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PROVISIONAL AGENDA, ANNOTATIONS THERETO
AND TENTATIVE SCHEDULE OF MEETINGS

Note by the Secretariat

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening of the session

The eighteenth session will be held at the Vienna International Centre from 3 to 21 June 1985. The session will be opened on Monday, 3 June 1985, at 10.30 a.m. 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 IV of this note sets forth the tentative schedule of meetings.

Item 4. International commercial arbitration

The Commission, at its seventeenth session, requested the Secretary-General to transmit the draft text of a model law on international commercial arbitration, which had been adopted by the Working Group on International Contract Practices, to all Governments and interested international organizations for their comments, and to prepare an analytical compilation of the comments received and a commentary on the draft text of a model law for submission to the eighteenth session of the Commission. The Commission also decided to consider the draft text at its eighteenth session in the light of comments received from Governments and interested international organizations, with a view towards finalizing and adopting the text of a model law on international commercial arbitration.

The Commission will have before it an analytical compilation of the comments of Governments and international organizations (A/CN.9/263 and Add.1) and a commentary on the draft text of a model law (A/CN.9/264). Copies of the reports of the Working Group on its third, fourth, fifth, sixth and seventh sessions (A/CN.9/216, A/CN.9/232, A/CN.9/233, A/CN.9/245 and A/CN.9/246) will also be made available at the present session, as will copies of the draft text of a model law, which is also contained in the annex to A/CN.9/246.

Item 5. International payments

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

The Commission, at its seventeenth session, decided to entrust its Working Group on International Negotiable Instruments with the task of revising and improving the draft Convention on International Bills of Exchange and International Promissory Notes, and requested the Working Group to submit a progress report to the eighteenth session of the Commission.

The Working Group held its thirteenth session in New York from 7 to 18 January 1985. The Commission will have before it the report of the Working Group on the work of its thirteenth session (A/CN.9/261).

(b) Electronic funds transfers

The Commission, at its seventeenth session, instructed the Secretariat to complete its work on a legal guide on electronic funds transfers, and decided that at its eighteenth session the Commission should consider the question of further work on this topic.

The Commission will have before it the remaining draft chapters of the legal guide prepared by the Secretariat, i.e. those on "Finality of funds transfer" and on "Legal issues raised by electronic funds transfers" (A/CN.9/266 and Add.1 and 2). Copies of the draft chapters which were submitted to the seventeenth session of the Commission will also be made available at the present session. The Commission may wish to decide to circulate the complete set of draft chapters of the legal guide to Governments and interested international organizations for their comments and to authorize the Secretariat, in co-operation with the UNCITRAL Study Group on International Payments, to finalize the legal guide in the light of these comments for adoption by the Commission at its nineteenth session (1986).

Item 6. New international economic order: industrial contracts

The Working Group on the New International Economic Order held its sixth session at Vienna from 10 to 20 September 1984, and will hold its seventh session in New York from 8 to 19 April 1985. The Commission will have before it the reports of the Working Group on the work of its sixth and seventh sessions (A/CN.9/259 and A/CN.9/262). The Commission will also have before it a note by the Secretariat which incorporates the recommendation of the Asian-African Legal Consultative Committee as to work by the Commission in this field (A/CN.9/268).

Item 7. Operators of transport terminals

The Commission, at its seventeenth session, decided to assign to its Working Group on International Contract Practices the task of formulating uniform legal rules on the liability of operators of transport terminals.

The Working Group held its eighth session at Vienna from 3 to 13 December 1984. The Commission will have before it the report of the Working Group on the work of its eighth session (A/CN.9/260).

Item 8. Co-ordination of work

(a) General co-ordination of activities

The Secretary of the Commission will orally report to the Commission on the co-ordination of activities in general in the field of international trade law.

(b) Legal value of computer records

The Commission, at its fifteenth session, requested the Secretariat to submit to some future session a report on the legal value of computer records. In preparation for such a report, the Secretariat prepared and sent to Governments a questionnaire on the use of computer-readable data as evidence in court proceedings.

The Commission will have before it a report of the Secretary-General on the legal value of computer records (A/CN.9/265). An analytical summary of the replies received by the Secretariat to its questionnaire is contained in the annex to the report. The report, in paragraph 82, proposes a recommendation which the Commission may wish to adopt on this subject.

(c) Legal aspects of automatic data processing

The Commission, at its seventeenth session, decided to place the topic of legal aspects of automatic data processing on its programme of work as a priority item. It deferred to its eighteenth session a decision on whether to refer the subject to a Working Group for the purpose of identifying areas where solutions or the establishment of international common understanding would be desirable. In view of the ongoing work programmes of the Working Groups, the Commission may wish to defer further the decision referred to above to the nineteenth session.

(d) Current activities of other international organizations in the field of transfer of technology

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/269).

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 Secretariat concerning the present status of these conventions (A/CN.9/271).

Item 10. Dissemination of decisions concerning UNICTRAL legal texts and uniform interpretation of such texts

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/267).

Item 11. Training and assistance

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/270).

Item 12. General Assembly resolution on the work of the Commission

The Commission may wish to take note of General Assembly resolution 39/82 of 13 December 1984 on the Report of the United Nations Commission on International Trade Law on the work of its seventeenth session. Copies of the resolution and the report of the Sixth Committee (A/39/698) will be made available at the present session.

Item 13. Future work

(a) Date and place of the nineteenth session

The nineteenth session will be held in New York. 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 eighteenth and nineteenth sessions.

(i) Working Group on International Negotiable Instruments

The recommendation by the Working Group as to its fourteenth session is contained in the report of the Working Group on the work of its thirteenth session (A/CN.9/261, paragraph 8).

(ii) Working Group on International Contract Practices

The recommendation by the Working Group as to its ninth session is contained in the report of the Working Group on the work of its eighth session (A/CN.9/260, paragraph 98). The Secretariat has reserved the dates of 6 to 17 January 1986, subject to the approval of the Commission.

(iii) Working Group on the New International Economic Order

The recommendation by the Working Group as to its eighth session will be contained in the report of the Working Group on the work of its seventh session (A/CN.9/262).

Item 15. 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. STATE OF PREPARATION OF DOCUMENTATION FOR THE SESSION

In connection with the implementation of the policies laid down by the General Assembly regarding the control and limitation of documentation, the Secretariat has been instructed to circulate with the annotated agenda for each session a report on the state of preparation of the documentation for the session. As of the date of issuance of this annotated agenda, all documents except those noted in the following paragraph have been submitted to the Documents Control unit in the original English version for translation, processing and issuance. The Secretariat has arranged with the Documents Control unit for exemption from the usual rule that all language versions be issued simultaneously, and for each language version to be issued as soon as it is ready.

A/CN.9/262 will be submitted shortly after the Working Group on the New International Economic Order adopts its report on the work of its seventh session on 19 April 1985. A/CN.9/263/Add.1 has not yet been submitted due to the recent receipt of further comments on the draft text of a model law on international commercial arbitration. Drafts of A/CN.9/266/Add.1 and 2 have been submitted for advance translation; they will be finalized shortly after having been reviewed by the Study Group on International Payments, which meets from 15 to 19 April (see agenda item 5(b)). Submission of A/CN.9/271 will be withheld until shortly before the present session in order to be able to reflect the most recent status of conventions emanating from the work of the Commission.

IV. TENTATIVE SCHEDULE OF MEETINGS

June 3 (Monday)	10.30 - 12.30	Opening of the session (agenda item 1) Election of officers (agenda item 2) Adoption of the agenda (agenda item 3) International commercial arbitration (agenda item 4)
	14.30 - 17.30	International commercial arbitration (continued)
June 4 (Tuesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 5 (Wednesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 6 (Thursday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 7 (Friday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 10 (Monday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 11 (Tuesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 12 (Wednesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)

June 13 (Thursday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 14 (Friday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International commercial arbitration (continued)
June 17 (Monday)	9.30 - 12.30	Legal value of computer records (agenda item 8(b)) Status of conventions (agenda item 9) Dissemination of decisions and uniform interpretation (agenda item 10)
	14.30 - 17.30	International commercial arbitration (continued)
June 18 (Tuesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	Electronic funds transfers (agenda item 5(b)) Co-ordination of work (agenda item 8(a), (c) and (d)) New international economic order (agenda item 6)
June 19 (Wednesday)	9.30 - 12.30	International commercial arbitration (continued)
	14.30 - 17.30	International payments (agenda item 5(a)) Operators of transport terminals (agenda item 7) Training and assistance (agenda item 11) General Assembly resolution (agenda item 12) Future work (agenda item 13) Other business (agenda item 14)
June 20 (Thursday)		(No meeting scheduled, preparation of report)
June 21 (Friday)	9.30 - 12.30	Adoption of report (agenda item 15)
	14.30 - 17.30	Adoption of report (continued, if necessary)