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## Technical cooperation and assistance

### Note by the Secretariat

#### Contents

	<i>Page</i>
I. Introduction . . . . .	2
II. Key technical cooperation and assistance activities undertaken by the Secretariat in the reporting period . . . . .	2
A. Partnerships and regional initiatives . . . . .	2
B. Other technical cooperation and assistance activities . . . . .	9
C. International commercial law moot competitions . . . . .	19



## I. Introduction

1. This note addresses the Secretariat's technical cooperation and assistance activities from 1 April 2020 until 31 March 2021 (the reporting period). Save where otherwise noted all activity reported in this Note was undertaken online, reflecting ongoing COVID-19 measures.

2. Other Notes by the Secretariat report related activities: UNCITRAL regional presence – Activities of the UNCITRAL Regional Centre for Asia and the Pacific, [A/CN.9/1057](#), Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, including report on CLOUT and Digests, [A/CN.9/1059](#); and Status of conventions, model laws and operation of the Transparency Registry, [A/CN.9/1056](#).

## II. Key technical cooperation and assistance activities undertaken by the Secretariat in the reporting period

3. The Secretariat's technical cooperation and assistance activities are grouped into three areas: **raising awareness and promoting effective understanding, adoption and use** of UNCITRAL texts; **providing advice and assistance** to States on adoption and use of those texts (such as through a review of draft implementing legislation); and **building capacity** to support their effective use, implementation and uniform interpretation (such as through training activities for judges and legal practitioners).<sup>1</sup>

4. Given the impact of measures taken to address the COVID-19 pandemic, the Secretariat has adapted the delivery of its activities and strengthened its online presence to the extent that almost all the activities have been delivered online, either on a platform hosted and operated by the Secretariat or by delivering presentations in online events. Note [A/CN.9/1059](#) highlights this area of activity and summarises the overall picture of activities to support the adoption, use and uniform interpretation of UNCITRAL texts in the reporting period.

### A. Partnerships and regional initiatives

5. The Secretariat has collaborated in delivering technical cooperation and assistance activities with the following governments, international and regional organizations, multilateral and regional development agencies, professional associations, organizations of practitioners, and chambers of commerce and arbitration centres.

#### 1. Formal partnerships with States and Governments

6. The main partnerships with governments in the reporting period are:

##### Singapore<sup>2</sup>

7. Under this partnership, the Secretariat and the Ministry of Law of Singapore collaborate in promoting the development, understanding and use of international mediation and other dispute settlement methods for commercial and investor-State disputes and to support the promotion and harmonized use of the United Nations Convention on International Settlement Agreements Resulting from Mediation ("Singapore Convention on Mediation"), and other UNCITRAL instruments.

<sup>1</sup> For a more detailed description of the activities, and their objectives, strategy and approach, see Technical Cooperation and Assistance ([A/CN.9/980/Rev.1](#)), and "Guidance Note on Strengthening United Nations Support to States, Upon Their Request, to Implement Sound Commercial Law Reforms". The Commission endorsed this Guidance Note – see *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17 (A/71/17)*, para. 262 (text also available at [https://uncitral.un.org/sites/uncitral.un.org/files/englishguidance\\_note.pdf](https://uncitral.un.org/sites/uncitral.un.org/files/englishguidance_note.pdf)).

<sup>2</sup> A Memorandum of Understanding with Singapore was concluded on 7 August 2019.

8. Under this partnership, the Secretariat participated in a digital event to commemorate the entry into force of the Singapore Convention on Mediation delivered in the framework of the UNCITRAL Academy, by the Legal Counsel (Singapore, 12 September 2020), available on the UNCITRAL website: [https://uncitral.un.org/en/texts/mediation/conventions/international\\_settlement\\_agreements](https://uncitral.un.org/en/texts/mediation/conventions/international_settlement_agreements)).

### **China<sup>3</sup>**

9. Under this partnership, the Secretariat collaborates with the Ministry of Commerce of China in delivering capacity-building activities to create an enabling legal environment for international trade and investment.

10. A key outcome in the reporting period was the production of online learning materials, prepared with the support of the Ministry of Commerce and with technical input from organizational partners. The materials offer a programme to broaden and deepen participants' understanding of UNCITRAL, its activities and texts. They are aimed primarily at representatives of permanent missions, prospective UNCITRAL delegates, and government officials dealing with UNCITRAL matters and that may request technical assistance and capacity-building activities.

11. The initial series of modules provide an introduction to UNCITRAL, its areas of work and its contribution to the Sustainable Development Goals. These materials are accessible through the homepage of the UNCITRAL website.<sup>4</sup>

12. A second series of modules is in preparation, covering UNCITRAL texts in the areas of dispute settlement, public-private partnerships and public procurement, the Convention on Contracts for the International Sale of Goods ("CISG") and e-commerce. Publication of these Modules on the UNCITRAL website is anticipated during the next reporting period.

13. Other activities under this partnership conducted in the reporting period including participating in and presenting relevant UNCITRAL texts at the following events:

(a) International Symposium "Digital Economy and Online Dispute Settlement" co-organized by UNCITRAL, Ministry of Commerce of China, the Institute of International Law of Chinese Academy of Social Sciences (CASS), the Chinese Academy of Arbitration Law (CAAL), and the International Council for Commercial Arbitration, highlighting online practices in China (Beijing, 15–16 October 2020);

(b) The Shanghai International Arbitration summit, organized by the Shanghai International Economic and Trade Arbitration Commission (Shanghai, China, 6 November 2020);

(c) Inaugural meeting of The International Commercial Dispute Prevention and Settlement Organization (ICDPASO), an international non-governmental and non-profit organization jointly initiated and established by China Council for the Promotion of International Trade (CCPIT) and China Chamber of International Commerce (Beijing, 15 November 2020);

(d) The International Mediation Summit 2020, which considered "Diversified Resolution Mechanisms of Commercial Disputes under the Backdrop of Globalization" co-organized by CCPIT and the Dongguan municipal government (Dongguan, China, 17–18 November 2020);

(e) The "Third International Commercial and Legal Cooperation Forum" organized by CCPIT, which considered the international economy and trade pattern

<sup>3</sup> A Memorandum of Understanding with the Ministry of Commerce of the People's Republic of China (MOFCOM) was concluded on 7 August 2019.

<sup>4</sup> The Modules are currently available in English and the production of other language versions, starting with Chinese, is in progress. For further details of the initial series, see Note 1059.

transformation and global value chain restructuring brought about by the COVID-19 pandemic (Changsha, China, 1 December 2020); and

(f) The Inaugural Ceremony for CCIPT Expert Panel as UNCITRAL Observer, and its six working groups reflecting UNCITRAL's current legislative development (Beijing, 22 December 2020).

### **Hong Kong, China<sup>5</sup>**

14. Through this partnership, the Secretariat collaborates with the Government of Hong Kong, China to promote the development and greater understanding of international trade law, including commercial and investment dispute resolution. Under the collaboration, the inaugural meeting of the Inclusive Global Legal Innovation Platform on Online Dispute Resolution (iGLIP on ODR) was held on 18 March 2021, details of which are set out in a further Note by the Secretariat.<sup>6</sup>

### **Saudi Arabia**

15. A Memorandum of collaboration with the Kingdom of Saudi Arabia was concluded on 19 May 2020, under which the Secretariat and Kingdom agreed to collaborate to build capacity and develop programmes in commercial law reform. The Secretariat has been working with the Ministry of Commerce and the National Competitiveness Center to implement the workplan agreed under the memorandum.

16. Under this framework, the Secretariat has provided advice and assistance in the areas of arbitration; commercial law, with a focus on contracts concluded by professional traders; companies law, with focus on simplified companies and commercial registries; insolvency, with a focus on cross-border aspects; electronic commerce, with a focus on enabling a comprehensive enabling legislative framework for the digital economy; and sale of goods, in support of the consideration of the adoption of the United Nations Convention on Contracts for the International Sale of Goods.

17. The Secretariat has also provided a gap analysis of Saudi commercial law vis-à-vis UNCITRAL texts, to identify areas for legal reform. Joint work has also been undertaken on a methodology for commercial law reform, including conducting a needs assessment and advising on interaction with stakeholders through public consultations.

18. Additional activities under this collaboration include:

(a) Providing **advice and assistance** on draft rules on cross-border insolvency for Saudi Arabia, to ensure consistency with the UNCITRAL Model Law on Cross-Border Insolvency (MLCBI);

(b) Providing **advice and assistance** on draft laws on business registration for Saudi Arabia;

(c) Participation in a webinar co-organized by UNCITRAL and the Saudi Center for Commercial Arbitration (SCCA), "History, Background and Future of the Singapore Convention" (Riyadh, 13 August 2021); and

(d) Participation in a webinar entitled "CISG and Other Uniform Law Tools for Contractual Risk Mitigation" organized by the Secretariat and SCCA (Riyadh, 27 August 2020).

## **2. Partnerships and joint initiatives with organizations**

19. The following partnerships and joint initiatives were active in the reporting period:

<sup>5</sup> A Memorandum of Understanding with the Government of Hong Kong, China, was concluded on 4 November 2019.

<sup>6</sup> See Legal issues related to the digital economy (including dispute resolution) – progress report, [A/CN.9/1064/Add.4](#).

## Asia-Pacific Economic Cooperation (APEC)

*Relevance to Sustainable Development Goals 1, 8, 9 and 16*

20. The Secretariat continued its collaboration with APEC and was granted an extension of its guest status at the Economic Committee (EC) and obtained guest status at the Investment Experts Group (IEG). UNCITRAL's guest status to both the EC and IEG will operate until 2023. With regard to the latter, the Secretariat provided an update on the progress being made by Working Group III on reform of Investor-State Dispute Settlement in November 2020 and February 2021.

## Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

*Relevance to Sustainable Development Goals 8, 9 and 16*

21. The Secretariat is implementing a one-year project (1 January 2021 to 31 December 2021) of the German Federal Ministry for Economic Cooperation and Development (BMZ). This project is built on three pillars: (i) support to research to advance the reform options before Working Group III of particular relevance for developing States; (ii) organization of intersessional meetings on topics before Working Group III, of particular relevance for developing States and to exchange, deliberate, brain-storm and contribute to the development of solutions; and (iii) support to the Transparency Registry,<sup>7</sup> with a view to promoting the UNCITRAL Transparency Standards<sup>8</sup> and thereby good governance, with a particular emphasis on African States.

22. Details of the Secretariat's activities to promote the UNCITRAL Transparency Standards are reported in Section B.13 below.<sup>9</sup>

## European Bank for Reconstruction and Development (EBRD)

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

23. The Secretariat has continued its **cooperation** with EBRD, under an EBRD-UNCITRAL Initiative on enhancing public procurement regulation in the CIS countries,<sup>10</sup> including through the initiation of a project to support public procurement law reform and digitization in Uzbekistan (Tashkent, 30 October 2020).

24. Activities to **raise awareness and promote effective understanding, adoption and use** of the UNCITRAL Model Law on Public Procurement under this Initiative included participation in and providing materials to the following **capacity-building** workshops:

- (a) 5th Global Procurement Conference, on "Raising public procurement from local to global standards" (Rome, 6 July 2020);
- (b) Webinar on "Transformational Change and success factors for digitizing public procurement for government officials and practitioners" (London, 15 July 2020);
- (c) Workshop on the Model Law (Nottingham, United Kingdom, 9 January 2021); and
- (d) Workshop on the Model Law (Rome, 3–4 March 2021).

<sup>7</sup> The Transparency Registry is a repository of published information established under article 8 of the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration.

<sup>8</sup> The above UNCITRAL Rules, the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration and the Transparency Registry together comprise the "UNCITRAL Transparency Standards".

<sup>9</sup> For details of the operation of the Transparency Registry, see [A/CN.9/1056](#).

<sup>10</sup> See Technical Assistance and Cooperation, [A/CN.9/753](#), para. 38(c). The geographical reach of the Initiative has since been extended to include countries in the south-eastern Mediterranean area.

25. In addition, under the EBRD-UNCITRAL Initiative, the Secretariat provided **legislative advice and assistance** on implementing the Model Law, as follows:

- (a) For an “EBRD Handbook on review tribunals skills”, for Ukraine, Moldova, Tunisia and Georgia (desk-based, November 2020); and
- (b) On draft provisions in the procurement law of Moldova (desk-based, November 2020).

### **International Labour Organization and the University of Turin Master’s programmes in International Trade Law and Public Procurement**

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

26. The Secretariat organizes and delivers two Master’s degree programmes in partnership with the International Training Centre of the International Labour Organization (ITCILO) and the University of Turin. Their aim is to raise awareness of and to build capacity in the use of UNCITRAL texts and to develop capacity to use them. The courses promote, participation of individuals from developing and transition countries.

27. The Secretariat participated in the programmes through the provision of video materials and delivering instruction for (a) the 11th Edition Master of Laws in International Trade Law, and (b) the 14th and 15th Editions of the Master in Public Procurement Management for Sustainable Development Programme respectively, (Turin, Italy, 9 April 2020 and 10–11 March 2021).

28. The Secretariat is also collaborating with ITCILO in the production of e-learning the Modules set out in paragraphs 10–12 above, which will also be hosted on an ITCILO web-based distance learning platform.

### **International Organizations’ Partnership for Effective International Rule-Making**

29. As reported elsewhere to the Commission, the Secretariat continues to participate in a partnership of international organizations for effective international rulemaking led by the Organisation for Economic Co-operation and Development (OECD), which has prepared a Compendium of International Organisations’ Practices for Effective International Rulemaking.<sup>11</sup> Under this collaboration, the Secretariat participated in and presented relevant UNCITRAL information and texts at the following webinars, hosted by the OECD:

- (a) Responding to COVID-19: the IO Partnership in action (12 May 2020);
- (b) Adapting decision-making procedures on rule-making and emergency ruling to exceptional circumstances (4 June 2020);
- (c) The role of normative IOs in supporting their constituencies in managing the global crisis (30 June 2020); and
- (d) Coordination among normative IOs to provide joint responses to a crisis (21 July 2020).

### **Organization for the Harmonization of Business Law in Africa (OHADA)**

*Relevance to Sustainable Development Goals 8 and 16*

30. The Secretariat continued its cooperation with OHADA to raise awareness and promote effective understanding, adoption and use of UNCITRAL’s work and texts

<sup>11</sup> See Coordination Activities, [A/CN.9/1059](#), Section III.B.1. As reported to the Commission in that document, the Secretariat and the OECD will co-host the Eighth Annual Meeting of the partnership, on 13–14 September 2021, at which the Compendium will be launched.

in OHADA member States, as well as coordination of harmonization efforts at regional level on electronic transactions.<sup>12</sup>

31. In that context, the Secretariat presented UNCITRAL texts on e-commerce at the opening of the 50th Meeting of the Council of Ministers, (Bamako, 24–25 March 2021).

32. For details of a forthcoming activity with OHADA and OIF, see Note [A/CN.9/1059](#).

### **Organisation internationale de la Francophonie (OIF)**

33. Under this partnership, the Secretariat and OIF collaborate on the improvement of the legislative framework for e-commerce and digital economy in the Francophone area, and engages in joint actions of promotion and capacity-building for UNCITRAL texts in the member States of OIF in the coming years. The Secretariat participated in an expert meeting on digital governance organized by OIF (Paris, 2 July 2020). OIF also supports inclusivity in the work of Working Group III through coordinating among francophone delegations to that Working Group. For details of a forthcoming activity with OIF and OHADA, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, including report on CLOUT and Digests, [A/CN.9/1059](#).

### **United Nations/United Nations Economic and Social Commission for Asia and the Pacific (ESCAP)**

#### *Relevance to Sustainable Development Goals 8, 9 and 16*

34. The Secretariat partners with ESCAP to support the use of UNCITRAL texts as a tool for implementing provisions on electronic commerce and paperless trade in regional and bilateral trade agreements;<sup>13</sup> and prepares with ESCAP and the Enhanced Integrated Framework the Online Readiness Assessment Guide for Cross-border Paperless Trade,<sup>14</sup> launched on 9 December 2020.

35. Activities with ESCAP in the reporting period include presenting at and providing materials for the following events:

(a) Asian Development Bank (ADB) Central Asia Regional Economic Cooperation (CAREC) Webinar on E-commerce and Paperless Trade (Manila, 3 September 2020);

(b) Eighth meeting of the Legal and Technical Working Groups of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation, organized by UN/ESCAP (Bangkok, 14–16 October 2020);

(c) Sixth meeting of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation, organized by UN/ESCAP (Bangkok, 25–26 January 2021);

(d) Modular Training Program on Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures, organized by the Mekong Institute (Bangkok, 3 March 2021); and

(e) World Customs Organization Asia-Pacific Regional Online Experience-Sharing Workshop on Disruptive Technologies (Bangkok, 24 March 2021).

36. Activities undertaken by the Secretariat in collaboration with ESCAP and additional partners in the reporting period are set out in paragraph 48 below.

<sup>12</sup> Most of which are in Western Africa. For a full list of those States, see [www.ohada.org/index.php/en/](http://www.ohada.org/index.php/en/).

<sup>13</sup> See [A/66/17](#), para. 240.

<sup>14</sup> Available at <https://readiness.digitalizetrade.org/>.



## **United States Department of Commerce, Commercial Law Development Program (CLDP)**

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

37. The Secretariat partners with CLDP to provide legislative advice, assistance and capacity-building to support the enactment, use and interpretation of UNCITRAL texts on commercial dispute settlement (arbitration and mediation), e-commerce, insolvency, public procurement and secured transactions. The Secretariat provided an overview of UNCITRAL, its texts and working methods to CLDP staff members (Washington D.C., 25 October 2020).

38. Under this partnership, the Secretariat also provided advice and assistance to the Ministry of Economy and Finance of Peru on its draft procurement law, including through a series of webinars on the UNCITRAL Model Law on Public Procurement (Washington, D.C. and Lima, from 7 October 2020–25 March 2021).

## **World Bank Group, International Monetary Fund (IMF) and INSOL<sup>15</sup>**

*Relevance to Sustainable Development Goals 8, 10 and 17*

39. The Secretariat partners with the World Bank Group, IMF and INSOL to expand its reach to intended users of UNCITRAL insolvency texts through a growing network of experts and partners.

40. Under the partnership, the Secretariat, INSOL International and the World Bank co-organized regional judicial seminars on insolvency issues in Africa and MENA countries, the INSOL/World Bank/UNCITRAL Judicial Forum Africa on 27 Jan 2021; and for Middle East and North Africa on 29 March 2021.

## **Other regular collaborative activities**

41. In addition to the above, the Secretariat collaborates with the following organizations or activities on a regular basis:

(a) International Arbitration Moots, including Willem C. Vis International Commercial Arbitration Moots (Vienna – Hong Kong); Moot Madrid (Madrid); Frankfurt Investment Arbitration Moot (Frankfurt); and IBA-VIAC Mediation and Negotiation Moot (Vienna); for relevant activities in the reporting period, see paragraphs 73–80 below;

(b) The United Nations Office on Drugs and Crime and the International Anti-Corruption Academy (Laxenburg, Austria) on anti-corruption in public procurement and other subject areas. Activities under this cooperation during the reporting period were postponed as a result of measures taken to contain the Covid-19 pandemic;

(c) With the World Trade Organization in capacity-building and use of the UNCITRAL Model Law on Public Procurement in accession to the World Trade Organization's Agreement on Government Procurement; for a relevant activity in the reporting period, see paragraph 59(b) below;

(d) With Sustainable Infrastructure Foundation (SIF) to support the implementation of the Legislative Guide on PPPs in the SIF SOURCE platform on that topic; for a relevant activity in the reporting period, see paragraph 60(b) below; and

(e) With the World Bank, Unidroit, Kozolchyk National Law Centre and International Insolvency Institute on secured transactions reform.<sup>16</sup>

<sup>15</sup> INSOL International is a worldwide federation of national associations of insolvency accountants and lawyers.

<sup>16</sup> See Coordination Activities, [A/CN.9/1069](#), para. 35.



## B. Other technical cooperation and assistance activities

42. Other technical cooperation and assistance activities undertaken by the Secretariat are presented by subject-area below.

### 1. Dispute settlement

*Relevance to Sustainable Development Goals 8, 9, 16 and 17*

43. The Secretariat has **promoted** the adoption and use of UNCITRAL texts in this field, supporting the ongoing law reform process in various jurisdictions. The Secretariat has also developed tools to provide information on the application and interpretation of those texts (Case Law on UNCITRAL Texts (CLOUT)).<sup>17</sup>

44. During the reporting period, the Secretariat has in addition jointly organized, participated in, or contributed to a number of events including the following:

(a) St. Petersburg Legal Forum 9 ½, on “Remedies during the Pandemic”, (11 April 2020, St. Petersburg, Russian Federation);

(b) Webinar “Arbitral Institutions: challenges and opportunities”, organized by the Peruvian Institute of Arbitration (Lima, 10 June 2020);

(c) Webinar “Overview on copyrights and alternative methods of dispute settlement: Convention on International Settlement Agreements Resulting from Mediation”, organized by the Special Administrative Unit, National Directorate on Copyright, Ministry of Interior (Bogota, 18 June 2020);

(d) IMI Investor-State Mediation Roundtable (Singapore, 17 July 2020);

(e) As noted in paragraph 18 above, under the collaboration with Saudi Arabia, a webinar co-organized with SCCA, “History, Background and Future of the Singapore Convention” (Riyadh, 13 August 2021);

(f) China Academy of Arbitration Law Online Mediation Seminar on the Singapore Convention on Mediation and celebrating its entry into force (Beijing, 12 September 2020);

(g) China Arbitration Summit 2020 jointly hosted by China International Economic and Trade Arbitration Commission (CIETAC), International Centre for Settlement of Investment Disputes (ICSID) and All China Lawyers Association (ACLA) for Government officials and stakeholders (22 September 2020);

(h) The Chartered Institute of Arbitrators (CIArb) 8th Annual Symposium on International and Domestic Arbitration during the Canada Arbitration Week (24 September 2020);

(i) Panel organized by The International Chamber of Commerce (ICC) Hong Kong during the Hong Kong Arbitration Week on Innovative Digital Technology and International Arbitration (Hong Kong, China, 19 October 2020);

(j) Conference organized by University La Sabana, Colombian Academy on International Law to promote the Singapore Convention with members of academia and from the judiciary of Colombia (Bogotá, 22 October 2020);

(k) Vis Moot Conference on Limits to Party Autonomy in International Arbitration, organized by Centro de Estudios de Derecho, Economía y Política (CEDEP) for Government officials, IGOs and NGOs (Asunción, 29 October 2020);

(l) Inaugural meeting of the Korea International Mediation Centre (Seoul, 13 November 2020);

<sup>17</sup> For more information on these activities, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, including report on CLOUT and Digests, [A/CN.9/1059](#), Section B.

(m) 30th anniversary of the Belarusian Republican Union of Lawyers (Minsk, 4 December 2020);

(n) British Institute of International and Comparative Law (BIICL) Investor State Mediation Forum (London, 8 December 2020);

(o) Webinar on the “Practice of commercial mediation and the Singapore Convention”, organized by the National Bar Association of Panama and the Center for the Dispute Settlement (Panama, 9 December 2020);

(p) Webinar on “ISDS Reform in UNCITRAL”, organized by the Faculty of Law, University of Chile, and co-sponsored by the Ministry of Foreign Affairs and Under Secretary on Economic Relations (Santiago de Chile, 14 December 2020);

(q) Ad Hoc Arbitration Forum 2020, organized by Adhoc Arbitration, Russia (St Petersburg, Russian Federation, 18 December 2020);

(r) Webinar on “New perspectives after the entry into force of the Singapore Convention”, organized by the Center for Legal Research of the University of Franche-Comté (CRJFC), The Institute of Finance and Management of Algiers and others (Paris, 6 January 2021);

(s) “360° ADR – Midweek Talk – The Singapore Convention” (Vienna, 27 January 2021);

(t) Vienna Arbitration Days, organized by the International Chamber of Commerce (ICC) Austria, Vienna International Arbitral Centre (VIAC), Arbitration Austria (Arb/Aut), Young Austrian Arbitration Practitioners (YAAP) and Austrian Yearbook on International Arbitration (AYIA) and UNCITRAL (Vienna, 12 February 2021);

(u) Webinar on “Mediation & Gender” discussing reasonings on dispute management in the new world, organized by the Jamaica International Arbitration Centre (Kingston, 17 February 2021);

(v) Celebration the entry into force of the New York Convention in Sierra Leone held by the Center for International Law and Policy in Africa and the Sierra Leone Bar Association (Freetown, 25 February 2021);

(w) Workshop in the frame of the program of the World Bank in Tunisia “Négociateurs de AIIs” (Tunis, 17 February 2021);

(x) Milan Investment Arbitration Week, organized by Università degli Studi di Milano and the European Court of Arbitration (Milan, 18 February 2021); and

(y) “Arbitration 2030: Sculpturing the New Tomorrow”, organized by the Russian Arbitration Center at the Russian Institute of Modern Arbitration (Moscow, 24 March 2021), discussing existing UNCITRAL texts and exploratory work on dispute resolution in the digital economy, the need for agility and flexibility in the current environment and the evolution of dispute settlement in the post-COVID-19 pandemic era.

45. The Secretariat **advised and assisted** in the enactment of UNCITRAL texts on arbitration and/or mediation of a number of jurisdictions including Israel, Jamaica, Panama, Peru, Bahamas, Sierra Leone, Timor Leste and Uzbekistan, and on the Arbitration Rules of Chamber of Arbitrators at the Union of Lawyers (Belarus).

## 2. Electronic commerce

### *Relevance to Sustainable Development Goals 1, 5, 8, 9 and 16*

46. The Secretariat has engaged in the following activities to support the adoption and use of UNCITRAL texts in this field.

47. **Cooperation with United Nations Conference on Trade and Development (UNCTAD)** in providing UNCTAD Rapid eTrade Readiness Assessments of Least Developed Countries for Benin, Côte d’Ivoire, Iraq, Niger and Tanzania, in the

framework of the “eTrade for all” initiative, coordinated by UNCTAD, and by co-organizing, with the Government of Guatemala and ECLAC, the “Seminario nacional en línea sobre transacciones electrónicas” (Guatemala City, 3 December 2020). In that framework, UNCITRAL also participated in the Focus-Group Discussion on E-Commerce Strategy Formulation (Naypyitaw, 1 and 4 September 2020) and in the peer review of the E-Commerce Strategy Development for Myanmar diagnostic report.

48. **Cooperation with UNCTAD, ESCAP and the World Bank** in a project entitled “Leapfrogging Skills Development in E-Commerce in South-East Asia in the Framework of the 2030 Development Agenda”, in the framework of the UNCTAD TrainForTrade Programme. The project seeks to build capacity of public and private sector stakeholders from South-East Asian countries to use identity management and electronic signatures for trade and development. In the reporting period, the project produced a report entitled “Digital Identity for Trade and Development: case studies in South East Asia”.<sup>18</sup> For details of further cooperation with ESCAP, see paragraphs 34–36 above.

49. **Raising awareness and promoting effective understanding, adoption and use** of e-commerce texts, particularly the UNCITRAL Model Law on Electronic Transferable Records (MLETR), in cooperation with the ICC Digital Standards Initiative, which is actively promoting the adoption of that text, through presenting at and participating in the following events:

(a) A virtual panel discussion “E-documents: Ramifications of COVID-19”, organized by ICC (Geneva, 7 May 2020);

(b) At the WTO Informal Working Group on MSMEs (Geneva, 18 June 2020);

(c) At an online Conference on the “Role of Advanced technologies in overcoming COVID-19 disruptions in international trade”, organized by UN/CEFACT (Geneva, 2 July 2020);

(d) At the SWIFT at Sibos session “Joining forces for trade digitisation: SWIFT, the United Nations, and the Singapore Government” (Singapore, 5 October 2020);

(e) At the Workshop “Trade Facilitation and Innovation Summit”, organized by the Cámara de Comercio Americana del Perú (Lima, 27 October 2020);

(f) At the “National Law Conference 2021 – Futurism” organized by the Bar Association of Sri Lanka (Colombo, 13 February 2021); and

(g) At the “2021 Global Trade and Blockchain Forum” organized by WTO (Geneva, 30 March 2021).

50. Other relevant activities include presenting and providing materials at the following events:

(a) A webinar “E-signatures and E-transactions: What works, What More is Needed, and What are the Implications of Proposed Trade Rules on this Topic?”, organized by Third World Network (Geneva, 11 May 2020);

(b) The consideration of Guatemala’s accession to the United Nations Convention on the Use of Electronic Communications in International Contracts (ECC) (Guatemala City, 16 June and 11 September 2020; see also paragraph 47 above);

(c) At the “PKI-Forum Russia 2020 – 18th Annual International Conference on Public Key Infrastructure and Electronic Signature” (St Petersburg, Russian Federation, 15 September 2020);

<sup>18</sup> UNCTAD/DTL/KDB/2020/1, available at [https://unctad.org/system/files/official-document/dtlkdb2020d1\\_en.pdf](https://unctad.org/system/files/official-document/dtlkdb2020d1_en.pdf).

(d) At the event “Ciclo de conferencias: Oportunidades del Comercio Electrónico – Análisis del documento borrador CONPES. Sesión 11: Experiencias internacionales en regulación de Comercio Electrónico”, organized by the Universidad Externado (Bogotá, 17 September 2020);

(e) At the First ECOWAS Regional Forum on E-Commerce (Abidjan, 9–10 December 2020);

(f) At the Pacific E-commerce Training Session II on Legal and Regulatory Aspects (Sydney, 18 January 2021);

(g) Webinar “Evolving Healthy Digital Trade Environments: With Special Focus on Design and Implementation of Identity Management and Trust Service Rules”, part of an induction briefing for Pakistan reported elsewhere to the Commission (Islamabad and Vienna, 18 February 2021);<sup>19</sup> and

(h) Webinar “Electronic Transactions and UNCITRAL Texts”, organized by the Law Association of Trinidad and Tobago (Port of Spain, 4 March 2021).

51. **Advising and assisting** in the enactment of UNCITRAL texts on electronic commerce. Relevant activities include:

(a) Assisting the Government of Kiribati in drafting the Electronic Transactions Bill and considering adoption of the ECC. Kiribati acceded to the ECC on 21 April 2020; and

(b) Providing input in drafting the legislation on electronic transactions and electronic signatures of the Democratic Republic of the Congo and Mauritius.

52. Following Secretariat support to the drafting process in prior periods, Afghanistan adopted legislation based on UNCITRAL texts on electronic commerce during the reporting period.<sup>20</sup>

### 3. Insolvency

*Relevance to Sustainable Development Goals 8, 10 and 17*

53. The Secretariat has **raised awareness and promoted effective understanding** of UNCITRAL texts in the area of insolvency law among governmental officials, judges, insolvency and legal practitioners through speaking and providing materials at the following events:

(a) Conference on “Applicable Law in Cross-Border Insolvency Proceedings” organized by the Ministry of Justice and Administration of the Republic of Croatia, the University of Zagreb and INSOL (Zagreb, 18–19 September 2020);

(b) EBRD Webinar “Restructuring in the COVID-19 era: Law in Practice” (London, 26 October 2020);

(c) The International Association of Insolvency Regulators Annual Conference 2020 (Hong Kong, China, 6 November 2020);

(d) Webinar on “Transnational commercial law, Insolvency, Restructuring, Entrepreneurship: Promoting Trade and Development post the Pandemic” co-organized with Centre for Transnational Commercial Law at National Law University (New Delhi, 7 January 2021);<sup>21</sup> and

(e) Conference on “Cross-Border Restructuring and Insolvency Proceedings” organized by the Academy of European Law (Trier, Germany, 24–26 February 2021).

<sup>19</sup> See Note, A/CN.9/1059.

<sup>20</sup> See Technical Assistance and Cooperation, A/CN.9/1032, para. 42(b), Note A/CN.9/1056, Section II(h).

<sup>21</sup> This activity was part of the UNCITRAL Asia-Pacific Day series, reported Note A/CN.9/1057.

54. The Secretariat also provided **advice and assistance** to Peru and Saudi Arabia<sup>22</sup> on their rules on cross-border insolvency, to ensure consistency with the UNCITRAL Model Law on Cross-Border Insolvency (MLCBI).

55. Activities in this area conducted in collaboration with the World Bank and INSOL are reported in paragraph 40 above.

56. Following activities undertaken by the Secretariat prior to the reporting period Brazil, Myanmar and Panama, and the special economic zone of Abu Dhabi Global Market, have adopted legislation and rules based on the MLCBI.<sup>23</sup>

#### 4. MSMEs

*Relevance to Sustainable Development Goals 1, 2, 5, 8 and 9*

57. The Secretariat has **raised awareness and promoted understanding** of the UNCITRAL Legislative Guide on Key Principles of a Business Registry and the draft legislative guide on an UNCITRAL Limited Liability Organization among governmental officials, judges and legal practitioners through speaking and providing materials at the following events:

(a) “Congreso Anual de Derecho Registral – CADER”, the annual meeting on registration law organized by Escuela de Capacitación Registral, Superintendencia Nacional de los Registros Públicos, SUNARP for Government officials, Judiciary, IGOs and practitioners (Lima, 5 December 2020);

(b) Webinar on “Promoting MSME Formalization Through The Cooperative Enterprise Model Workshop” organized by UNDESA and the Government Agency of Kenya (MSEA) (Nairobi, 11 March 2021);

(c) Webinar organized by Unidroit on “Legal Structures of Agriculture Enterprises Project” (Rome, 16 April 2021); and

(d) World Trade Organization Informal Working Group on MSMEs aimed at explaining the value and process of adopting the MLETR for MSMEs (Geneva, 18 June 2020).

#### 5. Activities in procurement and infrastructure development

##### Public Procurement

*Relevance to Sustainable Development Goals 1, 8, 9, 10, 12, 16 and 17*

58. In addition to the activities under the EBRD-UNCITRAL Initiative and in collaboration with CLDP, reported in paragraphs 23–25 and 37–38 above, the Secretariat has **raised awareness and promoted effective understanding of, adoption and** use of the UNCITRAL Model Law on Public Procurement through speaking and providing materials at a webinar on Joint Public Procurement and Innovation: Lessons Across Borders for government officials, practitioners and academia (Washington, DC and Turin, Italy, 24 September 2020).

59. The Secretariat also provided **legislative advice and assistance and capacity-building** through:

(a) Participation in the OECD Working Party meeting of the Leading Practitioners on Public Procurement on 28 October 2020, and on the OECD draft strategy for public procurement in Costa Rica (desk-based);

(b) Presenting on the Model Law at the Advanced Global E-Workshop on WTO Plurilateral Agreement on Government Procurement (Geneva, 7–14 December 2020); and

<sup>22</sup> The assistance to Saudi Arabia was provided in the context of the collaboration between the Government and the Secretariat described in paras. 15–18 above.

<sup>23</sup> See Note A/CN.9/1056, Section II(f).

(c) Developing provisions on environmental sustainability in the procurement laws of Georgia and Moldova (desk-based, in collaboration with the United Nations Environment Programme).

### Public-private partnerships (PPPs)

*Relevance to Sustainable Development Goals 1, 4, 6, 7, 8, 9, 11, 12, 15, 16 and 17*

60. The Secretariat participated in activities to provide **legislative advice and assistance and capacity-building** on the use of the revised Legislative Guide and the revised Model Legislative Provisions on PPPs, through:

(a) Supporting the development of a legal framework for PPPs in Vietnam, and the provision of tools to enable the use of appropriate procurement methods in PPPs (desk-based, 3 November 2020); and

(b) Integrating the provisions of the Legislative Guide on PPPs into the SIF SOURCE Platform, to help governments define, develop and manage their infrastructure projects (desk-based, February 2021).

## 6. Sale of goods

*Relevance to Sustainable Development Goals 8, 12 and 16*

61. The Secretariat has continued to **promote broader adoption, use and uniform interpretation** of the United Nations Convention on Contracts for the International Sale of Goods (CISG), and of the Convention on the Limitation Period in the International Sale of Goods, as amended, and to **build capacity** in the use of these texts. The Legal Guide to Uniform Instruments in the Area of International Commercial Contracts, with a Focus on Sales,<sup>24</sup> prepared jointly with HCCH and Unidroit, will be used to support these activities.

62. The Secretariat has organized a series of awareness-raising events and technical assistance activities to celebrate the fortieth anniversary of the CISG in 2020 (“CISG@40”). The CISG@40 activities pursue two main objectives: to encourage broader State participation, including by aiming at reaching 100 States parties to that Convention; and to support capacity-building on the use and uniform interpretation of the Convention and of related UNCITRAL texts. In several of these activities, issue relating to contract management vis-à-vis the COVID-10 pandemic were discussed, namely the provisions on exemption from involuntary non-performance.

63. The Secretariat has co-organized or participated in the following CISG@40 activities, in addition to those reported elsewhere:<sup>25</sup>

(a) “CISG@40: Lectures on Transnational Commercial Law at the University of Vienna” co-organized by the University of Vienna and UNCITRAL (Vienna, October 2020);

(b) “Ciclo de Webinars – A Adesão de Portugal à CISG”, co-organized with the Centro de Investigação Jurídico-Económica da Faculdade de Direito da Universidade do Porto on the occasion of the accession to the CISG by Portugal (Porto, Portugal, February 2021);<sup>26</sup>

(c) “Force Majeure, Hardship and the COVID-19 Pandemia” organized by the Centro de Estudios de Derecho, Economía y Política (CEDEP) (Asuncion, 19 August 2020);

<sup>24</sup> Available at <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/tripartiteguide.pdf>.

<sup>25</sup> Notably, in Note A/CN.9/1057, para. 2(a) and (f).

<sup>26</sup> As reported in Note A/CN.9/1056, Section II (a), Portugal became a party to the CISG on 23 September 2020.

(d) “CISG and Other Uniform Law Tools for Contractual Risk Mitigation” organized by the SCCA, under the collaboration between Saudi Arabia and the Secretariat, as reported in paragraph 18 above (Riyadh, 27 August 2020);

(e) “Current Perspectives on the United Nations Convention on Contracts for the International Sale of Goods (CISG)”, organized by the New York City Bar Association (New York, 1 September 2020);

(f) “The impact of the CISG on national legal systems” and “The Impact of the CISG on International Commercial Law”, organized by New York University’s Center for Transnational Litigation, Arbitration, and Commercial Law (New York, 11 and 15 September 2020);

(g) “The contribution of HCCH, UNCITRAL and Unidroit to the Harmonisation of the Law of International Sales”, organized by Unidroit (Rome, 22 September 2020);<sup>27</sup>

(h) “40 años de la Convención de las Naciones Unidas sobre los Contratos de Compraventa Internacional de Mercaderías” organized by the Universidad Externado (Bogotá, 24 September 2020);

(i) “Los 40 años de la Convención de las Naciones Unidas sobre los Contratos de Compraventa Internacional de Mercaderías”, organized by the Asociación Argentina de Derecho Comparado, the Facultad de Ciencias Jurídicas de la Universidad del Salvador and ECSA Argentina (Buenos Aires, 16 November 2020); and

(j) “La CISG: Un Nuevo Régimen Legal para el Comercio Internacional en Guatemala”, organized by the Facultad de Derecho de la Universidad Francisco Marroquín on the occasion of the entry into force of the CISG in Guatemala (Ciudad de Guatemala, 20 January 2021).<sup>28</sup>

## 7. Security interests

*Relevance to Sustainable Development Goals 1, 8, 9 and 17*

64. The Secretariat is continuing to support legislative reforms based on UNCITRAL texts in this field, in which capacity it has **advised** Azerbaijan and Malaysia. The Secretariat is continuing to monitor the enactment and use of the UNCITRAL Model Law on Secured Transactions.

65. As part of its continued participation in the APEC Ease of Doing Business (EoDB) Project, the Secretariat **conducted a comparative study** of the secured transactions regimes of Malaysia and the Republic of Korea for the implementation of UNCITRAL Model Law on Secured Transactions (“2020 Ease of Doing Business Workshop on Getting Credit”, Seoul, 7 August 2020 and “2020 International Conference on Ease of Doing Business”, Seoul, 4 December 2020).

## 8. International Transport of Goods

*Relevance to Sustainable Development Goals 8 and 9*

66. The Secretariat has continued to **promote broader adoption, use and uniform interpretation** of UNCITRAL’s transport conventions, including the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008) (the “Rotterdam Rules”), and to **build capacity** in its use.

<sup>27</sup> This event also had an in-person component.

<sup>28</sup> As reported in Status of conventions, model laws and operation of the Transparency Registry, A/CN.9/1056, Section II (a), the CISG entered into force in Guatemala on 1 January 2021.



67. To this end, the Secretariat has taken part in the following activities:

(a) Webinar “Presente y perspectivas de las reglas sobre transporte maritime de mercancías” organized with CMI, the Peruvian Maritime Law Association and the Ibero-American Maritime Law Institute (Lima, 11 November 2020); and

(b) Webinar “Ratificación de las Reglas de Hamburgo por parte de Perú”, organized with CMI, the Peruvian Maritime Law Association and the Ibero-American Maritime Law Institute (Lima, 11 March 2021).

## 9. UNCITRAL’s instruments on transparency in treaty-based international arbitration

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

68. The Secretariat has **raised awareness and promoted effective understanding of, adoption and use of** the UNCITRAL Transparency Standards<sup>29</sup> through the following activities:

(a) Issue of three episodes of a podcast on the UNCITRAL Transparency Standards: Episode I: “A talk with the Secretary of UNCITRAL on the international process of negotiating the UNCITRAL Transparency Standards (the Rules on Transparency and the Convention), and where we are now”; Episode II: “A talk with Ms. Leidylin Contreras, Deputy Director, Directorate of Foreign Trade, Ministry of Industry and Commerce, the Dominican Republic; Episode III: “Views from respondent States on ISDS” (Bogota, La Paz, Lima, Santo Domingo, and Vienna, from 29 April to 27 July 2020);

(b) Presenting the UNCITRAL Transparency Standards to the Ministry of Foreign Affairs (law department), the Ministry of Trade and Foreign Economic Relations, the Ministry of Justice, the Supreme Court of Turkmenistan and other ministries in Turkmenistan during an induction briefing reported elsewhere to the Commission (Ashgabat, 9 June 2020);<sup>30</sup>

(c) Webinar on copyright and alternative methods of dispute resolution, organized by the National Directorate of Copyright, Colombian Ministry of Interior (Bogota, 18 June 2020);<sup>31</sup>

(d) Consultations with the Directorate of Foreign Trade, Ministry of Industry and Commerce of the Dominican Republic on the Rules on Transparency, the functioning of the Transparency Registry and the Mauritius Convention (Santo Domingo, 2 July 2020);

(e) Webinar, “Is the West Balkan Region fit for the adoption and implementation of the Mauritius Convention and Singapore Convention? Open Regional Fund for South-East Europe, Legal Reform, Harmonization of the Legal Framework for Investment Protection, Effective negotiation and drafting of investment protection instrument/tool”, organized by the German Cooperation agency (GIZ) (Tirana, Podgorica, Sarajevo, and Belgrade, 8–9 July 2020);

(f) Capacity-building session for the Government of Zimbabwe (Harare, 2 November 2020);

(g) Capacity-building workshop for Myanmar Government officials “Negotiating and Reforming Investment Treaties: Enhancing the Capacity of LDCs and LICs in the Asia Pacific Region” (Yangon, 1 December 2020);

(h) Conference on Recent developments at UNCITRAL, organized by the 15th Hannover Pre-Moot, 1st Hannover Pre-Moot Week, Moot Conference, (Hannover, 16 February 2021);

<sup>29</sup> Note [A/CN.9/1056](#) summarizes the information published in the Transparency Repository, which is funded by the European Commission, the OPEC Fund for International development and BMZ.

<sup>30</sup> See Note [A/CN.9/1059](#).

<sup>31</sup> See para. 44(c) above.

(i) Speaking at ICC YAF Webinar “Arbitrator Transparency in Investment Arbitration”, held as a side event to the Frankfurt Investment Arbitration Moot Court (Frankfurt, 10 March 2021); and

(j) Webinar on international investment arbitration in LAC: status and perspectives, organized by Universidad Externado in the framework of the VIII Moot on International Investment Arbitration (Bogota, 23 March 2021).

69. The reporting period saw the organization of the first edition of the **UNCITRAL LAC DAY**. Modelled on the UNCITRAL Asia Pacific Day,<sup>32</sup> the edition comprised a series of 30 online events, co-hosted by the Secretariat and 34 universities and academic institutions in 16 Latin American and Caribbean States, and took place from November to December 2020. The events were also supported by States in the region and by international organizations active in the field of international trade law (American Society of International Private Law (ASADIP), Economic Commission for Latin America and the Caribbean (ECLAC), Organisation for Economic Co-operation and Development (OECD), Secretariat for Central American Economic Integration (SIECA)).

70. The series celebrated the establishment of UNCITRAL, sought to raise awareness of the UNCITRAL Transparency Standards amongst law students, and provided States and partner organizations in the region with an opportunity to illustrate their commitment to UNCITRAL’s work. Further details of the series, its objectives and outcomes, are set out in an UNCITRAL LAC Day 2020 Report.<sup>33</sup> This Report highlights a variety of approaches taken during the events, from a focus on accession to the Mauritius Convention, through awareness-raising on the UNCITRAL Transparency Standards to a consideration of transparency as the basis for reform of Investor-State Dispute Settlement.

71. The series started with a pre-event, organized with ASADIP and with the technical support of the Center of Studies for the Economic Integration at SIECA, in Guatemala City on 9 November 2020, to launch the series. At the main events, held with the following academic partners and institutions, the Secretariat presented on the UNCITRAL Transparency Standards and other UNCITRAL topics.

(a) National University of Paraguay (Asuncion, 9–10 November 2020);

(b) Universidad del Centro Educativo Latinoamericano, in collaboration with Arbitration Alumni and Argentinean Young Arbitrator Practitioners (Buenos Aires, 9 November 2020);

(c) Universidad Nacional de Jose C. Paz (Buenos Aires, 9 November 2020);

(d) Universidad Nacional Autonoma de Honduras (UNAH)”, Faculty of Legal Science, Master in Trade Law Programme, with the collaboration of Lexincorp, and the Chamber of Commerce of Tegucigalpa-Center on Conciliation and Arbitration (Tegucigalpa, 9, 16–18 and 23–25 November 2020);

(e) Instituto Tecnológico Autónomo and co-sponsored by the Secretary of Foreign Affairs and the Secretary of Economy (Mexico, 10 November 2020);

(f) University of Flores Faculty of Law (Buenos Aires, 10 November 2020);

(g) Pontificia Universidad Católica, Instituto de Estudios Internacionales, co-sponsored by the Diplomatic Academy of Peru and the Ministry of Foreign Affairs (Lima, 11 November 2020);

(h) Pontificia Universidad Católica, Madre y Maestra (PUCMM)”, School of Law (Santo Domingo, 11 November 2020);

<sup>32</sup> See, further, the UNCITRAL Asia Pacific Day Report 2020, available via the homepage of UNCITRAL: [uncitral.un.org](https://uncitral.un.org).

<sup>33</sup> The Report is available via the homepage of UNCITRAL: [uncitral.un.org](https://uncitral.un.org).

- (i) Universidad de la República, Faculty of Law (Montevideo, 11 November 2020);
- (j) University del Salvador, Faculty of Legal Sciences (Buenos Aires, 12 November 2020);
- (k) Universidad Austral, Universidad Nacional del Litoral, co-sponsored by ASADIP (Buenos Aires, 16 November 2020);
- (l) Pontificia Universidad Javeriana, Faculty of Legal Sciences (Bogota, 17 November 2020);
- (m) Universidad Externado de Colombia jointly with its Research Group on Contracts and International Dispute Settlement and the Department of Business (Bogota, 26–26 November 2020);
- (n) Universidad del Valle, Law Programme, co-sponsored by the Ministry of Foreign Affairs of Bolivia (State Plurinational of), the Attorney General Office and the National Chamber of Commerce (Cochabamba, La Paz, Sucre y Trinidad, 26 November 2020);
- (o) Universidad de Panamá”, Faculty of Law and Political Science, jointly with the National Bar Association and the Association of International Private and Comparative Law (Panama, 27 November 2020);
- (p) Universidad San Francisco de Quito, College of Jurisprudence in collaboration with the “Instituto Ecuatoriano de Arbitraje (Quito, 1 December 2020);
- (q) Federal University Espirito Santo, Post-Graduation Programme in Law and a consortium of universities (from Minas Gerais, Brasilia, Rio Janeiro, Rio Grande do Sul) and Foundation Getulio Vargas (Brasilia, 8 December 2020);
- (r) Universidad Iberoamericana, School of Law, co-sponsored by the Division on Foreign Trade and Management of Trade Agreements at the Ministry of Industry, Trade and MSME (Santo Domingo, 8 December 2020);
- (s) Universidad de Buenos Aires, Faculty of Law (Buenos Aires, 9 December 2020);
- (t) Universidad Nacional de Quilmes, Master of Trade and International Business (Buenos Aires, 10 December 2020);
- (u) Catholic University Andres Bello and University Monteavila, co-sponsored by ASADIP, with the technical support of the Business Center on Conciliation and Arbitration (Caracas, 10 December 2020);
- (v) Universidad Privada de Santa Cruz de la Sierra and Universidad Privada Boliviana, co-sponsored by the Ministry of Foreign Affairs of Bolivia (State Plurinational of), the Attorney General Office and the National Chamber of Commerce (La Paz, 11 December 2020);
- (w) Universidad Dr. José Matias Delgado, co-sponsored by the Ministry of Foreign Affairs (San Salvador, 15 December 2020); and
- (x) Universidad Latina de Costa Rica”, co-sponsored by the Ministry of Foreign Relations, the Center of Conciliation and Arbitration, AmCham CR and the Costa Rica Young Arbitrators (San José de Costa Rica, 16 December 2020).

72. As noted in paragraph 21 above, the Secretariat continued its cooperation with BMZ to promote the use of the UNCITRAL Transparency Standards in South-East Europe.

## C. International commercial law moot competitions

### 1. Willem C. Vis International Commercial Arbitration Moot

73. The Secretariat supported the organization of 28th Willem C. Vis International Commercial Arbitration Moot, co-sponsored by the Commission. Its oral arguments took place from 27 March to 1 April 2021 (with a virtual Dachgeschoss, including more than 10 booths, operated successfully as a place to meet, exchange and network with more than 2350 visitors).<sup>34</sup> In preparation for the Moot, there were around 50 preparatory pre-moots, held virtually. The winning team in oral arguments was the Bucerius Law School.

74. A total of 385 teams, comprising more than 3,600 students, arbitrators and coaches from 80 jurisdictions, participated in the written part of the competition. 62 per cent of all participating students were female, pointing towards diversity in the future pool of arbitrators. The virtual oral arguments involved more than 1,100 arbitrators and 1,000 coaches.

75. The oral arguments of the 18th Willem C. Vis (East) International Commercial Arbitration Moot took place from 14 to 21 March 2021 with 147 teams from 37 jurisdictions, with roughly 60 per cent of the students being female. The winning team was the Fordham University School of Law.

### 2. Additional moots

#### *Moot Madrid – XII Competición Internacional de Arbitraje y Derecho Mercantil*

76. The Carlos III University of Madrid organized the Thirteenth International Commercial Arbitration Competition in Madrid (co-sponsored by the Commission), with oral hearings from 12 to 16 April 2021, with 31 teams from 12 countries and 174 arbitrators. The winning team was the Universidad Peruana de Ciencias Aplicadas.

#### *Frankfurt Investment Moot Court*

77. The 13th Frankfurt Investment Arbitration Moot Court (FIAMC), co-organized by the Max Planck Institute for European Legal History and Morgan, Lewis & Bockius LLP, co-sponsored by the Commission, took place from 8 to 19 March, accompanied by several side events. Over 160 students representing 43 teams from 23 countries, and 60 coaches and arbitrators participated in the global oral rounds. More than 90 teams participated in pre-moots and Chinese and Indian national rounds. 55 per cent of the students were female, pointing towards diversity in the future pool of arbitrators. The winning team was the National University of Singapore.

#### *VIII International Investment Moot*

78. The Spanish-language VIII International Investment Moot co-organized by the American University College of Law (AUWCL) Center and the Research Group on Contracts and International Dispute Settlement (CYRCI) and co-sponsored by the Commission, took place at the Universidad Externado de Colombia from 23 to 27 March 2021, with teams from 12 universities from 5 Latin-American countries. The winning team was the National University of Colombia.

#### *The Foreign Direct Investment International Arbitration Moot*

79. The Foreign Direct Investment Arbitration Moot is an annual competition organized by the Center for International Legal Studies, in cooperation with the Suffolk University Law School, the Pepperdine University Law School, the Centre of European Law and the German Institution of Arbitration. The UNCITRAL Arbitration

<sup>34</sup> Although the dates of the oral arguments fall outside the reporting period, the Secretariat's participation in the Moot preparations takes place from the autumn of the previous year until those dates. The Secretariat therefore reports all Moot-related activities together.

Rules apply to the proceedings of the 2020 Moot hypothetical case, which took place online from October to November 2020 with 78 teams from 12 countries. The highest ranked team was the University of Malaya.

*Second Annual Arabic Moot Competition*<sup>35</sup>

80. The SCCA Arabic Moot, held in cooperation with UNCITRAL and CLDP, brought together 54 participating teams representing 36 universities from 26 cities across the Gulf Cooperation Council countries, which took place from 4–8 April 2021. The Secretariat participated in events at the Moot on 4 and 8 April.

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<sup>35</sup> Ibid.