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UNITED NATIONS COMMISSION ON
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New York, 25 June-11 July 1984

PROVISIONAL AGENDA, ANNOTATIONS THERETO
AND TENTATIVE SCHEDULE OF MEETINGS

Note by the Secretary-General

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening of the session

The seventeenth session will be held at the United Nations Headquarters in New York from 25 June to 11 July 1984.* The session will be opened on Monday, 25 June 1984, at 10.30 a.m., by the representative of the Secretary-General, who will also preside over the election of a Chairman. The Commission is composed of the following member States: Algeria, Australia, Austria, Brazil, Central African Republic, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Guatemala, Hungary, India, Iraq, Italy, Japan, Kenya, Mexico, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Sweden, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, and Yugoslavia.

Item 2. Election of officers

Pursuant to a decision taken by the Commission at its first session, the Commission elects, for each session, a Chairman, three Vice-Chairmen and a Rapporteur.

Item 3. Adoption of the agenda

It is suggested that all items be considered in plenary. Part III of this note sets forth the tentative schedule of meetings.

Item 4. International Payments

(a) Draft Convention on International Bills of Exchange and International Promissory Notes; draft Convention on International Cheques

The Commission, at its fifteenth session, considered possible future courses of action concerning the draft Convention on International Bills of Exchange and International Promissory Notes, and the draft Convention on International Cheques, which had been adopted by the Working Group on International Negotiable Instruments at its eleventh session in 1981. The

***IMPORTANT NOTE: THE SESSION IS SCHEDULED TO END ON 11 JUNE, AND NOT 13 JUNE AS INDICATED IN THE HEADINGS OF DOCUMENTS ISSUED PRIOR TO THE DATE OF THIS DOCUMENT.**

Commission decided to take a final decision on the future course of action at the seventeenth session of the Commission. At its sixteenth session, the Commission decided that it would devote a substantial period of time during its seventeenth session to a substantive discussion of key features and major controversial issues to be identified by the Secretariat in an analysis of comments on the draft Conventions submitted by Governments and international organizations. This decision was taken in the light of the first comments received from Governments and in view of the need to expedite matters, in particular, to assist in the long-term planning of the work programmes of future sessions.

The Commission will have before it an analytical compilation of the comments of Governments and international organizations (A/CN.9/248) and a note by the Secretariat which identifies major controversial and other issues in the light of comments received (A/CN.9/249). Copies of the two draft Conventions (A/CN.9/211 and A/CN.9/212), and the commentaries thereto (A/CN.9/213 and A/CN.9/214), will also be made available.

(b) Electronic funds transfers

The Commission, at its fifteenth session, decided that the Secretariat should begin the preparation of a legal guide on electronic funds transfers.

The Commission will have before it for general observation several draft chapters of the legal guide prepared by the Secretariat (A/CN.9/250 and Add.).

Item 5. International commercial arbitration

(a) Model law

The Working Group held its sixth session at Vienna from 29 August to 9 September 1983, and its seventh session in New York from 6 to 17 February 1984. At its seventh session the Working Group adopted a draft text of a model law on international commercial arbitration.

The Commission will have before it the reports of the Working Group on the work of its sixth and seventh sessions (A/CN.9/245 and A/CN.9/246). The latter report contains the draft text of the model law as adopted by the Working Group. The Commission may wish to decide to circulate the draft text to Governments and interested international organizations for their comments, so that the Commission can take those comments into account before adopting its final text.

(b) UNCITRAL Arbitration Rules

The UNCITRAL Arbitration Rules were adopted in 1976 by the Commission in the English, French, Russian and Spanish languages. Since Arabic and Chinese were later added as official languages of the Commission, it is recommended to adopt the UNCITRAL Arbitration Rules also in these two languages. Arabic and Chinese texts of these Rules will be made available at the session.

Item 6. New international economic order

(a) Industrial contracts

The Working Group held its fifth session in New York from 23 January to 3 February 1984. The Commission will have before it the report of the Working Group on the work of its fifth session (A/CN.9/247).

(b) General Assembly resolution 38/128 of 19 December 1983 on international economic law

In General Assembly resolution 38/128 the Commission was requested to submit relevant information to, and to co-operate fully with, the United Nations Institute for Training and Research (UNITAR) in its study on the progressive development of the principles and norms of international law relating to the new international economic order. Copies of the resolution will be made available at the present session. The Commission may wish to note that the Secretariat will continue to co-operate with UNITAR by supplying information concerning the activities of UNCITRAL.

Item 7. Operators of transport terminals

The Commission, at its sixteenth session, decided to include the topic of liability of operators of transport terminals in its programme of work, to request the International Institute for the Unification of Private Law (UNIDROIT) to transmit its preliminary draft Convention on this topic to the Commission for its consideration, and to assign work on the preparation of uniform rules on this topic to a Working Group. The Commission deferred to the present session the decision on the composition of the Working Group. UNIDROIT has transmitted its preliminary draft Convention to the Commission.

The Commission will have before it a study prepared by the Secretariat on important issues arising from the UNIDROIT preliminary draft Convention (A/CN.9/252), to which is annexed the text of the preliminary draft Convention. Copies of the report which was before the Commission at its sixteenth session, discussing the work of UNIDROIT on this topic and certain legal issues connected with the preliminary draft Convention (A/CN.9/236), and an explanatory report of the preliminary draft Convention prepared by the Secretariat of UNIDROIT, will be made available at the seventeenth session.

Item 8. Co-ordination of work

(a) General co-ordination of activities

The Commission will have before it a note by the Secretariat on co-ordination of activities in general in the field of international trade law (A/CN.9/255).

(b) New revision of the Uniform Customs and Practice for Documentary Credits

The International Chamber of Commerce (ICC) has submitted to the Commission the 1983 revised version of its Uniform Customs and Practice for Documentary Credits (UCP), together with a request that the Commission consider recommending the use of the 1983 revised version in international trade, as the Commission had done in respect of the 1962 and 1974 revisions.

The Commission will have before it a note by the Secretariat containing an explanatory note prepared by the ICC Secretariat on the 1983 revision of UCP, and the text of the 1983 revision (A/CN.9/251). Copies of an earlier note by the Secretariat presenting certain background information relating to the revisions of UCP, and the co-operation between the Commission and the ICC in connection with these revisions (A/CN.9/229), will also be made available.

(c) Legal aspects of automatic data processing

The Commission will have before it a report of the Secretary-General on possibilities for the co-ordination of activities concerning legal aspects of automatic data processing (A/CN.9/254).

(d) Current activities in the field of barter-like transactions

The Commission will have before it a report on the subject (A/CN.9/253).

Item 9. Status of conventions

The Commission, at its thirteenth session, decided that it would consider, at each of its sessions, the status of conventions that were the outcome of work carried out by it.

The Commission will have before it a note by the Secretary-General concerning the present status of these conventions (A/CN.9/257).

Item 10. Training and assistance

The Commission will have before it a note by the Secretary-General on this subject (A/CN.9/256).

Item 11. Relevant General Assembly resolutions

(a) General Assembly resolutions on the work of the Commission

The Commission may wish to take note of General Assembly resolutions 38/134 of 19 December 1983 on the Report of the United Nations Commission on International Trade Law on the work of its sixteenth session and 38/135 of 19 December 1983 on uniform rules on contract clauses for an agreed sum due upon failure of performance, adopted by the United Nations Commission on International Trade Law. Copies of the resolutions and the report of the Sixth Committee (A/38/667) will be made available at the present session.

(b) General Assembly resolution on international economic law

See item 6 (b).

Item 12. Future work

(a) Date and place of the eighteenth session

The eighteenth session will be held at Vienna. Information regarding dates available for that session will be supplied by the Secretariat.

(b) Sessions of Working Groups

The Commission may wish to agree upon a schedule of sessions for its Working Groups for the period between its seventeenth and eighteenth sessions.

(i) Working Group on International Negotiable Instruments

The Commission may wish to decide whether it wishes to schedule any further session of the Working Group before the eighteenth session of the Commission.

(ii) Working Group on International Contract Practices

The Commission may wish to decide whether it wishes to assign to the Working Group the topic of operators of transport terminals.

(iii) Working Group on the New International Economic Order

The recommendation by the Working Group as to its sixth and seventh sessions are contained in the report of the Working Group on the work of its fifth session (A/CN.9/247).

Item 13. Other business

The Commission, at its sixteenth session, requested the Secretariat to consider means by which information regarding court decisions interpreting the conventions prepared by the Commission could be widely disseminated. The Secretariat has been considering various methods to achieve the widest possible dissemination of court and arbitral decisions interpreting or applying legal texts elaborated or adopted by UNCITRAL, in order to promote uniformity in such interpretation and application. The Secretariat will continue to investigate such methods and report thereon to the next session.

The Commission will have before it a note by the Secretariat (A/CN.9/XVII/R.1) concerning the current situation of the UNCITRAL Law Library.

Item 14. 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, paragraph 3), the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer of the Bureau designated by him.

III. TENTATIVE SCHEDULE OF MEETINGS

June 25 (Monday)	10.30 - 13.00	Opening of the session (agenda item 1)
		Election of officers (agenda item 2)
	15.00 - 18.00	Adoption of the agenda (agenda item 3)
		International commercial arbitration (agenda item 5)
June 26 (Tuesday)	10.00 - 13.00	International negotiable instruments (agenda item 4 (a))
		International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
June 27 (Wednesday)	10.00 - 13.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
June 28 (Thursday)	10.00 - 13.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
June 29 (Friday)	10.00 - 13.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
July 2 (Monday)	10.00 - 13.00	International negotiable instruments (continued)
		International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
		International negotiable instruments (continued)

July 3 (Tuesday)	10.00 - 13.00	International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
July 4 (Wednesday)	(no meeting scheduled, United Nations holiday)	
July 5 (Thursday)	10.00 - 13.00	International negotiable instruments (continued)
	15.00 - 18.00	International negotiable instruments (continued)
July 6 (Friday)	10.00 - 13.00	Co-ordination of work (agenda item 8 (b) and (c))
	15.00 - 18.00	Electronic funds transfer (agenda item 4 (b))
July 9 (Monday)	10.00 - 13.00	Operators of transport terminals (agenda item 7)
	15.00 - 18.00	Electronic funds transfers (agenda item 4 (b))
		New international economic order (agenda item 6 (a) and (b))
		Co-ordination of work (agenda item 8 (a) and (d))
July 10 (Tuesday)	10.00 - 13.00	Status of conventions (agenda item 9)
		Training and assistance (agenda item 10)
		Relevant General Assembly resolutions (agenda item 11)
		Future work (agenda item 12)
		Other business (agenda item 13)
	15.00 - 18.00	(no meeting scheduled, preparation of report)
July 11 (Wednesday)	10.00 - 13.00	(no meeting scheduled, preparation of report)
	14.00 - 17.00	Adoption of report (agenda item 14)