



General Assembly

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**United Nations Commission on
International Trade Law
Working Group VI
(Negotiable Cargo Documents)
Forty-third session
Vienna, 27 November–1 December 2023**

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-third session of the Working Group will be held at the Vienna International Centre in Vienna from 27 November to 1 December 2023. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m., except on Monday, 27 November 2023, when the session will be opened at 10 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.¹ Background information on that decision may be found in document [A/CN.9/WG.VI/WP.95](#), paragraphs 5–10.

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).

8. At its forty-third 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

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

negotiability. If time permits, the Working Group is expected to examine those draft provisions on electronic aspects.

(b) Documentation

9. The Working Group will have before it 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 and forty-second sessions ([A/CN.9/WG.VI/WP.100](#)).

10. 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

11. 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

12. The forty-third 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,² 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.

13. The Working Group may wish to note that its forty-fourth session is scheduled to be held in New York from 6 to 10 May 2024.

² Ibid., *Fifty-sixth Session, Supplement No. 17* and corrigendum ([A/56/17](#) and Corr.3), para. 381.