

REFERENC... TECHNOLOGY UNIT  
please refer...



# UNITED NATIONS GENERAL ASSEMBLY



Distr.  
GENERAL

A/CN.9/153  
24 February 1978

ORIGINAL: ENGLISH

UNITED NATIONS COMMISSION ON  
INTERNATIONAL TRADE LAW  
Eleventh session  
New York, 30 May-16 June 1978

## PROVISIONAL AGENDA, ANNOTATIONS THERETO, AND TENTATIVE SCHEDULE OF MEETINGS

### Note by the Secretary-General

#### I. PROVISIONAL AGENDA

1. Opening of the session
2. Election of officers
3. Adoption of the agenda; tentative schedule of meetings
4. International sale of goods
5. International payments
6. Programme of work of the Commission
7. Training and assistance in the field of international trade law
8. Future work
9. Other business
10. Date and place of the twelfth session
11. Adoption of the report of the Commission

#### II. ANNOTATIONS TO THE PROVISIONAL AGENDA

##### Item 1. Opening of the session

The eleventh session will be held at United Nations Headquarters in New York

78-03424

/...

from 30 May to 16 June 1978. The session will be opened on Tuesday, 30 May 1978, at 10.30 a.m., by the representative of the Secretary-General, who will also preside over the election of a chairman.

Item 2. Election of officers

Pursuant to a decision taken by the Commission at its first session, the Commission elects a chairman, three vice-chairmen and a rapporteur.

Item 3. Adoption of the agenda; tentative schedule of meetings

In planning the work of its eleventh session, the Commission, at its tenth session, decided that the eleventh session should be of three weeks' duration provided that its Working Group on the International Sale of Goods completed in 1977 its work on the preparation of draft provisions on the formation and validity of contracts for the international sale of goods. Since the Working Group completed this task in 1977, the eleventh session of the Commission is scheduled to last three weeks.

Monday, 29 May 1978, is a legal holiday in the United States. For this reason the eleventh session commences on Tuesday, 30 May 1978. However, in order to provide the Commission with 15 working days during its eleventh session, the tentative schedule of meetings makes provision for morning and afternoon meetings on Saturday, 10 June 1978 (see sect. III below).

Item 4. International sale of goods

The Working Group on the International Sale of Goods held its ninth session at Geneva from 19 to 30 September 1977. At that session, the Working Group completed the preparation of draft provisions on the formation and validity of contracts for the international sale of goods. At its tenth session, the Commission decided that at its eleventh session, in conjunction with its consideration of the draft provisions on the formation and validity of contracts for the international sale of goods, "it would consider the question whether the rules on formation and validity of contracts should be the subject matter of a convention separate from the Convention on the International Sale of Goods and, if so, whether the two conventions should be submitted to one and the same conference of plenipotentiaries or to two separate conferences".

The Commission will have before it the following documents concerning this item:

- (i) A/CN.9/142 and Add.1: Report of the Working Group on the International Sale of Goods on the work of its ninth session. The addendum reproduces the text of a draft Convention on the Formation of Contracts for the International Sale of Goods as approved by the Working Group.
- (ii) A/CN.9/143: Text of the draft of a law for the unification of certain rules relating to validity of contracts of international sale of goods, prepared by the International Institute for the Unification of Private

/...

Law (UNIDROIT). This document is circulated by the Secretary-General at the request of the Working Group on the International Sale of Goods made at its ninth session.

- (iii) A/CN.9/144: Commentary on the draft Convention on the Formation of Contracts for the International Sale of Goods. This commentary has been prepared and circulated by the Secretary-General in response to a request made by the Working Group on the International Sale of Goods at its ninth session.
- (iv) A/CN.9/145: Incorporation of the provisions of the draft Convention on the Formation of Contracts for the International Sale of Goods into the draft Convention on the International Sale of Goods: analysis of drafting problems. This document was prepared by the Secretariat upon a request made by the Working Group on the International Sale of Goods at its ninth session.
- (v) A/CN.9/146: Analytical compilation of comments by Governments and international organizations on the draft Convention on the Formation of Contracts for the International Sale of Goods and on the UNIDROIT draft law for the unification of certain rules relating to validity of contracts of international sale of goods.

#### Item 5. International payments

The Working Group on International Negotiable Instruments held its fifth session at United Nations Headquarters in New York from 18 to 29 July 1977. At that session the Working Group began consideration of the revised text of the draft uniform law on international bills of exchange and international promissory notes, prepared by the Secretariat on the basis of the deliberations and decisions of the Working Group as recorded in its reports on the work of its four previous sessions.

In the course of its fifth session, the Working Group approved articles 1 to 23 of the draft uniform law and commenced consideration of article 24. The Working Group also decided to propose to the Commission that the uniform provisions governing international bills of exchange and international promissory notes should be set forth in the form of a convention. The Commission will have before it the report of the Working Group on the work of its fifth session (A/CN.9/141).

The sixth session of the Working Group was held in Geneva from 3 to 13 January 1978. At that session the Working Group continued its consideration of the revised text of the draft Convention Governing International Bills of Exchange and International Promissory Notes and approved articles 24 to 53 of the draft Convention. The Commission will have before it the report of the Working Group on the work of its sixth session (A/CN.9/147).

#### Item 6. Programme of work of the Commission

Pursuant to a decision taken by the Commission at its ninth session, the Secretary-General has prepared a report on the possible contents of a new programme

/...

of work of the Commission (A/CN.9/149 and annexes thereto). The Commission will also have before it a report of the Secretary-General on the current activities of other international organizations in the field of international trade law (A/CN.9/151).

Item 7. Training and assistance in the field of international trade law

The Commission will have before it a note by the Secretary-General on this subject (A/CN.9/152). That note sets forth the views of the General Assembly on the financing of future UNCITRAL symposia on international trade law.

Item 8. Future work

Sessions of Working Groups

The Commission may wish to agree upon a schedule of sessions for its Working Groups for the period between the Commission's eleventh and twelfth sessions:

(i) Working Group on the International Sale of Goods

The Commission may wish to consider the status of its Working Group on the International Sale of Goods, since at the end of its ninth session that Working Group had completed its work in respect of the formation and validity of contracts for the international sale of goods.

(ii) Working Group on International Negotiable Instruments

The Commission may wish to establish the time for the Working Group's seventh session. Under the system of alternating Commission and Working Group sessions between New York and Geneva the seventh session of the Working Group should be held at United Nations Headquarters in New York.

Item 9. Other business

(a) The Commission may wish, under this item, to take note of General Assembly resolution 32/145 of 16 December 1977 on the report of the United Nations Commission on International Trade Law on the work of its tenth session and of General Assembly decision 32/438 of 16 December 1977 on the United Nations Conference on the Carriage of Goods by Sea. Copies of the resolution, the decision and the report of the Sixth Committee (A/32/402) will be made available at the present session.

(b) The Commission will have before it a note by the Secretary-General concerning the United Nations Conference on the Carriage of Goods by Sea, held at Hamburg, Federal Republic of Germany, from 6 to 31 March 1978 (A/CN.9/150).

(c) The Commission will also have before it a letter from the Chairman of the Commission on Transnational Corporations, in response to the offer by the

/...

Commission, made at its eighth session, to undertake work of a legal nature on subjects that may be referred to it by the Commission on Transnational Corporations (A/CN.9/148).

(d) At its tenth session, the Commission considered issues related to the proposed transfer of the International Trade Law Branch from New York to Vienna in 1979 and decided to revert to this matter at the present session.

(e) Volume VII of the Yearbook of the Commission was issued in English in 1977. Copies, also in French, Russian and Spanish if issued by the time of the eleventh session, will be made available to representatives at the present session.

Item 10. Date and place of the twelfth session

In accordance with paragraph 6 of General Assembly resolution 2205 (XXI), the sessions of the Commission are held alternately in New York and in Geneva. The twelfth session of the Commission is therefore expected to be held in Geneva. Information regarding dates available for that session will be supplied by the Secretariat.

Item 11. Adoption of the report of the Commission

The General Assembly, in paragraph 10 of resolution 2205 (XXI), decided that the Commission should submit an annual report to the General Assembly, and that the report should be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Under a decision of the Sixth Committee (A/7408, para. 3), the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer designated by him.

III. TENTATIVE SCHEDULE OF MEETINGS

Tuesday, 30 May	a.m.	Opening of the session Election of the Chairman Adoption of the agenda; tentative schedule of meetings Draft Convention on the Formation of Contracts for the International Sale of Goods
	p.m.	Election of the Vice-Chairmen and the Rapporteur Draft Convention on the Formation of Contracts for the International Sale of Goods ( <u>continued</u> )

/...

Wednesday, 31 May  
to  
Saturday, 10 June

Monday, 12 June  
to  
Wednesday, 14 June

Thursday, 15 June

Friday, 16 June

a.m.

p.m.

Draft Convention on the Formation of  
Contracts for the International Sale  
of Goods (continued)

International payments  
Programme of work of the Commission  
Training and assistance in the field of  
international trade law

Future work

Other business

Date and place of the twelfth session

No meeting unless required  
(Preparation of the Commission's report)

Adoption of the report of the Commission

-----