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**United Nations Commission on
International Trade Law
Working Group V (Insolvency Law)
Fifty-ninth session
Vienna, 13–17 December 2021**

Annotated provisional agenda

I. Provisional agenda

1. Opening of the session.
2. Adoption of the agenda.
3. Finalization of a draft legislative guide on insolvency law for micro- and small enterprises.
4. Consideration of legal issues arising from civil asset tracing and recovery in insolvency proceedings.
5. Consideration of the topic of applicable law in insolvency proceedings.
6. Other business.

II. Composition of the Working Group

1. The Working Group is composed of the following States: Algeria (2025), Argentina (2022), Australia (2022), Austria (2022), Belarus (2022), Belgium (2025), Brazil (2022), Burundi (2022), Cameroon (2025), Canada (2025), Chile (2022), China (2025), Colombia (2022), Côte d'Ivoire (2025), Croatia (2025), Czechia (2022), Dominican Republic (2025), Ecuador (2025), Finland (2025), France (2025), Germany (2025), Ghana (2025), Honduras (2025), Hungary (2025), India (2022), Indonesia (2025), Iran (Islamic Republic of) (2022), Israel (2022), Italy (2022), Japan (2025), Kenya (2022), Lebanon (2022), Lesotho (2022), Libya (2022), Malaysia (2025), Mali (2025), Mauritius (2022), Mexico (2025), Nigeria (2022), Pakistan (2022), Peru (2025), Philippines (2022), Poland (2022), Republic of Korea (2025), Romania (2022), Russian Federation (2025), Singapore (2025), South Africa (2025), Spain (2022), Sri Lanka (2022), Switzerland (2025), Thailand (2022), Turkey (2022), Uganda (2022), Ukraine (2025), United Kingdom of Great Britain and Northern Ireland (2025), United States of America (2022), Venezuela (Bolivarian Republic of) (2022), Viet Nam (2025) and Zimbabwe (2025).

2. Member States not members of the Working Group, 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.

III. Annotations to agenda items

Item 1. Opening of the session

3. The fifty-ninth session of the Working Group will be held at the Vienna International Centre, from Monday, 13 December 2021, to Friday, 17 December 2021, with arrangements in place to allow for in-person and online participation. Meeting hours and other arrangements for the session will be announced on the web page of the Working Group in due course.

Item 3. Finalization of a draft legislative guide on insolvency law for micro and small enterprises

1. Background information

4. At its forty-sixth session, in 2013, the Commission requested the Working Group to conduct, at its spring 2014 session, a preliminary examination of issues relevant to the insolvency of micro, small and medium-sized enterprises (MSMEs), and in particular to consider whether the UNCITRAL Legislative Guide on Insolvency Law provided sufficient and adequate solutions for MSMEs. If it did not, the Working Group was requested to consider what further work and potential work product might be required to streamline and simplify insolvency procedures for MSMEs. Its conclusions on those MSME issues were to be included in its progress report to the Commission in 2014 in sufficient detail to enable the Commission to consider what, if any, future work might be required.¹

5. At its forty-fifth session (New York, 21–25 April 2014), the Working Group considered the topic as requested and agreed that the issues facing MSMEs were not entirely novel and that solutions for them should be developed in light of the key insolvency principles and the guidance already provided by the Legislative Guide. The Working Group further agreed that it would not be necessary to wait for the results of the work being done by UNCITRAL Working Group I (MSMEs) in order to commence the study of insolvency regimes for MSMEs. As to the form that work might take, the Working Group agreed that, while such work might form an additional part to the Legislative Guide, no firm conclusion on that point could be taken in advance of undertaking a thorough analysis of the issues at stake ([A/CN.9/803](#), para. 14).

6. At its forty-ninth session, in 2016, the Commission agreed that the Working Group should develop appropriate mechanisms and solutions, focusing on both natural and legal persons engaged in commercial activity, to resolve the insolvency of MSMEs. While the key insolvency principles and the guidance provided by the UNCITRAL Legislative Guide on Insolvency Law should be the starting point for discussions, the Working Group should aim to tailor the mechanisms already provided in the Legislative Guide to specifically address MSMEs and develop new and simplified mechanisms as required, taking into account the need for those mechanisms to be equitable, fast, flexible and cost efficient. The form the work might take should be decided at a later time based on the nature of the various solutions that were being developed.²

¹ *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 17* ([A/68/17](#)), para. 326.

² *Ibid.*, *Seventy-first Session, Supplement No. 17* ([A/71/17](#)), para. 246.

7. At its fifty-first session (New York, 10–19 May 2017), the Working Group held a preliminary discussion on how the work on this topic might be developed ([A/CN.9/903](#), paras. 13–14). At its fifty-third session (New York, 7–11 May 2018), the Working Group had before it document [A/CN.9/WG.V/WP.159](#), upon which it made various observations ([A/CN.9/937](#), chapter VI). Based on that paper and those observations, a draft text on a simplified insolvency regime ([A/CN.9/WG.V/WP.163](#)) was presented to the Working Group at its fifty-fourth session (Vienna, 10–14 December 2018). At that session, the Working Group suggested revisions to that text ([A/CN.9/966](#), chapter VI) and decided to focus on the needs of micro and small entities (MSEs) in the first instance ([A/CN.9/966](#), para. 118), deferring the definition of such entities to States.

8. At its fifty-fifth session (New York, 28–31 May 2019), having completed its work on enterprise group insolvency, the Working Group had commenced detailed deliberations of features of a simplified insolvency regime, based on a note by the Secretariat ([A/CN.9/WG.V/WP.166](#)). Various views were expressed in the Working Group about the form that a text on MSE insolvency might take, whether it would be a supplement to the UNCITRAL Legislative Guide on Insolvency Law, a stand-alone document, a part of a compilation of UNCITRAL texts addressing the legal aspects of MSMEs throughout their life cycle or a list of principles applicable to a simplified insolvency regime that would supplement the texts of UNCITRAL Working Group I (MSMEs). A concern was expressed in the Working Group that the content and structure of a text on MSE insolvency might vary depending on its final form ([A/CN.9/972](#), paras. 24–27, 31 and 58).

9. The Working Group deferred consideration of recommendations addressing out-of-court and hybrid debt restructuring negotiations until after it had considered recommendations on simplified in-court insolvency proceedings ([A/CN.9/972](#), para. 39). The Working Group requested the Secretariat to add recommendations on a stay, simplified notification of creditors, simplified procedures for review and approval by creditors and courts, zero-asset proceedings, simplified liquidation and expedited proceedings ([A/CN.9/972](#), paras. 40 (c) and 48) and revise other recommendations in the light of the deliberations at the session, when preparing a new text for consideration by the Working Group at its fifty-sixth session ([A/CN.9/972](#), para. 58).

10. The Working Group was informed that the World Bank Group (WBG) was working in parallel with UNCITRAL on a standard that would address insolvency of MSEs ([A/CN.9/972](#), para. 28). The Working Group was advised about the desirability of close coordination with UNCITRAL Working Group I (MSMEs) ([A/CN.9/972](#), paras. 26 and 27).

11. At its fifty-second session, in 2019, the Commission expressed support for the Working Group to continue work on MSE insolvency and noted that the Working Group was of the view that more time for additional work, whether in session or between sessions, including consultations and the appropriate use of expert groups, might be needed to make progress on that work.³ The Commission was informed that informal consultations held on the margins of its session on 14 July 2019 revealed some preference for preparing a stand-alone comprehensive legislative guide on insolvency of MSEs. The Commission was further informed that the next round of intersessional informal consultations was scheduled for 2 to 3 September 2019 and that both in-person and remote participation would be possible. While support was expressed for holding intersessional informal consultations and expert group meetings, the need for endorsement by the Working Group of conclusions reached at those informal meetings was emphasized.⁴ At that session, the Commission also acknowledged the importance of coordinating the work of UNCITRAL with that of the World Bank while the World Bank was updating its Principles for Effective

³ Ibid., *Seventy-fourth Session, Supplement No. 17* ([A/74/17](#)), paras. 180 and 182.

⁴ Ibid., para. 180.

Insolvency and Creditor/Debtor Regimes in order to deal with specific aspects of the insolvency of MSEs.⁵

12. At its fifty-sixth session (Vienna, 2–5 December 2019), the Working Group considered a draft paper on a simplified insolvency regime ([A/CN.9/WG.V/WP.168](#)), suggested revisions to the text and requested the Secretariat to prepare a revised text for consideration by the Working Group at its fifty-seventh session ([A/CN.9/1006](#), para. 11). Views differed on whether a role of the independent party should be introduced in the text and about approaches to redrafting a definition of the competent authority proposed at the session ([A/CN.9/1006](#), paras. 30–32 and 102–111). The Working Group deferred consideration of those issues, the other terms in the glossary, and the commentary to its fifty-seventh session.

13. The deliberations of the Working Group together with the results of the informal consultations held on 16, 23, 30 and 31 January and 6 February 2020 in preparation for the May 2020 session had been reflected in document [A/CN.9/WG.V/WP.170](#), which was expected to be considered by the Working Group at its fifty-seventh session scheduled to be held from 11 to 15 May 2020 but postponed due to the measures put in place by States and the United Nations to contain the spread of the coronavirus disease (COVID-19) pandemic. The note [A/CN.9/WG.V/WP.170/Rev.1](#), presented for consideration by the Working Group at its fifty-seventh session in December 2020 built on that version reflecting also the results of the informal consultations on document [A/CN.9/WG.V/WP.170](#) held by the Working Group from 11 to 15 May 2020 and 3 and 4 September 2020.

14. At its resumed fifty-third session, in 2020, the Commission noted that substantial progress had been made on the MSE insolvency text despite the postponed fifty-seventh session of the Working Group that could not take place in May 2020 due to the COVID-19 pandemic but that a number of substantive issues remained outstanding. The Commission confirmed that the work on a simplified insolvency regime should continue in Working Group V with a view to adopting a text on that topic by the Commission, if possible, already at its fifty-fourth session, in 2021, also in the light of the relevance of the topic to COVID-19 response and recovery measures.⁶

15. At its fifty-seventh session (Vienna (online), 7–10 December 2020), the Working Group considered the draft glossary and draft recommendations 1 to 64 contained in note [A/CN.9/WG.V/WP.170/Rev.1](#) and suggested revisions to them. It deferred consideration of draft recommendations 23, 41, xx to zz, 55 and 65–88 to its next session ([A/CN.9/1046](#), paras. 59, 84, 105, 112 and 127). It also deferred to its next session consideration of some issues related to the draft glossary ([A/CN.9/1046](#), para. 15) and other parts of the text ([A/CN.9/1046](#), para. 98). The Working Group also considered a proposal aimed at expanding references to employees throughout the text and agreed to consider it further at its fifty-eighth session ([A/CN.9/1046](#), paras. 128–131). The Working Group requested the Secretariat to prepare a revised text for consideration by the Working Group at its fifty-eighth session ([A/CN.9/1046](#), para. 12). At its fifty-seventh session, the Working Group did not have time to consider the draft commentary.

16. At its fifty-eighth session (Vienna, 28 June–16 July 2021), the Working Group approved the draft recommendations contained in the note by the Secretariat [A/CN.9/WG.V/WP.172](#) and Add.1, as revised at the session, and considered, and suggested revisions to, the draft commentary contained in the same note up to and including paragraph 285 out of 389 paragraphs. It transmitted the entire draft text (the draft recommendations annexed to the report of the session and the draft commentary) to the Commission for consideration and assessment of the policies on which the draft text was based, and whether those policies were responsive to the mandate given to the Working Group by the Commission in 2014 as clarified in 2016 (see paras. 4 and

⁵ Ibid., para. 183.

⁶ Ibid., *Seventy-fifth Session, Supplement No. 17 (A/75/17)*, part two, paras. 45 and 51 (e).

6 above). The Working Group recommended that the Commission, after such consideration and assessment, might wish to: (a) adopt the draft recommendations as revised at the session of the Commission; (b) approve in principle the accompanying commentary and request the Secretariat to circulate the commentary together with the recommendations to States and relevant intergovernmental and non-governmental international organizations, for comment; and (c) request the Working Group to refine and complete the commentary, consistent with the policy considerations underlying the draft recommendations, if adopted by the Commission at its fifty-fourth session, for adoption by the Commission at its fifty-fifth session ([A/CN.9/1052](#), para. 104).

17. At its fifty-fourth session, in 2021, the Commission, after considering the draft recommendations annexed to the report of the fifty-eighth session of the Working Group and the draft commentary contained in the working papers of the Working Group ([A/CN.9/WG.V/WP.172](#) and [A/CN.9/WG.V/WP.172/Add.1](#)) and in a note by the Secretariat ([A/CN.9/1077](#)): (a) adopted the *Legislative Recommendations on Insolvency of Micro- and Small Enterprises*, annexed to the report of that session of the Commission;⁷ (b) approved in principle the draft commentary to the *Legislative Recommendations* with amendments adopted by the Commission at its fifty-fourth session;⁸ (c) requested the secretariat to revise the draft commentary in the light of those amendments and other relevant deliberations of the Commission and transmit the revised text for review and approval by the Working Group at its fifty-ninth session in December 2021; and (d) requested the Working Group to decide at its fifty-ninth session, in December 2021, whether the approved text should be considered final or should be transmitted for finalization and adoption by the Commission at its fifty-fifth session, in 2022.⁹

2. Documentation for the fifty-ninth session

18. The Working Group will have before it a note by the Secretariat ([A/CN.9/WG.V/WP.174](#)) containing a draft legislative guide on insolvency law for micro and small enterprises. That draft consolidates the *Legislative Recommendations on Insolvency of Micro- and Small Enterprises* adopted by the Commission at its fifty-fourth session (see para. 17 above) and a revised draft commentary to the *Legislative Recommendations*.

19. States and interested organizations may wish to note the following background documents:

(a) The UNCITRAL Legislative Guide on Insolvency Law (2004), including parts three (2010) and four (2013, as amended in 2019);

(b) The report of the Commission on the work of its fifty-fourth session ([A/76/17](#), paras. 53–77 and annex II containing the *Legislative Recommendations on Insolvency of Micro- and Small Enterprises*);

(c) Reports of the Working Group on the work of its forty-fifth (New York, 21–25 April 2014), fifty-first (New York, 10–19 May 2017), fifty-third (New York, 7–11 May 2018), fifty-fourth (Vienna, 10–14 December 2018), fifty-fifth (New York, 28–31 May 2019), fifty-sixth (Vienna, 2–5 December 2019), fifty-seventh (Vienna (online), 7–10 December 2020) and fifty-eighth (New York (online), 4–7 May 2021) sessions ([A/CN.9/803](#), [A/CN.9/903](#), [A/CN.9/937](#), [A/CN.9/966](#), [A/CN.9/972](#), [A/CN.9/1006](#), [A/CN.9/1046](#) and [A/CN.9/1052](#));

(d) Notes by the Secretariat on insolvency of micro, small and medium-sized enterprises ([A/CN.9/WG.V/WP.121](#), [A/CN.9/WG.V/WP.147](#), [A/CN.9/WG.V/WP.159](#), [A/CN.9/WG.V/WP.163](#), [A/CN.9/WG.V/WP.166](#), [A/CN.9/WG.V/WP.168](#), [A/CN.9/WG.V/WP.170/Rev.1](#), [A/CN.9/WG.V/WP.172](#) and [A/CN.9/WG.V/WP.172/Add.1](#));

⁷ Ibid., *Seventy-sixth Session, Supplement No. 17* ([A/76/17](#)), annex II.

⁸ Ibid., paras. 64–75.

⁹ Ibid., para. 77.

(e) Note by the Secretariat to the Commission at its fifty-fourth session on revisions to the draft commentary contained in working papers [A/CN.9/WG.V/WP.172](#) and Add.1 in the light of deliberations of Working Group V (Insolvency Law) at its fifty-eighth session ([A/CN.9/1077](#)).

Item 4. Consideration of legal issues arising from civil asset tracing and recovery in insolvency proceedings

Background

20. At its fifty-second session (Vienna, 18–22 December 2017), the Working Group received a proposal by the United States ([A/CN.9/WG.V/WP.154](#)) that the Working Group should prepare model legislative provisions on civil asset tracing and recovery in insolvency proceedings using a toolbox approach, i.e., a set of options to choose from for enactment as domestic law in jurisdictions that are interested in enhancing cross-border cooperation in this area. It was noted in that proposal that some jurisdictions did not have adequate tools for asset tracing and recovery; where they existed, there were no uniform procedures to facilitate access by foreign parties to them. The proposal linked the subject to commercial fraud, powers of the insolvency representative and UNCITRAL model laws on cross-border insolvency. The Working Group exchanged preliminary views on the proposal, with a view to having a more considered discussion at a future session ([A/CN.9/931](#), para. 95). At its following session (New York, 7–11 May 2018), the Working Group heard further information with respect to the proposal. There was support in the Working Group for suggesting to the Commission that it might wish to consider that topic for possible future work. The understanding was that, if the Commission were to find the proposal interesting, it might wish to request the Secretariat to research the topic and prepare a study for future consideration ([A/CN.9/937](#), paras. 121–122).

21. At its fifty-first session, in 2018, the Commission considered the proposal. It was suggested that it would be relevant not only to insolvency but also to treatment of commercial fraud and other topics. It was emphasized that the work proposed was not intended to address criminal law or cross-border issues and that coordination and cooperation with other relevant organizations would be a key element, in order to avoid potential overlap and duplication. The Commission requested the Secretariat to prepare a background study on the relevant issues.¹⁰

22. At its fifty-second session, in 2019, the Commission received another proposal by the United States on the topic ([A/CN.9/996](#)). That proposal called for a colloquium to expand the inventory of asset tracing and recovery tools from common and civil law jurisdictions and delineate the relationship between civil and criminal procedures. It was proposed that, after the colloquium, the Working Group should begin work on a toolbox of model legislative provisions in the context of insolvency proceedings. The proposal noted that, although the project would be complementary to criminal procedures, its focus should remain on the recovery of assets for creditors and civil asset tracing and recovery tools. The Commission agreed on the importance of the topic and on the usefulness of providing further guidance for States to equip themselves with effective tools for asset recovery. For that purpose, the Commission requested the Secretariat to organize a colloquium, in cooperation with other relevant international organizations, to further clarify and refine various aspects of the Commission's possible work in that area, for consideration by the Commission at its fifty-third session, in 2020. The Commission envisaged that the colloquium would consider the elements of a possible toolkit on asset tracing and recovery and supplement the existing background study with information on the practices of civil law jurisdictions and it would also: (a) examine both criminal and civil law tracing and recovery, with a view to better delineating the topic while benefiting from the available tools; (b) consider tools developed for insolvency law and for other areas of

¹⁰ Ibid., *Seventy-third Session, Supplement No. 17* ([A/73/17](#)), paras. 250 and 253 (d).

law; and (c) discuss proposed asset tracing and recovery tools and other international instruments.¹¹

23. At its fifty-third session, in 2020, the Commission considered the report of the Colloquium on Civil Asset Tracing and Recovery (Vienna, 6 December 2019) ([A/CN.9/1008](#)). The Commission agreed on the importance of the issues raised in the report as well as on the usefulness of offering guidance to States in the area of civil asset tracing and recovery in order to facilitate the use of asset tracing and recovery mechanisms in the cross-border context. Support was expressed for the development of a flexible, non-prescriptive text, possibly along the lines of a toolkit, and limiting the scope of work to insolvency, at least at the outset. In the light of another proposal for possible future work in the area of insolvency law, on applicable law in insolvency proceedings (see paras. 27 and 28 below), the Commission decided to delay its final decision in respect of possible future work on asset tracing and recovery, including the form and scope that such work might take, until it was possible to convene the International Colloquium on Applicable Law in Insolvency Proceedings and report on its outcome to the Commission.¹²

24. At its fifty-fourth session, in 2021, after considering the reports of both colloquiums, the Commission agreed to refer both topics to the Working Group, noting that the work on the topic of civil asset tracing and recovery should be limited to insolvency proceedings but could be helpful in other areas of law where asset tracing and recovery were relevant and that it would be unwise at the present stage to categorically exclude the possibility for UNCITRAL to decide to expand that project to other areas of its work. The Commission also agreed that the form of the work would be decided at a later stage.¹³

Documentation for the fifty-ninth session

25. The Working Group will have before it a note by the Secretariat on civil asset tracing and recovery in insolvency proceedings ([A/CN.9/WG.V/WP.175](#)).

26. States and interested organizations may wish to note the following background documents, in addition to those listed in paragraph 19 (a) above:

(a) Reports of the Commission on the work of its fifty-first to fifty-fourth sessions ([A/73/17](#), paras. 250 and 253 (d), [A/74/17](#), paras. 200–203, [A/75/17](#), part two, paras. 62–65, and [A/76/17](#), paras. 215–217);

(b) The report of the Colloquium on Civil Asset Tracing and Recovery (Vienna, 6 December 2019) ([A/CN.9/1008](#)); and

(c) The proposals by the United States for possible future work by UNCITRAL on civil asset tracing and recovery ([A/CN.9/WG.V/WP.154](#) and [A/CN.9/996](#)).

Item 5. Consideration of the topic of applicable law in insolvency proceedings

Background

27. At the fifty-first session of the Commission, in 2018, the European Union delegation presented a proposal to dedicate future work in the area of insolvency law to applicable law related to insolvency, as an alternative to the proposal of the United States (see para. 21 above).¹⁴ At its fifty-second session, in 2019, the Commission received a proposal by the European Union on behalf of its member States for possible future work by UNCITRAL on harmonizing applicable law in insolvency proceedings ([A/CN.9/995](#)). The proposal pointed out that the existing UNCITRAL model laws did not address that topic and that divergent approaches in national laws were undermining consistency and predictability in cross-border insolvency cases, hence

¹¹ Ibid., *Seventy-fourth Session, Supplement No. 17* ([A/74/17](#)), para. 203.

¹² Ibid., *Seventy-fifth Session, Supplement No. 17* ([A/75/17](#)), paras. 63 and 64.

¹³ Ibid., *Seventy-sixth Session, Supplement No. 17* ([A/76/17](#)), para. 217.

¹⁴ Ibid., *Seventy-third Session, Supplement No. 17* ([A/73/17](#)), para. 251.

impacting negatively trade and commerce. The Commission agreed on the importance of the topic but stressed that it required a high level of expertise in various subjects of private international law, as well as on choice of law in areas such as contract law, property law, corporate law, securities and banking and other areas on which the Commission had not worked recently. It also insisted on a careful delineation of the scope and nature of the work that it could undertake and requested the Secretariat to organize a colloquium with a view to submitting more concrete proposals for consideration by the Commission at its fifty-third session.¹⁵

28. At its fifty-fourth session, in 2021, after consideration of the report of the Colloquium on Applicable Law in Insolvency Proceedings (Vienna, 11 December 2020) (A/CN.9/1060), the Commission agreed to refer the topic to the Working Group together with the topic of civil asset tracing and recovery in insolvency proceedings.¹⁶

Documentation for the fifty-ninth session

29. The Working Group will have before it a note by the Secretariat on applicable law insolvency proceedings (A/CN.9/WG.V/WP.176).

30. States and interested organizations may wish to note the following background documents, in addition to those listed in paragraph 19 (a) above:

(a) Reports of the Commission on the work of its fifty-first, fifty-second and fifty-fourth sessions (A/73/17, para. 251, A/74/17, paras. 204–206, and A/76/17, paras. 215–217);

(b) The report of the Colloquium on Applicable Law in Insolvency Proceedings (Vienna, 11 December 2020) (A/CN.9/1060); and

(c) The proposal by the European Union on behalf of its member States for possible future work by UNCITRAL on applicable law in insolvency proceedings (A/CN.9/995).

31. The UNCITRAL documents and publications referred to above under agenda items 3 to 5 are posted on the UNCITRAL website (uncitral.un.org) upon their issuance in all the official languages of the United Nations. The publications are available on the “Texts and Status” section of the UNCITRAL website. The reports, proposals and notes by the Secretariat are available either on the web page of the Commission or the Working Group or both in the “Working Documents” section of the UNCITRAL website.

Item 6. Other business

32. The Working Group may wish to consider other issues within its mandate. It may in particular wish to note that its sixtieth session is scheduled to be held at the United Nations Headquarters, in New York, from 18 to 22 April 2022.¹⁷

¹⁵ Ibid., *Seventy-fourth Session, Supplement No. 17* (A/74/17), paras. 204–206.

¹⁶ Ibid., *Seventy-sixth Session, Supplement No. 17* (A/76/17), para. 217.

¹⁷ Ibid., chapter XXI, section B, table after para. 389.