

V. CO-ORDINATION OF WORK*

A. Report of the Secretary-General: current activities of international organizations related to the harmonization and unification of international trade law (A/CN.9/202 and Add.1, 2, 3 and 4)**

CONTENTS

	<i>Paragraphs</i>		<i>Paragraphs</i>
[A/CN.9/202]		IV. TRANSNATIONAL CORPORATIONS	
INTRODUCTION	1-5	A. Role of transnational corporations	62
[A/CN.9/202/Add.1]		B. Code of conduct	63-64
I. INTERNATIONAL CONTRACTS		C. Principles concerning multinational enterprises	65
A. International sales of goods	1	D. Publication and research	66-70
B. Codification of international trade law	2-4	V. TRANSFER OF TECHNOLOGY	
C. Counter-trade practices	5-7	A. International code of conduct on transfer of technology	71-76
D. Contract forms, standard and model contracts and general conditions		B. Industrial property system	77
1. Contract form for pepper	8-9	C. Technology licence agreements: model law	78
2. Standard contracts/general conditions for tropical hardwood trade	10	D. Publication	79-83
3. Cost plus fee contracts	11-13	VI. INDUSTRIAL AND INTELLECTUAL PROPERTY LAW	
4. "Standard" contracts	14-15	A. Work of WIPO	
5. Publishing contracts	16-17	1. Industrial property and patent information	84-95
6. General conditions governing technical standards of maintenance of machines, equipment and other goods	18	2. Copyright and neighbouring rights activities	96-114
7. General conditions of delivery of goods	19-23	3. Registration activities in the field of industrial property	115-117
8. General conditions of sale of milk	24	B. Work of CMEA	118
E. International trade terms and standards		C. Work of EFTA	
1. Incoterms	25	1. Patents	119-120
2. Terms dealing with containerized and combined transport	26	2. Trademarks	121
3. Coding terms of payment	27-28	D. Work of OAS: the Inter-American Juridical Committee	122-128
4. GATT standards code	29	E. Work of ECE	129-130
5. International standards	30	VII. INTERNATIONAL PAYMENTS	
F. Model clauses		A. Documentary credits	
1. <i>Force majeure</i> and hardship clauses	31-32	1. Revision of Uniform Customs and Practice for Documentary Credits (UCP)	131-132
2. Limited liability clauses	33	2. Standard application form for documentary credits	133
3. Penalty clauses	34	B. Rules for foreign exchange contracts	134-135
4. Terms of avoidance in contracts	35	C. Negotiable instruments	136
G. Trade usages	36	[A/CN.9/202/Add.2]	
II. COMMODITIES		VIII. INTERNATIONAL TRANSPORT	
A. Commodity agreements	37-41	A. Transport by sea and related issues	1-36
B. Informal commodity arrangements and guidelines	42-45	1. International shipping legislation	1-2
III. INDUSTRIALIZATION		2. Charter-parties	3-4
A. UNIDO model contracts for the fertilizer industry	46-47	3. Marine insurance contracts	5-10
B. Industrial, scientific and technical co-operation	48-54	4. Open registry shipping	11-12
C. Draft guide for drawing up international contracts on consulting engineering, including related aspects of technical assistance	55-57	5. Implementation of the Convention on a Code of Conduct for Liner Conferences ...	13-15
D. Publication	58-61		

* For consideration by the Commission see Report, chapter VI (part one, A, above).

** Referred to in Report, para. 88 (part one, A, above).

	<i>Paragraphs</i>		<i>Paragraphs</i>
6. Model rules for regional associations and joint ventures in the field of maritime transport	16	2. Powers of attorney	93-95
7. Treatment of foreign merchant vessels in ports	17	B. Company law	96-97
8. Freight forwarding	18	C. Protection of the acquisition in good faith of corporeal movables	98-103
9. "Baltim-Konstantza-78"	19	D. Rights of creditors	104-107
10. Maritime Fraud	20-23	E. Sales to consumers	108-110
11. Carriage of noxious and hazardous substance by sea: draft convention on liability and compensation	24	F. Consumer protection	111
12. "AMOCO CADIZ" disaster: legal questions	25-26	G. Contract guarantees, guidelines on simple demand guarantees and surety contracts	112-115
13. Convention on Civil Liability for Oil Pollution Damage	27	H. Collections	116-117
14. Civil liability for damage caused by small craft	28	I. International factoring	118-121
15. Maritime liens and mortgages	29	J. International leasing	122-127
16. General average	30	K. Restrictive business practices	128-130
17. Seminars	31	1. Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices	128-129
18. Technical assistance	32	2. Model law or laws on restrictive business practices	130
19. Carriage of goods by inland waterway	33-36	L. Multinational marketing enterprises	131-132
B. Transport over land and related issues	37-44	M. Conventions and schemes to promote trade	133
1. Civil liability for damage caused by hazardous cargoes	37-39	N. Labour	134-136
2. Harmonization of frontier control of goods	40-42	1. Work directed at the adoption of international labour conventions or recommendations	135
3. Customs transit	43-44	2. Preparation of codes of practice, guides and manuals	136
C. Transport by air	45	O. International standards for foods	137
D. Liability of international terminal operators	46-58	P. Most-favoured-nation clause	138-143
E. Multimodal transport	59-61	Q. Jurisdictional immunities of States and their property	144
F. International agreement on container standards	62-63	R. Proposed treaty for the establishment of a preferential trade area for eastern and southern African States	145
IX. INTERNATIONAL ARBITRATION		S. GATT's new programme of work	146
A. Activities concerning specialized types of arbitration	64-72	XIII. FACILITATION OF INTERNATIONAL TRADE	
1. Arbitration in the field of international contracts of building construction	64-66	A. Facilitation of international trade procedures ...	147-156
2. Arbitration and competition law	67	1. Trade data elements directory	147-151
3. Arbitration and related contracts	68	2. Trade data interchange	152-153
4. Interlocutory arbitration	69-70	3. Alignment of trade documents	154-156
5. Disputes arising from economic, scientific and technical co-operation	71-72	B. Trade facilitation information	157
B. Furtherance of arbitration on the regional level	73-76	XIV. ACCESS TO JUSTICE AND VALIDITY OF FOREIGN JUDGEMENTS AND ARBITRAL AWARDS	
C. Future work on arbitration	77	A. Mutual judicial assistance	158
D. Publication and research	78-79	B. Inter-American Convention on Extraterritorial Validity of Foreign Judgements and Arbitral Awards	159
X. PRODUCTS LIABILITY	80-82	XV. TRAINING AND RESEARCH ON ISSUES CONCERNING THE ESTABLISHMENT OF THE NEW INTERNATIONAL ECONOMIC ORDER	160-167
XI. PRIVATE INTERNATIONAL LAW			
A. Work of EEC	83		
B. Work of the Hague Conference on Private International Law	84		
C. Work of ICC	85		
D. Work of OAS	86		
E. Work of UNIDROIT	87		
XII. OTHER TOPICS OF INTERNATIONAL TRADE LAW			
A. Agency	88-95		
1. Agency: certain aspects of international agency relations in the context of sale of goods	88-92		
		[A/CN.9/202/Add.3]	<i>Page</i>
		RECENT AND CURRENT ACTIVITIES OF THE INTERNATIONAL LAW COMMISSION WHICH MAY BEAR UPON QUESTIONS RELATED TO THE FIELD OF INTERNATIONAL TRADE LAW	231
		[A/CN.9/202/Add.4]	
		CURRENT ACTIVITIES OF THE EUROPEAN COMMUNITIES IN THE FIELD OF INTERNATIONAL TRADE LAW	235

- [A/CN.9/202*]

INTRODUCTION

1. The United Nations Commission on International Trade Law (UNCITRAL), at its third session, requested the Secretary-General "to submit reports to the annual session of the Commission on the current work of international organizations in matters included in the programme of work of the Commission."¹

2. In accordance with the above decision reports** were submitted to the Commission at the fourth session in 1971 (A/CN.9/59), at the fifth session in 1972 (A/CN.9/71), at the sixth session in 1973 (A/CN.9/82), at the seventh session in 1974 (A/CN.9/94 and Add.1-2), at the eighth session in 1975 (A/CN.9/106), at the ninth session in 1976 (A/CN.9/119), at the tenth session in 1977 (A/CN.9/129 and Add.1), at the eleventh session in 1978 (A/CN.9/151), at the twelfth session in 1979 (A/CN.9/175) and at the thirteenth session in 1980 (A/CN.9/192 and Add.1-2).

3. At its thirteenth session, the Commission was of the view that the co-ordination of the legal activities of United Nations bodies took on a particular importance at a time when these bodies were increasingly active in the elaboration and adoption of legal rules. It was felt that more information was required about the programmes and terms of reference of the various United Nations organs before it would be possible to recommend a concrete course of action.²

4. The Commission therefore requested its Secretariat to submit to it at its next annual session complete information on the activities of other organs and international organizations.³ In response to the request this report has been prepared for the fourteenth session (1980). In this connexion, it may be noted that a report of the Secretary-General (A/CN.9/203)*** has also been prepared for the fourteenth session, which in part deals with the question of co-ordination.

* 26 May 1981.

** Yearbook references for reports mentioned in this paragraph are as follows:

A/CN.9/82: Yearbook . . . 1973, part two, V
A/CN.9/94 and Add.1-2: Yearbook . . . 1974, part two, V
A/CN.9/106: Yearbook . . . 1975, part two, VIII
A/CN.9/119: Yearbook . . . 1976, part two, VI
A/CN.9/129 and Add.1: Yearbook . . . 1977, part two, VI, A and B
A/CN.9/151: Yearbook . . . 1978, part two, V
A/CN.9/175: Yearbook . . . 1979, part two, VI
A/CN.9/192 and Add.1-2: Yearbook . . . 1980, part two, VI.

*** Reproduced in this volume, part two, V, B.

¹ Report of the United Nations Commission on International Trade Law on the work of its third session, *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 17* (A/8017), para. 172 (Yearbook . . . 1968-1970, part two, III, A).

² Report of the United Nations Commission on International Trade Law on the work of its thirteenth session, *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 17* (A/35/17), para. 149 (Yearbook . . . 1980, part one, II, A).

³ *Ibid.*, para. 150.

5. The work of the following organizations are described in the present report:

(a) *United Nations bodies and specialized agencies*

CTC	Centre on Transnational Corporations A/CN.9/202/Add.1, paras. 62, 65-68
UNCTAD	United Nations Commission on Trade and Development A/CN.9/202/Add.1, paras. 37-38, 53, 71, 76-77, 128 A/CN.9/202/Add.2, paras. 1, 6-8, 11-18, 30-32, 42, 59-63, 128-132
CTN	Commission on Transnational Corporations A/CN.9/202/Add.1, paras. 63-65
ECA	Economic Commission for Africa A/CN.9/202/Add.2, para. 145
ECE	Economic Commission for Europe A/CN.9/202/Add.1, paras. 5-7, 24, 27, 55-59, 129-130 A/CN.9/202/Add.2, paras. 33-35, 40-44, 80, 147-155, 157
ESCAP	Economic and Social Commission for Asia and the Pacific A/CN.9/202/Add.1, paras. 8-10 A/CN.9/202/Add.2, para. 2
ECOSOC	Economic and Social Council A/CN.9/202/Add.2, para. 62
UNESCO	United Nations Educational, Scientific and Cultural Organization A/CN.9/202/Add.1, paras. 98, 108, 114
FAO	Food and Agriculture Organization of United Nations A/CN.9/202/Add.1, paras. 42-45 A/CN.9/202/Add.2, para. 42
GATT	General Agreement on Tariffs and Trade A/CN.9/202/Add.1, para. 29 A/CN.9/202/Add.2, para. 146
UNIDO	United Nations Industrial Development Organization A/CN.9/202/Add.1, paras. 46-47, 58-59
UNITAR	United Nations Institute for Training and Research A/CN.9/202/Add.2, paras. 160-166
IMCO	Inter-Governmental Maritime Consultative Organization A/CN.9/202/Add.1, para. 27 A/CN.9/202/Add.2, paras. 20-22, 24-27, 37, 42

- ICSID International Centre for Settlement of Investment Disputes
A/CN.9/202/Add.2, paras. 73-75
- ICAO International Civil Aviation Organization
A/CN.9/202/Add.2, paras. 45, 82
- ILO International Labour Organisation
A/CN.9/202/Add.1, paras. 65, 109, 114
A/CN.9/202/Add.2, paras. 134-136
- ILC International Law Commission
A/CN.9/202/Add.2, paras. 138-144
- WHO World Health Organization
A/CN.9/202/Add.2, paras. 42, 136
- WIPO World Intellectual Property Organization
A/CN.9/202/Add.1, paras. 78-80, 84-117, 128
- (b) *Other international organizations*
- AALCC Asian-African Legal Consultative Committee
A/CN.9/202/Add.2, paras. 73-75
- CARICOM Caribbean Community
A/CN.9/202/Add.2, paras. 96-97
- OCTI Central Office for International Railway Transport
A/CN.9/202/Add.1, para. 27
- CE Council of Europe
A/CN.9/202/Add.1, paras. 14-17
A/CN.9/202/Add.2, paras. 104-107, 109-111, 115
- CMEA Council for Mutual Economic Assistance
A/CN.9/202/Add.1, paras. 18-23, 48-52, 118
A/CN.9/202/Add.2, paras. 19, 71-72, 156
- CCC Customs Co-operation Council
A/CN.9/202/Add.1, para. 27
A/CN.9/202/Add.2, paras. 42, 44
- The Hague Conference The Hague Conference on Private International Law
A/CN.9/202/Add.1, paras. 1, 136
A/CN.9/202/Add.2, paras. 77, 84, 108, 121, 158
- Inter-American Juridical Committee
A/CN.9/202/Add.1, paras. 70, 83, 122, 124-127
- UNIDROIT International Institute for the Unification of Private Law
A/CN.9/202/Add.1, paras. 2-4
A/CN.9/202/Add.2, paras. 33-39, 46-58, 80-81, 87-95, 98-103, 118-127
- EEC European Economic Community
A/CN.9/202/Add.1, para. 27
A/CN.9/202/Add.2, paras. 42, 44, 83
- EPO European Patent Organization
A/CN.9/202/Add.1, para. 119
- EFTA European Free Trade Association
A/CN.9/202/Add.1, paras. 54, 119-121
A/CN.9/202/Add.2, para. 133
- OAS Organization of American States
A/CN.9/202/Add.1, paras. 60, 69, 81-82, 123, 125, 128
A/CN.9/202/Add.2, paras. 86, 159
- OECD Organisation for Economic Co-operation and Development
A/CN.9/202/Add.1, para. 65
A/CN.9/202/Add.2, para. 42
- (c) *International non-governmental organizations*
- Institute of International Business Law and Practice
A/CN.9/202/Add.1, paras. 11-13, 36
A/CN.9/202/Add.2, para. 79
- IBA International Bar Association
A/CN.9/202/Add.2, para. 66
- ICC International Chamber of Commerce
A/CN.9/202/Add.1, paras. 25-27, 31-33, 36, 131-135
A/CN.9/202/Add.2, paras. 8-10, 23, 57, 64-70, 78, 85, 112-117, 121
- ICS International Chamber of Shipping
A/CN.9/202/Add.1, para. 27
- FIATA International Federation of Freight Forwarders Associations
A/CN.9/202/Add.1, para. 27
- ILA International Law Association
A/CN.9/202/Add.2, para. 167
- CMI International Maritime Committee
A/CN.9/202/Add.1, para. 57
- ISO International Organization for Standardization
A/CN.9/202/Add.1, paras. 27, 30
A/CN.9/202/Add.2, para. 42
- IRU International Road Transport Union
A/CN.9/202/Add.1, para. 27
A/CN.9/202/Add.2, paras. 42-44
- (d) *Other organizations*
- Centre for Research on the New International Economic Order
A/CN.9/202/Add.2, para. 167
- Max-Planck Institute
A/CN.9/202/Add.1, para. 4