



# General Assembly

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**United Nations Commission on  
International Trade Law  
Working Group VI  
(Negotiable Cargo Documents)  
Forty-fourth session  
New York, 6–10 May 2024**

## Annotated provisional agenda

### I. Provisional agenda

1. Opening of the session and scheduling of meetings.
2. Election of officers.
3. Adoption of the agenda.
4. Future instrument on negotiable cargo documents.
5. 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 forty-fourth session of the Working Group will be held at the United Nations Headquarters, New York, from 6 to 10 May 2024. Meeting hours will be from 10 a.m. to 1 p.m. and from 3 to 6 p.m., except on Monday, 6 May 2024, when the session will be opened at 10.30 a.m.

#### Item 2. Election of officers

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

#### Item 4. Future instrument on negotiable cargo documents

##### (a) Background information

5. At its fifty-fifth session (New York, 27 June–15 July 2022), the Commission agreed to add the topic of negotiable multimodal transport documents to its work programme.<sup>1</sup> Background information on that decision 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”.<sup>2</sup>

6. At its forty-first session (Vienna, 28 November–2 December 2022), the Working Group considered the topic for the first time. The Working Group began its deliberations with a general exchange of views on the objectives, scope and form of the proposed new instrument. The Working Group proceeded with an article-by-article review of the preliminary draft provisions for an instrument on negotiable cargo documents as contained in the annex to the document [A/CN.9/WG.VI/WP.96](#). The Working Group considered draft article 3 (*Issuance of a negotiable cargo document*), draft article 4 (*Content of the negotiable cargo document*), draft article 7 (*Deficiencies in the negotiable cargo document*), draft article 8 (*Evidentiary value of the negotiable cargo document*), draft article 9 (*Extent of rights of the holder under a negotiable cargo document*), draft article 10 (*Transfer of rights under a negotiable cargo document or negotiable electronic cargo record*), draft article 11 (*Providing additional information, instructions or documents to the transport operator*) and paragraph 1 of draft article 12 (*Delivery of the goods*) ([A/CN.9/1127](#)).

7. At its forty-second 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.98](#)), focusing on those draft articles not yet considered during its forty-first session. The Working Group considered paragraphs 2–4 of draft article 13 (*Delivery of the goods*), paragraph 1 of draft article 5 (*Conditions for use and effect of negotiable electronic cargo records*), draft article 2 (*Definitions*), draft article 3 (*Issuance of a negotiable cargo document*) and paragraphs 1–2 of draft article 4 (*Content of the negotiable cargo document*) ([A/CN.9/1134](#)). The Working Group agreed to postpone its consideration of draft provisions on electronic aspects and revisit them after finalizing the substantive provisions concerning negotiability ([A/CN.9/1134](#), para. 27).

<sup>1</sup> *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 17* ([A/77/17](#)), paras. 22 (h) and 202.

<sup>2</sup> *Ibid.*, *Seventy-eighth Session, Supplement No. 17* ([A/78/17](#)), para. 174 (f).

8. 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).

9. 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, 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.

#### (b) Documentation

10. The Working Group will have before it:

- (i) a note by the Secretariat entitled “Fact sheet: UNCITRAL project on negotiable cargo documents” (A/CN.9/WG.VI/WP.102);
- (ii) a note by the Secretariat setting out a revised annotated set of preliminary draft provisions for an instrument on negotiable cargo documents to facilitate its deliberations, which have been prepared by the secretariat to reflect the deliberations of the Working Group at its forty-first, forty-second and forty-third sessions (A/CN.9/WG.VI/WP.103); and
- (iii) submission from the Government of Singapore: Proposal on provisions relating to negotiable electronic cargo records (A/CN.9/WG.VI/WP.104).

11. UNCITRAL documents are posted on the UNCITRAL website (<https://uncitral.un.org/>) upon their issuance in all official languages of the United Nations. Delegates may wish to check the availability of the documents by accessing the page of Working Group VI in the “Working Documents” section of the UNCITRAL website.

#### Item 5. Adoption of the report

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

## IV. Scheduling of meetings

13. The forty-fourth session of the Working Group will last for five working days. There will be ten half-day meetings available for consideration of the agenda items. The Working Group may wish to note that, consistent with decisions taken by the Commission at its thirty-fourth session,<sup>3</sup> the Working Group is expected to hold substantive deliberations during the first nine half-day meetings (that is, from Monday to Friday morning), with a draft report on the entire period being prepared by the secretariat for adoption at the tenth and last meeting of the Working Group on Friday afternoon.

14. The Working Group may wish to note that its forty-fifth session is provisionally scheduled to be held in Vienna from 9 to 13 December 2024.

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<sup>3</sup> Ibid., *Fifty-sixth Session, Supplement No. 17* and corrigendum (A/56/17 and Corr.3), para. 381.