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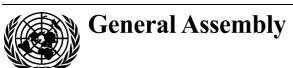
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Draft Convention on the Use of Electronic Communications in International Contracts

Compilation of comments by Governments and international organizations

Addendum

Contents

II. Compilation of comments

A. States

1. Belarus

[Original: Russian]

[14 April 2005]

In article 4, "Definitions", in order to avoid inconsistencies in legal and technical documents, it is proposed that the terms and definitions established in the following international standards be used:

- ISO/IEC 2382. Information technology—Vocabulary—Part 01: Fundamental terms. 01.01.02. **Data**: a reinterpretable representation of information in a formalized manner suitable for communication, interpretation, or processing;

- [State Standard 24402-88. Data message (message): data that has semantic content and is suitable for processing or use by a user of a remote data processing system or computer network];

- ISO/IEC 2382. Information technology—Vocabulary—Part 01: Fundamental terms. 01.01.22. Information system: an information processing system, together with associated organizational resources such as human, technical, and financial resources, that provides and distributes information.

[This paragraph applies only to the Russian version of the text.]

The following wording is proposed for article 10, paragraph 2: "The time of receipt of an electronic communication is the time when it becomes capable of being retrieved in an unmodified state by the addressee at an electronic address."

In order to clarify this latter proposal, the following hypothetical situation might be considered. A communication may be physically received by the addressee, i.e. may reach the server for the electronic address in question. However, it may be impossible to read the communication for a number of reasons, in particular, the encoding may be incompatible or the message may be corrupted.

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