



General Assembly

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**United Nations Commission on
International Trade Law
Working Group IV (Electronic Commerce)
Sixty-sixth session
Vienna, 16–20 October 2023**

Annotated provisional agenda

I. Provisional agenda

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2. Election of officers.
3. Adoption of the agenda.
4. The use of artificial intelligence and automation in contracting.
5. Data provision contracts.
6. Other business.
7. Adoption of the report.

II. Composition of the Working Group

1. The Working Group is composed of all States members of the Commission, which are the following: 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 Britain and Northern Ireland (2025), United States of America (2028), Venezuela (Bolivarian Republic of) (2028), Viet Nam (2025) and Zimbabwe (2025).

2. States not members of the Commission 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.

III. Annotations to agenda items

Item 1. Opening of the session and scheduling of meetings

3. The sixty-sixth session of the Working Group will be held from 16 to 20 October 2023 at the Vienna International Centre in Vienna. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m., except on Monday, 16 October 2023, when the session will be opened at 10 a.m. As agreed by the Commission at its fifty-sixth session ([A/78/17](#), para. 158), the Working Group is expected to continue working on the topics of data contracts and the use of artificial intelligence and automation in contracting in parallel at the session. Other arrangements for the session will be announced on the Working Group web page in due course. Documentation for the session (see paras. 8 and 11 below) will also be posted on the web page upon issuance in all official languages of the United Nations.

Item 2. Election of officers

4. In accordance with its practice, the Working Group may wish to elect a Chairperson and a Rapporteur.

Item 4. The use of artificial intelligence and automation in contracting

(a) Background information

5. This is the third session at which the Working Group is considering the topic of the use of artificial intelligence and automation in contracting under the mandate conferred by the Commission at its fifty-fifth session in 2022 ([A/77/17](#), para. 159). At that session, the Commission requested the Working Group:

(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.¹

6. 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).

7. 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).

(b) Documentation

8. The Working Group will have before it a note by the secretariat containing a revised set of draft principles and a proposal for recasting those principles as provisions ([A/CN.9/WG.IV/WP.182](#)).

¹ Information on earlier exploratory and preparatory work on the topic is summarized in [A/CN.9/WG.IV/WP.174](#), para. 6.

9. The Working Group may wish to refer to the following additional documents to inform its deliberations under this agenda item:

(a) Notes by the secretariat submitted to earlier sessions of the Working Group on the topic, namely:

- (i) The use of artificial intelligence and automation in contracting ([A/CN.9/WG.IV/WP.173](#));
- (ii) Provisions of UNCITRAL texts applicable to automated contracting ([A/CN.9/WG.IV/WP.176](#));
- (iii) Developing new provisions to address legal issues related to automated contracting ([A/CN.9/WG.IV/WP.177](#)); and
- (iv) Advancing work on automated contracting ([A/CN.9/WG.IV/WP.179](#));

(b) Proposals submitted by the secretariat to the Commission on the topic, namely:

- (i) Proposal for legislative work on electronic transactions and the use of artificial intelligence and automation ([A/CN.9/1065](#)); and
- (ii) Proposal to refine the mandate of the Working Group on the topic of automated contracting ([A/CN.9/1116](#)); and

(c) Progress reports by the secretariat on earlier exploratory work on the topic ([A/CN.9/1012](#) and [A/CN.9/1064](#)).

Item 5. Data provision contracts

(a) Background information

10. This is the second session at which the Working Group is considering the topic of data provision contracts under the mandate conferred by the Commission at its fifty-fifth session ([A/77/17](#), para. 163).² At its sixty-fifth session, the Working Group commenced work on the topic on the basis of a set of draft default rules prepared by the secretariat ([A/CN.9/1132](#), paras. 9–51).

11. At its fifty-sixth session, 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 secretariat ([A/78/17](#), para. 158).

(b) Documentation

12. The Working Group will have before it a note by the secretariat setting out revised default rules on data provision contracts ([A/CN.9/WG.IV/WP.183](#)).

13. The Working Group may wish to refer to the following additional documents to inform its deliberations under this agenda item:

(a) Note by the secretariat submitted to the sixty-fifth session of the Working Group on default rules for data provision contracts ([A/CN.9/WG.IV/WP.180](#));

(b) Proposal submitted by the secretariat to the Commission for legislative work on data transactions ([A/CN.9/1117](#)).

Item 7. Adoption of the report

14. The Working Group may wish to adopt, at the close of the session, a report for submission to the fifty-seventh session of the Commission, which is to be held in New York from 24 June to 12 July 2024.

² Information on earlier exploratory and preparatory work on the topic is summarized in [A/CN.9/WG.IV/WP.178](#), para. 5.