



# General Assembly

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## United Nations Commission on International Trade Law

### Fifty-third session

6–17 July 2020 (to be held virtually) and  
Vienna, 14–18 September 2020 (in the format to be  
determined by the Commission in August)

## **Decisions pertaining to the fifty-third session of UNCITRAL adopted by States members of UNCITRAL in accordance with the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic adopted by States members of UNCITRAL on 8 June 2020**

### **Note by the Secretariat**

In an annex to this note, the Secretariat transmits to the Commission decisions adopted by States members of the Commission in June 2020 in preparation for the fifty-third session of UNCITRAL. The decisions were adopted on the understanding that the Commission would take note of those decisions at its first plenary meeting during the fifty-third session. The Commission may therefore wish to take note of those decisions.



## Annex

### I. Decision on the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic

On the proposal of the Bureau of the fifty-second session of UNCITRAL upon consultation with States members of UNCITRAL, States members of UNCITRAL adopted the following decision on 8 June 2020:

*“States members of UNCITRAL,*

*Noting* the limitations imposed on holding large in-person meetings within the United Nations premises due to the coronavirus disease 2019 (COVID-19) pandemic, and the impact they may have on holding the fifty-third session of UNCITRAL in New York for two weeks, from 6 to 17 July 2020, as had been decided by the Commission at its fifty-second session ([A/74/17](#), para. 331),

*Bearing in mind* the need for member States of UNCITRAL and the Secretariat to plan their attendance at, and prepare for, upcoming sessions of the Commission and its working groups, with the adjustments to the meeting schedule that may be required by the current extraordinary situation,

*Recalling* the decision of the Commission to be guided by the general principle that the rules of procedure of the General Assembly should apply, mutatis mutandis, to the Commission as may be appropriate for the performance of its functions (A/7216, paras. 16 and 17),

*Recalling* in that context General Assembly decision 74/544 of 27 March 2020 entitled “Procedure for taking decisions of the General Assembly during the coronavirus disease 2019 (COVID-19) pandemic”, extended by General Assembly decision 74/555 of 15 May 2020,

*Decide:*

(a) To authorize the Chair of UNCITRAL at its fifty-second session to circulate, after consultation with States members of UNCITRAL, draft decisions relating to UNCITRAL to all States members of UNCITRAL under a silence procedure of at least 72 hours;

(b) To consider the decision to be adopted if the silence is not broken;

(c) To apply this decision until the opening of the fifty-third session of UNCITRAL;

on the understanding that the procedure set out in the present decision is of an exceptional and temporary nature and will not set a precedent, and that UNCITRAL should take note of the decisions adopted through this procedure at its first plenary meeting during the fifty-third session.”

### II. Decision on the date, place, format and organization of the fifty-third session of UNCITRAL

On the proposal of the Bureau of the fifty-second session of UNCITRAL upon consultation with States members of UNCITRAL, States members of UNCITRAL adopted the following decision on 23 June 2020:

*“States members of UNCITRAL,*

*Recalling* the decision of UNCITRAL to hold its fifty-third session in New York for two weeks, from 6 to 17 July 2020, subject to the possible extension of that session for an additional week if the workload of the session warranted such an extension ([A/74/17](#), para. 331),

*Taking note of* the limitations imposed on holding large in-person meetings within the United Nations premises due to the coronavirus disease 2019 (COVID-19) pandemic,

*Recalling* the decision on the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic adopted by States members of UNCITRAL on 8 June 2020,

1. *Decide* to hold the first part of the fifty-third session of UNCITRAL virtually from 6 to 17 July 2020, and to adopt decisions pertaining to that part of the session in accordance with the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic adopted by States members of UNCITRAL on 8 June 2020;

2. *Authorize* the Secretariat to organize panel discussions on ‘UNCITRAL texts and COVID-19 response and recovery’ in conjunction with the fifty-third session during the weeks of 6–17 July;

3. *Further decide* that the resumed fifty-third session will take place in Vienna, from 14 to 18 September 2020, in the format to be agreed upon by the Commission on or around 14 August 2020 but not later than 28 August 2020, informed by inputs of the Secretariat, taking into account evolving public health concerns and travel restrictions due to the COVID-19 pandemic. At that point, the Commission shall also decide on the procedure for taking decisions during that part of the session.”

### III. Decision on election of the Bureau of the fifty-third session of UNCITRAL

On the proposal of the Bureau of the fifty-second session of UNCITRAL upon consultation with all States members of UNCITRAL, States members of UNCITRAL adopted the following decision on 30 June 2020:

“*States members of UNCITRAL,*

*Recalling* the decision adopted by States members of UNCITRAL on 23 June 2020 to hold the fifty-third session of UNCITRAL from 6 to 17 July 2020 virtually and from 14 to 18 September 2020 in the format to be determined by the Commission and to adopt decisions pertaining to the first part of the session in accordance with the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic adopted by States members of UNCITRAL on 8 June 2020,

*Further recalling* the decision of the Commission that its bureau should consist of a Chairperson, three Vice-Chairpersons and a Rapporteur and that it is desirable that each of the five regional groups of States should be represented on the bureau of the Commission (A/7216, para. 14),

*Taking note of* the nominations received from the five regional groups of States for the positions of a Chairperson, three Vice-Chairpersons and a Rapporteur of the fifty-third session of UNCITRAL,

*Taking into account* the need to elect the Bureau of the fifty-third session of UNCITRAL before the session opens on 6 July 2020,

*Elect* the following officers of the Bureau of the fifty-third session of UNCITRAL:

*Chair:* Eric Anderson Machado (Peru)

*Vice-Chairs:* János Bóka (Hungary)  
Paul Kuruk (Ghana)  
Takashi Takashima (Japan)

*Rapporteur:* Kathryn Sabo (Canada).”

#### **IV. Decision on adoption of the agenda of the first part of the fifty-third session of UNCITRAL to be held virtually from 6 to 17 July 2020**

On the proposal of the Bureau of the fifty-second session of UNCITRAL upon consultation with all States members of UNCITRAL, States members of UNCITRAL adopted the following decision on 6 July 2020:

*“States members of UNCITRAL,*

*Recalling* the decision adopted by States members of UNCITRAL on 23 June 2020 to hold the fifty-third session of UNCITRAL from 6 to 17 July 2020 virtually and from 14 to 18 September 2020 in the format to be determined by the Commission and to adopt decisions pertaining to the first part of the session in accordance with the procedure for taking decisions of UNCITRAL during the coronavirus disease 2019 (COVID-19) pandemic adopted by States members of UNCITRAL on 8 June 2020,

*Taking note of* the provisional agenda of the session contained in a note by the Secretariat (document A/CN.9/1001/Rev.1),

*Taking into account* the need to adopt the agenda of the first part of the fifty-third session of UNCITRAL before the session opens on 6 July 2020,

*Adopt* the agenda of the first part of the fifty-third session of UNCITRAL as contained in that note by the Secretariat.”

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