamended: 30 States parties;⁶

United Nations Convention on Contracts for the International Sale of Goods (“CISG”) (Vienna, 1980).⁷ New actions by Rwanda (accession) and Saudi Arabia (accession)⁸; 97 States parties;

The complete status on the conventions may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/salegoods>).

(b) In the area of dispute resolution

8. UNCITRAL’s work in the area of dispute resolution has focused on providing a comprehensive legal framework for resolving cross-border disputes through arbitration and mediation. This has been achieved by preparing conventions, model laws, and contractual rules as well as by providing other relevant guidance to parties as well as institutions.

⁵ United Nations, *Treaty Series*, vol. 1511, No. 26119, p. 3.

⁶ United Nations, *Treaty Series*, vol. 1511, No. 26121, p. 99.

⁷ United Nations, *Treaty Series*, vol. 1489, No. 25567, p. 3.

⁸ This State made a declaration that it would not be bound by Part III pursuant to the provision of Paragraph (1) of Article (92) of the Convention.

Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958).⁹ One hundred seventy-two States parties;

UNCITRAL Model Law on International Commercial Arbitration (1985),¹⁰ with amendments as adopted in 2006.¹¹ Legislation based on the Model Law has been adopted in 90 States in a total of 123 jurisdictions. New legislation based on the Model Law has been adopted in Albania (2023), Greece (2023), Japan (2023), Malaysia (2018), Morocco (2022), Nigeria (2023), Sierra Leone (2022), Tonga (2020) and Trinidad and Tobago (2023);

UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation (2018)¹² (amending the Model Law on International Commercial Conciliation, (2002)).¹³ Legislation based on or influenced by the Model Law has been adopted in 33 States in a total of 46 jurisdictions;

United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 2014).¹⁴ Nine States parties;

United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 2018).¹⁵ New actions by Japan (accession); Nigeria (ratification); and the United Kingdom of Great Britain and Northern Ireland (signature); 56 signatories; 13 States parties;

Full status on the conventions and model laws may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/arbitration> and <https://uncitral.un.org/en/texts/mediation>).

(c) In the area of government contracting

9. UNCITRAL's work in the area of government contracting started in 1986. The Model Laws implement widely agreed upon principles and procedures to achieve value for money, to avoid abuse and to facilitate cross-border public procurement. The 2011 Model Law is also designed to allow States to implement procurement-related requirements in the United Nations Convention against Corruption, the World Trade Organization's Agreement on Government Procurement and other international agreements.

UNCITRAL Model Law on Public Procurement (2011).¹⁶ The UNCITRAL Model Law on Public Procurement as adopted in 2011 forms the basis of or is reflected in the public procurement laws and regulations in 26 States and six international organizations.¹⁷

Full status on the model laws may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/procurement>).

⁹ United Nations, *Treaty Series*, vol. 330, No. 4739, p. 3.

¹⁰ *Official Records of the General Assembly, Fortieth Session, Supplement No. 17 (A/40/17)*, annex I.

¹¹ United Nations publication, Sales No. E.08.V.4.

¹² *Official Records of the General Assembly, Seventy-third Session, Supplement No. 17 (A/73/17)*, annex II.

¹³ *Ibid.*, *Fifty-seventh Session, Supplement No. 17 (A/57/17)*, annex I.

¹⁴ General Assembly resolution 69/116, annex.

¹⁵ *Official Records of the General Assembly, Seventy-third Session, Supplement No. 17 (A/73/17)*, annex I.

¹⁶ *Ibid.*, *Sixty-sixth Session, Supplement No. 17 (A/66/17)*, annex I.

¹⁷ The extent to which the resulting regulatory framework incorporates the provisions of the Model Law varies, however, as that framework also reflects legal traditions, domestic policy and other objectives.

(d) In the area of banking and payments

10. UNCITRAL has prepared texts relating to international payments aimed at modernizing and harmonizing relevant rules. Such work has resulted in the preparation of the conventions on international bills of exchange and international promissory notes (1988) and on independent guarantees and stand-by letters of credit (1995), and in the adoption of the model law on international credit transfers (1992).

United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988).¹⁸ Five States parties;

UNCITRAL Model Law on International Credit Transfers (1992);¹⁹

United Nations Convention on Independent Guarantees and Stand-by Letters of Credit (New York, 1995).²⁰ Eight States parties;

Full status on the conventions and model law may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/payments>).

(e) In the area of security interests

11. UNCITRAL has prepared various instruments in the area of security interests, beginning with the United Nations Convention on the Assignment of Receivables in International Trade, which provides uniform rules on the assignment of international receivables. Since its adoption, the Commission has prepared additional texts providing comprehensive guidance to States to implement a modern secured transactions regime governing all types of movable assets as well as providing guidance to implementing agencies and parties involved in secured transactions. The aim of the work in security interests is to increase access to affordable secured credit and thus promote economic growth and sustainable development.

United Nations Convention on the Assignment of Receivables in International Trade (New York, 2001).²¹ Two States parties;

UNCITRAL Model Law on Secured Transactions (2016).²² Legislation based on, or taking the same approach as, the Model Law has been adopted in nine States;

Full status on the convention and model law may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/securityinterests>).

(f) In the area of insolvency

12. UNCITRAL work in the area of insolvency initially focused on cross-border recognition of insolvency proceedings. This was in recognition of the fact that, for a fair and efficient administration of cross-border insolvencies, there is a need for cross-border cooperation and coordination in the supervision and administration of an insolvent debtor's assets and affairs located in different States to prevent debtor's assets from being concealed or dissipated, to increase chances of rescuing financially troubled but viable businesses and to ensure that the insolvency estate is administered in the most advantageous way for the benefit of all interested persons, including the debtor and the debtor's creditors and employees. UNCITRAL has developed various instruments, providing a set of internationally harmonized model legislative provisions on cross-border insolvency that respects the national procedural and

¹⁸ General Assembly resolution 43/165, annex. The Convention has not yet entered into force; it requires 10 States parties for entry into force.

¹⁹ *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 17 (A/47/17)*, annex I.

²⁰ United Nations, *Treaty Series*, vol. 2169, No. 38030, p. 163.

²¹ General Assembly resolution 56/81, annex. The Convention has not yet entered into force; it requires five States parties for entry into force.

²² General Assembly resolution 71/136.

judicial systems and is acceptable to States with different legal, social and economic systems.

UNCITRAL Model Law on Cross-Border Insolvency (1997).²³ Legislation based on the Model Law has been adopted in 59 States in a total of 61 jurisdictions. Adoption of legislation based on the Model Law has been reported for Albania (2016) and Angola (2021);

UNCITRAL Model Law on Recognition and Enforcement of Insolvency-Related Judgments with Guide to Enactment (2018);²⁴

UNCITRAL Model Law on Enterprise Group Insolvency (2019);²⁵

Full status on the model laws may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/insolvency>).

(g) In the area of transport

13. UNCITRAL texts in the area of transport establish a uniform legal regime governing the rights and obligations of shippers, carriers and consignees under a contract of carriage of goods by sea. They also provide uniform rules for the cross-border recognition of clean title in ships purchased at judicial sale and may also cover other phases of multimodal transport of goods across borders.

United Nations Convention on the Carriage of Goods by Sea (Hamburg, 1978).²⁶ Thirty-five States parties;

United Nations Convention on the Liability of Operators of Transport Terminals in International Trade (Vienna, 1991).²⁷ Four States parties;

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008).²⁸ Five States parties;

United Nations Convention on the International Effects of Judicial Sales of Ships (New York, 2022).²⁹ Actions by Burkina Faso (signature), China (signature), Comoros (signature), Ecuador (signature), El Salvador (signature), Grenada (signature), Honduras (signature), Kiribati (signature), Liberia (signature), Sao Tome and Principe (signature), Saudi Arabia (signature), Senegal (signature), Sierra Leone (signature), Singapore (signature), Switzerland (signature), Syrian Arab Republic (signature) and the United Republic of Tanzania (signature); 17 signatories;

Full status on the conventions may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/transportgoods>).

(h) In the area of electronic commerce

14. UNCITRAL texts in the area of electronic commerce enable the use of electronic means in a large number of jurisdictions. Based on common fundamental principles, these texts deal with, among other things, electronic transactions and contracting, electronic signatures, exchange of electronic communications across borders and electronic transferable records, the use of identity management for the online identification of persons, and the use of trust services to provide assurances as to the

²³ General Assembly resolution 52/158, annex.

²⁴ United Nations publication, Sales No. E.19.V.8.

²⁵ General Assembly resolution 74/184.

²⁶ United Nations, *Treaty Series*, vol. 1695, No. 29215, p. 3.

²⁷ *Official Records of the United Nations Conference on the Liability of Operators of Transport Terminals in International Trade, Vienna, 2–19 April 1991* (United Nations publication, Sales No. E.93.XI.3), part I, annex. The Convention has not yet entered into force; it requires five States parties for entry into force.

²⁸ General Assembly resolution 63/122, annex. The Convention has not yet entered into force; it requires 20 States parties for entry into force.

²⁹ General Assembly resolution 77/100, annex. The Convention has not yet entered into force; it requires three States parties for entry into force.

quality of data in electronic form, which are fundamental components of the digital economy. UNCITRAL texts in the area of electronic commerce adopt a technology neutral approach that may accommodate emerging and future technologies.

United Nations Convention on the Use of Electronic Communications in International Contracts (New York, 2005).³⁰ Eighteen States parties;

Domestic legislation enacting the substantive provisions of the Convention has been adopted in 33 States. New domestic legislation based on the Convention has been adopted in the British Virgin Islands (2021) and Guyana (2023);

UNCITRAL Model Law on Electronic Commerce (1996).³¹ Legislation based on or influenced by the Model Law has been adopted in 86 States in a total of 167 jurisdictions. Adoption of legislation based on the Model Law has been reported for the British Virgin Islands (2021), Ethiopia (2020), Guyana (2023), Libya (2022) and Panama (2008);

UNCITRAL Model Law on Electronic Signatures (2001).³² Legislation based on or influenced by the Model Law has been adopted in 39 States in a total of 41 jurisdictions. New legislation based on the Model Law has been adopted in the British Virgin Islands (2021) and Libya (2022);

UNCITRAL Model Law on Electronic Transferable Records (2017).³³ Legislation based on or influenced by the Model Law has been adopted in eight States in a total of eight jurisdictions. New legislation based on the Model Law has been adopted in the United Kingdom of Great Britain and Northern Ireland (2023);

UNCITRAL Model law on the Use and Cross-border Recognition of Identity Management and Trust Services (2022);³⁴

Full status on the convention and model laws may be found on the UNCITRAL website (<https://uncitral.un.org/en/texts/ecommerce>).

III. Status of other UNCITRAL texts

A. UNCITRAL Arbitration Rules

15. UNCITRAL has provided a table presenting a non-exhaustive list of arbitration centres which (i) have institutional rules based on, or inspired by, the UNCITRAL Arbitration Rules, (ii) administer arbitral proceedings or provide administrative services under the Rules, and/or (iii) act as an appointing authority under the Rules.³⁵ The table is available on the UNCITRAL website (<https://uncitral.un.org/en/texts/arbitration/contractualtexts/arbitration>).

B. UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration (effective date: 1 April 2014)

16. The United Nations Convention on Transparency in Treaty-based investor-State Arbitration (the “Mauritius Convention”) entered into force on 18 October 2017. As noted in paragraph 8 above, the ratifying States include Australia, Benin, Bolivia (Plurinational State of), Cameroon, Canada, Gambia, Iraq, Mauritius and

³⁰ General Assembly resolution 60/21, annex.

³¹ United Nations publication, Sales No. E.99.V.4.

³² General Assembly resolution 56/80, annex.

³³ United Nations publication, Sales No. E.17.V.5.

³⁴ *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 17 (A/77/17)*, annex II.

³⁵ Arbitration centres wishing to provide updated information for this table are invited to contact the secretariat. The contents of this table are only updated on the UNCITRAL website on an annual basis.

Switzerland.³⁶ The UNCITRAL Rules on Transparency in Treaty-based investor-State Arbitration (the “Rules on Transparency”) therefore apply to the 193 international investment agreements with an investor-State dispute settlement mechanism that have been reported since 2014, and to disputes under a further 245 agreements to which the above States are parties where the claimant agrees to their application. An updated review showed that 124 international investment agreements included the Rules on Transparency by referring to the UNCITRAL Arbitration Rules and 41 of those 124 treaties have additional treaty provisions on transparency in case other Arbitration Rules apply. Furthermore, 16 of the 67 international investment agreements that excluded the application of the Rules on Transparency nevertheless included some elements of transparency. Thus, there is a tendency towards more transparency in investor-State dispute settlement.

17. The following table presents a non-exhaustive list of investment treaties reviewed since 1 April 2023, when the last annual report in this series (A/CN.9/1136) was issued. The table lists treaties in which the Rules on Transparency, or provisions modelled on the Rules on Transparency, are applicable in Treaty-based investor-State dispute resolution. The list is based on the database of international investment agreements maintained by the United Nations Conference on Trade and Development (UNCTAD).³⁷ The complete table is available on the UNCITRAL website (https://uncitral.un.org/en/texts/arbitration/conventions/foreign_arbitral_awards/status).

<i>Treaty</i>	<i>Signature</i>	<i>Entry into force</i>	<i>Relevant articles</i>
Canada-Ukraine			
Canada-Ukraine Modernized Free Trade Agreement (2023)	22/09/2023		Article 17.23(6)(c); Article 17.32*; Article 17.32(1)**; Article 17.33*; Article 17.33(1)**
Angola-Japan			
Agreement between Japan and the Republic of Angola for the Liberalisation, Promotion and Protection of Investment	09/08/2023		Article 24.4(c); Article 24.17*
Belarus-Zimbabwe			
Agreement between the Republic of Belarus and the Republic of Zimbabwe on the Promotion and Reciprocal Protection of Investments	31/01/2023		Article 20.1(b)(iii)
Jersey-United Arab Emirates			
Bilateral Agreement for the Promotion and Protection of Investments between the Government of Jersey and the Government of the United Arab Emirates	09/11/2021		Article 14.4(b)(iii); Article 15**

³⁶ None of these States made reservations to the Convention.

³⁷ International Investment Agreements Navigator, available at <https://investmentpolicy.unctad.org/international-investment-agreements>.

<i>Treaty</i>	<i>Signature</i>	<i>Entry into force</i>	<i>Relevant articles</i>
Democratic Republic of the Congo-Rwanda			
Agreement between the Government of the Democratic Republic of the Congo and the Government of the Republic of Rwanda on Investments Promotion and Protection	26/06/2021		Article 28(2)(c); Article 36*
Iraq-Saudi Arabia			
Agreement between the Government of the Kingdom of Saudi Arabia and the Government of the Republic of Iraq on the Promotion and Reciprocal Protection of Investments	17/04/2019		Article 13.4(b)
Cabo Verde-Equatorial Guinea			
Agreement between the Government of the Republic of Equatorial Guinea and the Government of the Republic of Cabo Verde on the Promotion and Reciprocal Protection of Investments	16/04/2019		Article 9.2(b)
Türkiye-Zambia			
Agreement between the Government of the Republic of Türkiye and the Government of the Republic of Zambia concerning the Reciprocal Promotion and Protection of Investments	28/07/2018	06/05/2020	Article 11.2(ii)
Djibouti-Rwanda			
Agreement between the Government of the Republic of Rwanda and the Government of the Republic of Djibouti concerning the Reciprocal Promotion and Protection of Investments	18/04/2017		Article 10.2(b)(iii)
Bangladesh-Kuwait			
Agreement between the Government of the People's Republic of Bangladesh and the Government of the State of Kuwait for the Promotion and Reciprocal Protection of Investments	04/05/2016		Article 10.3(b)
Bahrain-Bangladesh			
Agreement on the Promotion and Reciprocal Protection of Investments between the Government of the People's Republic of Bangladesh and the Government of the Kingdom of Bahrain	22/12/2015		Article 8.2(c)

<i>Treaty</i>	<i>Signature</i>	<i>Entry into force</i>	<i>Relevant articles</i>
Belarus-Iraq			
Agreement between the Government of the Republic of Belarus and the Government of the Republic of Iraq on the Promotion and Reciprocal Protection of Investments	23/08/2014	11/08/2016	Article 8.2(d)
Cambodia-Bangladesh			
Agreement between the Royal Government of Cambodia and the Government of the People's Republic of Bangladesh for the Promotion and Reciprocal Protection of Investments	17/06/2014		Article 9.2(c)
Bahrain-Tajikistan			
Agreement between the Government of the Kingdom of Bahrain and the Government of the Republic of Tajikistan for the Promotion and Protection of Investments	28/05/2014	28/05/2014	Article 9.2(c)

* Specific treaty provision on transparency.

** Application of the Rules of Transparency, unless otherwise decided by the disputing parties.