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**United Nations Commission
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Provisional agenda, annotations thereto and scheduling of meetings of the forty-ninth session

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II. Annotations

1. Opening of the session

1. The forty-ninth session of the Commission will be held at the United Nations Headquarters in New York, from 27 June to 15 July 2016 (the United Nations Headquarters is closed on 4 and 6 July 2016).¹ The session will be opened on Monday, 27 June 2016, at 10:30 a.m. (see below, section III, paras. 89 to 95, for more details about the scheduling of meetings). As at 27 June 2016, the United Nations Commission on International Trade Law will be composed of the following member States: Argentina (2022), Armenia (2019), Australia (2022), Austria (2022), Belarus (2022), Brazil (2022), Bulgaria (2019), Cameroon (2019), Canada (2019), Chile (2022), China (2019), Colombia (2022), Côte d'Ivoire (2019), the Czech Republic (2022), Denmark (2019), Ecuador (2019), El Salvador (2019), France (2019), Germany (2019), Greece (2019), Honduras (2019), Hungary (2019), India (2022), Indonesia (2019), Iran (Islamic Republic of) (2022), Israel (2022), Italy (2022), Japan (2019), Kenya (2022), Kuwait (2019), Lebanon (2022), Lesotho (2022), Liberia (2019), Libya (2022), Malaysia (2019), Mauritania (2019), Mauritius (2022), Mexico (2019), Namibia (2019), Nigeria (2022), Pakistan (2022), Panama (2019), the Philippines (2022), Poland (2022), Republic of Korea (2019), Romania (2022), Russian Federation (2019), Sierra Leone (2019), Singapore (2019), Spain (2022), Switzerland (2019), Thailand (2022), Turkey (2022), Uganda (2022), United Kingdom of Great Britain and Northern Ireland (2019), United States of America (2022), Venezuela (Bolivarian Republic of) (2022) and Zambia (2019), and an additional two member States that will be elected by the General Assembly (the one remaining vacancy from the African States and the one remaining vacancy from the Asia-Pacific States).

2. Member States not members of the Commission, non-Member States having received a standing invitation to participate as observers in the sessions and the work of the General Assembly, and international governmental organizations may attend the session as observers and participate in the deliberations. In addition, invited international non-governmental organizations may attend the session as observers and represent the views of their organizations on matters where the organization concerned has expertise or international experience so as to facilitate the deliberations at the session.

2. Election of officers

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

4. Consideration of issues in the area of security interests

(a) Finalization and adoption of a draft Model Law on Secured Transactions

4. At its forty-sixth session, in 2013, the Commission confirmed its decision taken at its forty-fifth session, in 2012, that its Working Group VI (Security

¹ *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, para. 384.

Interests) should prepare a model law on secured transactions based on the recommendations of the UNCITRAL Legislative Guide on Secured Transactions (2007)² (the “Secured Transactions Guide”) and consistent with all texts prepared by UNCITRAL on secured transactions.³

5. At its forty-seventh session, in 2014, the Commission acknowledged the importance of modern secured transactions law for the availability and cost of credit and the need for urgent guidance to States, in particular those with developing economies and economies in transition, and requested the Working Group to expedite its work so as to complete the draft model law on secured transactions (the “draft Model Law”), including the definitions and provisions on non-intermediated securities, and to submit it to the Commission for adoption as soon as possible.⁴

6. At its forty-eighth session, the Commission approved the substance of article 26 of chapter IV of the draft Model Law and articles 1 to 29 of the draft Registry Act (see A/CN.9/852),⁵ and requested the Working Group to expedite its work so as to submit the draft Model Law to the Commission for final consideration and adoption at its forty-ninth session in 2016.⁶

7. At its twenty-eighth and twenty-ninth sessions (Vienna, 12-16 October 2015, and New York, 8-12 February 2016, respectively), the Working Group adopted the draft Model Law (A/CN.9/865 and A/CN.9/871) and, at its twenty-ninth session, decided to submit it to the Commission for consideration and adoption at its forty-ninth session (A/CN.9/871, para. 91).

8. At its forty-ninth session, the Commission will have before it the reports of the twenty-eighth and twenty-ninth sessions of the Working Group (A/CN.9/865 and A/CN.9/871), the draft Model Law (A/CN.9/884 and addenda 1-4) and comments by States on the draft Model Law (A/CN.9/886 and A/CN.9/887).

(b) Consideration of the draft Guide to Enactment of the draft Model Law on Secured Transactions

9. At its forty-eighth, the Commission agreed that a guide to enactment (the “draft Guide to Enactment”) of the draft Model Law should be prepared and referred that task to the Working Group.⁷

10. At its twenty-eighth session, the Working Group noted that, in order to complete the draft Guide to Enactment, it might need an additional one or two sessions, and, at its twenty-ninth session, decided to request the Commission one or two sessions for that purpose (A/CN.9/865, para. 104, and A/CN.9/871, para. 91, respectively).

11. At its forty-ninth session, the Commission will have before it the draft Guide to Enactment (A/CN.9/885 and addenda 1-4).

² United Nations publication, Sales No. E.09.V.12.

³ *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 17 (A/68/17)*, paras. 194 and 332.

⁴ *Ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, para. 163.

⁵ *Ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, para. 214.

⁶ *Ibid.*, para. 216.

⁷ *Ibid.*

(c) Possible future work in the area of security interests and related areas

12. The Commission may wish to recall that, at its forty-eighth session, in 2015, it noted that, at its forty-third session, it had placed on its future work programme the preparation of a contractual guide on secured transactions and a uniform law text on intellectual property licensing, and decided that those matters should be retained on its future work programme and considered at a future session on the basis of notes to be prepared by the Secretariat, after a colloquium or expert group meeting, to be held within existing resources.⁸ The Commission may wish to consider whether, in the context of any future work on MSME finance, the draft Model Law and the draft Guide to Enactment might need to be expanded to address matters related to secured finance to MSMEs. Finally, the Commission may wish to note the discussion by the Working Group of the issue of the resolution of disputes arising from security agreements through alternative dispute resolution mechanisms (A/CN.9/871, paras. 83-86) and consider whether that matter should also be added on its future work agenda.

(d) Coordination and cooperation

13. At its current session, the Commission may wish to take note of the oral report of the Secretariat about the progress achieved in: (a) the revision of the World Bank Insolvency and Creditor Rights Standard to take into account the key recommendations of the Secured Transactions Guide; (b) the coordination efforts with the European Commission with a view to ensuring a coordinated approach to the law applicable to the third-party effects of assignments of receivables, taking into account the approach followed in the United Nations Convention on the Assignment of Receivables in International Trade,⁹ the Secured Transactions Guide and the draft Model Law; (c) the coordination efforts with the International Institute for the Unification of Private Law (Unidroit) with respect to a fourth Protocol to the Convention on International Interests in Mobile Equipment on matters specific to agricultural, construction and mining equipment; and (d) the coordination efforts with the International Finance Corporation and the Organization of American States in providing technical assistance and assistance with respect to local capacity building in the area of security interests. The Commission may wish to renew the mandate given to the Secretariat to continue with these coordination and cooperation efforts.

(e) Preparation of a commentary to the United Nations Convention on the Assignment of Receivables in International Trade

14. At its thirty-fourth session, the Commission adopted the United Nations Convention on the Assignment of Receivables in International Trade and requested the Secretariat to prepare a revised version of the analytical commentary, which was before the Commission at that session (A/CN.9/489 and Add.1).¹⁰ Due to the lack of sufficient resources, the Secretariat has not been able to finalize the commentary. The Commission may wish to renew the mandate given to the Secretariat to finalize

⁸ Ibid., para. 217.

⁹ General Assembly resolution 56/81, annex.

¹⁰ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17 (A/56/17)*, para. 195.

the commentary, taking into account the considerations of the Commission at its thirty-fourth session, after any necessary expert group meeting to be held within existing resources, and to publish the commentary as a United Nations sales publication.

(For suggested scheduling of meetings to consider this agenda item, see para. 89 below.)

5. Consideration of issues in the area of arbitration and conciliation

(a) Finalization and adoption of the revised UNCITRAL Notes on Organizing Arbitral Proceedings

15. At its forty-sixth session, in 2013, the Commission considered that the UNCITRAL Notes on Organizing Arbitral Proceedings (1996)¹¹ (“Notes”) required updating as a matter of priority. It was agreed that the preferred forum for that work would be that of a Working Group, to ensure that the universal acceptability of the Notes would be preserved.¹² At its forty-seventh session, in 2014, the Commission mandated its Working Group II (Arbitration and Conciliation) to undertake work on the revision of the Notes, with the understanding that the Working Group should focus on matters of substance, leaving drafting to the Secretariat.¹³

16. At its forty-eighth session, in 2015, the Commission had before it the draft revised Notes (contained in document A/CN.9/844), as it resulted from the work of the Working Group at its sixty-first¹⁴ (Vienna, 15-19 September 2014) and sixty-second¹⁵ (New York, 2-6 February 2015) sessions. The Commission approved the draft revised Notes in principle, and requested the Secretariat to revise the Notes in accordance with its deliberations and decisions.¹⁶ It was further agreed that the Secretariat could seek input from the Working Group on specific issues during its sixty-fourth session. The Commission further requested that the revised Notes be finalized for adoption at its forty-ninth session, in 2016.¹⁷ Accordingly, the Working Group considered the draft revised Notes (contained in document A/CN.9/WG.II/WP.194) at its sixty-fourth session (New York, 1-5 February 2016) and requested the Secretariat to prepare an updated draft of the Notes for consideration by the Commission (A/CN.9/867, para. 15).

17. At its forty-ninth session, the Commission will have before it the report of the sixty-fourth session of the Working Group (A/CN.9/867). The Commission will also have before it a note by the Secretariat containing the draft revised Notes (A/CN.9/879).

¹¹ *UNCITRAL Yearbook*, vol. XXVII: 1996, part three, annex II.

¹² *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 17 (A/68/17)*, para. 130.

¹³ *Ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, para. 128.

¹⁴ Report of the Working Group on the work of its sixty-first session (A/CN.9/826).

¹⁵ Report of the Working Group on the work of its sixty-second session (A/CN.9/832).

¹⁶ *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 14-133.

¹⁷ *Ibid.*, para. 133.

(b) Progress report of Working Group II

18. At its forty-seventh session, in 2014, the Commission had before it a proposal to undertake work on the preparation of a convention on the enforceability of international commercial settlement agreements reached through conciliation (A/CN.9/822).¹⁸ The Commission agreed that the Working Group should consider at its sixty-second session the issue of enforcement of international settlement agreements resulting from conciliation proceedings and should report to the Commission, at its forty-eighth session, in 2015, on the feasibility and possible form of work in that area.¹⁹

19. At the forty-eighth session, in 2015, based on the deliberations of the Working Group at its sixty-second session (A/CN.9/832, paras. 13-59), the Commission agreed that the Working Group should commence work at its sixty-third session on the topic of enforcement of settlement agreements to identify relevant issues and develop possible solutions, including the preparation of a convention, model provisions or guidance texts. The Commission also agreed that the mandate of the Working Group with respect to that topic should be broad to take into account the various approaches and concerns.²⁰

20. At its sixty-third and sixty-fourth sessions, the Working Group considered the possible scope and content of the instrument and requested the Secretariat to prepare a document outlining identified issues and setting out draft provisions without prejudice to the final form of the instrument (A/CN.9/867, para. 15).

21. At its forty-ninth session, the Commission will have before it the reports of the sixty-third and sixty-fourth sessions of the Working Group (A/CN.9/861 and A/CN.9/867, respectively).

(c) Establishment and functioning of the transparency repository

22. For their implementation, the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration²¹ (“Rules on Transparency”) require the establishment of a repository to publish information under the Rules (article 8). The Commission may wish to recall that, at its forty-sixth session, in 2013, it expressed its strong and unanimous opinion that the UNCITRAL secretariat should fulfil the role of the transparency repository.²² It was said that the United Nations, as a neutral and universal body, and its secretariat, as an independent organ under the Charter of the United Nations, should be expected to undertake the core functions of a repository under the Rules on Transparency, as a public administration directly responsible for the servicing and proper operation of its own legal standards.²³

23. At its forty-eighth session, in 2015, the Commission reiterated its strong and unanimous opinion that the secretariat of the Commission should fulfil the role of the transparency repository and that it should establish and operate the transparency repository, initially as a pilot project. To that end, the Commission agreed to

¹⁸ Ibid., *Sixty-ninth Session, Supplement No. 17* (A/69/17), para. 123.

¹⁹ Ibid., para. 129.

²⁰ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), para. 142.

²¹ Ibid., *Sixty-eighth Session, Supplement No. 17* (A/68/17), para. 128 and annex I.

²² Ibid., para. 80.

²³ Ibid., para. 79.

recommend to the General Assembly that it request the secretariat of the Commission to establish and operate the repository of published information under the Rules on Transparency, in accordance with article 8 of the Rules, initially as a pilot project until the end of 2016, to be funded entirely by voluntary contributions.²⁴

24. The Commission may wish to take note that the General Assembly, by paragraph 2 of its resolution 70/115 (see para. 70 below), noted with approval the view of the Commission that the repository of published information under the Rules on Transparency should be fully operational as soon as possible, as the repository constituted a central feature both of the Rules on Transparency and of the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (the “Mauritius Convention on Transparency”)²⁵ by providing a consolidated, transparent and easily accessible global case record database for all investor-State arbitrations conducted pursuant to the Rules on Transparency and the Convention and, in that regard, requested the Secretary-General to establish and operate through the secretariat of the Commission the repository of published information under the Rules on Transparency, in accordance with article 8 of the Rules, initially as a pilot project until the end of 2016, to be funded entirely by voluntary contributions.

25. Accordingly, the Secretariat had been actively seeking contributions to fund the operation of the transparency repository and in December 2015, the European Union (EU) and the OPEC Fund for International Development (OFID) agreed with the United Nations to provide grants of €100,000 and US\$ 125,000 respectively, to support the operation of the transparency repository. The contributions of the EU and OFID will enable the Secretariat to make the transparency repository fully operational as requested by the General Assembly.

26. At its forty-ninth session, the Commission will hear an oral report on the status of the establishment and functioning of the transparency repository.

(d) Possible future work in the area of arbitration and conciliation

Parallel proceedings

27. At its forty-seventh session, in 2014, the Commission considered whether to mandate its Working Group II to undertake work in the field of concurrent proceedings in investment arbitration, recalling that it had identified, at its forty-sixth session, in 2013,²⁶ that the subject of concurrent proceedings was increasingly important particularly in the field of investment arbitration and might warrant further consideration.²⁷ The Commission agreed that the Secretariat should explore the matter further, in close cooperation with experts from other organizations working actively in that area. That work should focus on treaty-based investor-State arbitration, without disregarding the issue in the context of international commercial arbitration. The Commission requested the Secretariat to

²⁴ Ibid., *Seventieth Session, Supplement No. 17 (A/70/17)*, para. 161.

²⁵ General Assembly resolution 69/116, annex.

²⁶ *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 17 (A/68/17)*, paras. 131 and 132.

²⁷ Ibid., *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 126 and 127.

report to the Commission at a future session, outlining the issues at stake and identifying work that UNCITRAL might usefully undertake in the area.²⁸

28. At its forty-eighth session, in 2015, the Commission had before it a note by the Secretariat in relation to concurrent proceedings in investment arbitration (A/CN.9/848). There was general support for retaining the topic of concurrent proceedings on the agenda of the Commission and it was suggested that the Secretariat should keep abreast of developments in that area, provide further analysis and set out the issues and possible solutions in a neutral manner, which would assist the Commission making an informed decision at a later stage. It was suggested that, consistent with the request of the Commission in 2014, work on the topic should also take into consideration concurrent proceedings in international commercial arbitration.²⁹ Therefore, the Commission requested the Secretariat to explore the topic further, in close cooperation with experts including those from other organizations working actively in that area and to report to the Commission at a future session with a detailed analysis of the topic including possible work that could be carried out.³⁰

29. At its forty-ninth session, the Commission will have before it a note by the Secretariat outlining the practical issues, the various options available to address those issues, and the possible form of possible future work in that area (A/CN.9/881).

Code of ethics/conduct for arbitrators

30. At its forty-eighth session, in 2015, the Commission had before it a proposal for future work on a code of ethics for arbitrators in investment arbitration (A/CN.9/855), which suggested that work on the topic could relate to conduct of arbitrators, their relationship with those involved in the arbitration process, and the values that they were expected to share and convey. There was general interest in the topic, which could be explored taking into account the wide range of issues and approaches. In particular, it was widely felt that future work in that area should not be limited to investment arbitration but also deal with international commercial arbitration. In response, it was noted that the peculiarities of investment arbitration might require a slightly different approach.³¹

31. After discussion, the Commission requested the Secretariat to explore the topic in a broad manner, including both in the field of commercial and investment arbitration, taking into account existing laws, rules and regulations as well as any standards established by other organizations. The Secretariat was requested to assess the feasibility of work in that area and report to the Commission at a future session.³²

32. At its forty-ninth session, the Commission will have before it a note by the Secretariat outlining the existing legal framework in relation to both commercial and investment arbitration (A/CN.9/880).

²⁸ Ibid., para. 130.

²⁹ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), paras. 144-146.

³⁰ Ibid., para. 147.

³¹ Ibid., paras. 148 and 149.

³² Ibid., para. 151.

Other topics

33. At its forty-eighth session, in relation to investor-State arbitration, the Commission noted that the current circumstances posed a number of challenges and proposals for reforms had been formulated by a number of organizations. In that context, the Commission was further informed that the Secretariat was conducting a study on whether the Mauritius Convention on Transparency could provide a useful model for possible reforms in the field of investor-State arbitration, in conjunction with interested organizations, including the Center for International Dispute Settlement (CIDS) of the University of Geneva and the Graduate Institute of International and Development Studies. In that light, the Secretariat was requested to report to the Commission at a future session with an update on that matter.³³

34. At its forty-ninth session, the Commission will have before it a note by the Secretariat on the matter (A/CN.9/890).

35. The Commission may expect to receive proposals from States and international organizations on possible future work in the area of arbitration and conciliation.

(e) International commercial arbitration moot competitions

36. An oral report will be presented on the Twenty-third Willem C. Vis International Commercial Arbitration Moot competition, the Thirteenth Willem C. Vis (East) International Commercial Arbitration Moot and the Eighth International Commercial Arbitration Competition in Madrid.

(For suggested scheduling of meetings to consider this agenda item, see para. 91 below.)

6. Consideration of issues in the area of online dispute resolution: finalization and adoption of Technical Notes on Online Dispute Resolution

37. At its forty-third session, the Commission agreed that a Working Group should be established to undertake work in the field of online dispute resolution (ODR) relating to cross-border electronic commerce transactions.³⁴

38. At its forty-eighth session, the Commission instructed Working Group III (ODR) to continue its work towards elaborating a non-binding descriptive document reflecting elements of an ODR process, on which elements the Working Group had previously reached consensus, excluding the question of the nature of the final stage of the ODR process (arbitration/non-arbitration). It was also agreed that the Working Group would be given a time limit of one year or no more than two Working Group sessions, after which the work of the Working Group would come to an end, whether or not a result had been achieved.³⁵

39. At its thirty-second session, Working Group III continued its work towards elaborating the draft document referred to above (A/CN.9/862). At its thirty-third session, Working Group III finalized its consideration of a draft text entitled “Technical Notes on ODR”, and agreed to submit that text to the

³³ Ibid., para. 268.

³⁴ Ibid., *Sixty-fifth Session, Supplement No. 17* (A/65/17), para. 257.

³⁵ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), para. 352.

Commission for its consideration and possible adoption at the forty-ninth session (A/CN.9/868, para 87).

40. At its forty-ninth session, the Commission will have before it the reports of the Working Group on the work of its thirty-second and thirty-third sessions (A/CN.9/862 and A/CN.9/868, respectively) and the draft text entitled “Technical Notes on ODR” (A/CN.9/888). Any comments from States on the draft text will be submitted to the Commission in a separate document.

(For suggested scheduling of meetings to consider this agenda item, see para. 90 below.)

7. Micro, small and medium-sized enterprises: progress report of Working Group I

41. At its forty-sixth session, in 2013, the Commission requested that a working group should commence work aimed at reducing the legal obstacles encountered by micro, small and medium-sized enterprises (MSMEs) throughout their life cycle, and, in particular, in developing economies.³⁶ At that session, the Commission also agreed that such work should start with a focus on the legal questions surrounding the simplification of incorporation,³⁷ and that work on this topic should be allocated to Working Group I.³⁸ That mandate was reaffirmed by the Commission at its forty-seventh and forty-eighth sessions, in 2014³⁹ and 2015⁴⁰, and the Working Group has from its twenty-third session (November 2014) proceeded to consider the legal issues surrounding the simplification of incorporation as well as good practices in business registration, both of which aimed at reducing the legal obstacles encountered by MSMEs throughout their life cycle.

42. At its forty-ninth session, the Commission will have before it the reports of the Working Group on the work of its twenty-fifth and twenty-sixth sessions (A/CN.9/860 and A/CN.9/866, respectively).

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

8. Consideration of issues in the area of electronic commerce

(a) Progress report of Working Group IV

43. At its forty-ninth session, the Commission will have before it the reports of the Working Group on the work of its fifty-second and fifty-third sessions (A/CN.9/863 and A/CN.9/869, respectively).

(b) Other work: report of the colloquium on identity management and trust services

44. At its forty-ninth session, the Commission will have before it the report on the Colloquium on Identity Management and Trust Services held in Vienna, Austria, on

³⁶ Ibid., *Sixty-eighth Session, Supplement No. 17* (A/68/17), para. 321.

³⁷ Ibid.

³⁸ Ibid., para. 322.

³⁹ Ibid., *Sixty-ninth Session, Supplement No. 17* (A/69/17), para. 134.

⁴⁰ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), paras. 220, 225 and 340.

21 and 22 April 2016 (A/CN.9/891). It will also hear an oral report on the other topics included in the work programme of Working Group IV.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

9. Insolvency law: progress report of Working Group V

45. Working Group V is currently considering the following three topics:

(a) Facilitating the cross-border insolvency of multinational enterprise groups, pursuant to a mandate given by the Commission at its forty-third session;⁴¹

(b) Obligations of directors of enterprise group companies in the period approaching insolvency, pursuant to a mandate given by the Commission at its forty-third session;⁴² and

(c) Recognition and enforcement of insolvency-related judgements, pursuant to a mandate given by the Commission at its forty-seventh session to develop a model law or model legislative provisions.⁴³

46. At its forty-ninth session, the Commission will have before it the reports of the Working Group on the work of its forty-eighth and forty-ninth sessions (A/CN.9/864 and A/CN.9/870, respectively) outlining progress on those three topics.

47. The report of the Working Group's forty-ninth session addresses two issues the Commission may wish to consider. The first concerns a recommendation by the Working Group to clarify the mandate given by the Commission at its forty-seventh session⁴⁴ with respect to the insolvency of micro, small and medium-sized enterprises. The second concerns a proposal to hold a colloquium on the feasibility of negotiating a convention on selected issues of cross-border insolvency.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

10. Technical assistance to law reform

(a) General

48. At its forty-ninth session, the Commission will have before it a note by the Secretariat on technical assistance activities undertaken since the Commission's forty-eighth session and on the technical assistance resources, including UNCITRAL publications and the UNCITRAL website (A/CN.9/872).

49. The Commission will also have before it a bibliography of recent writings related to its work (A/CN.9/874).

⁴¹ Ibid., *Sixty-fifth Session, Supplement No. 17* (A/65/17), para. 259.

⁴² Ibid.

⁴³ Ibid., *Sixty-ninth Session, Supplement No. 17* (A/69/17), para. 155.

⁴⁴ Ibid., para. 156.

(b) Consideration of a draft guidance note on strengthening United Nations support to States, upon their request, to implement sound commercial law reforms

50. The Commission may wish to recall that, at its forty-eighth session, it considered a draft guidance note on strengthening United Nations support to States to implement sound commercial law reforms (A/CN.9/845). After consideration, it requested States to provide to its secretariat any suggestion for revision of the text. It was agreed that the compilation of all comments received from States would be circulated by the Secretariat to all States together with a revised version of the text. It was understood that, if agreement of States on the revised text could be achieved before or during the consideration of the Commission's report in the Sixth Committee of the General Assembly in 2015, the Sixth Committee itself might wish to endorse the text, so as to avoid delay in issuing the document. Otherwise, the matter might need to be brought back to the Commission for consideration at its next session. The Secretariat was requested, in revising the text, to follow closely the wording of General Assembly resolution 2205 (XXI) on the establishment of UNCITRAL and avoid embarking into areas not directly linked to the UNCITRAL mandate. The Secretariat was also requested to allocate sufficient time for consideration of the revised text at the forty-ninth session if the revised text had to be considered at that time, and to make provisions for specific time to be allotted to that item in the provisional agenda of that session.⁴⁵

51. At its forty-ninth session, the Commission will hear an oral report by the Secretariat on the implementation of the Commission's decisions taken at its forty-eighth session on the draft guidance note and informal consultations held in the Sixth Committee on the subject. The Commission may wish to take note of paragraph 6 (e) of General Assembly resolution 70/115 on the report of UNCITRAL on the work of its forty-eighth session (see para. 70 below), by which the General Assembly recalled its resolutions stressing the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building, welcomed the efforts of the Secretary-General to ensure greater coordination and coherence among United Nations entities and with donors and recipients, and took note of the ongoing discussion in the Commission of ways to strengthen support to Member States, upon their request, in the implementation of sound commercial law reforms.

52. At its forty-ninth session, the Commission will have before it: (a) the compilation of comments by States received by the Secretariat on document A/CN.9/845 in response to a note verbale circulated by the Secretariat to States on 21 July 2015 (A/CN.9/882, section II); (b) a comment by a State (transmitted to the Secretariat in a note verbale of 23 October 2015) on a version of the guidance note prepared pursuant to those comments and circulated to States by the Secretariat in a note verbale of 8 October 2015 (the 8 October 2015 version) (A/CN.9/882, section III); and (c) a draft guidance note on strengthening United Nations support to States, upon their request, to implement sound commercial law reforms, prepared pursuant to consultations held in the Sixth Committee, and comments received from States, on the 8 October 2015 version (A/CN.9/883).

⁴⁵ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), paras. 251-252.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

11. Promotion of ways and means of ensuring a uniform interpretation and application of UNCITRAL legal texts

(a) Case Law on UNCITRAL texts (CLOUT)

53. At its twenty-first session, in 1988, the Commission decided to establish a system for collecting and disseminating information on court decisions and arbitral awards relating to conventions and model laws that had emanated from the work of the Commission, known as the “Case Law on UNCITRAL texts (CLOUT)”.⁴⁶ The system intends to promote international awareness of such legal texts to enable judges, arbitrators, lawyers, parties to commercial transactions and other interested persons to take decisions and awards relating to those texts into account in dealing with matters within their responsibilities and to promote the uniform interpretation and application of those texts. CLOUT relies on a network of national correspondents designated by States parties to a convention emanating from the work of the Commission or that have enacted legislation based on an UNCITRAL model law. The Secretariat has regularly reported to the Commission on the performance of the system since its establishment. The General Assembly, in its resolutions, has repeatedly expressed support for the work on the CLOUT system.⁴⁷

54. At its forty-ninth session, the Commission will have before it a note by the Secretariat on the status and progress of CLOUT (A/CN.9/873).

(b) Digests of case law relating to UNCITRAL legal texts

55. At its thirty-fourth session, in 2001, the Commission, further to consideration of a note by the Secretariat (A/CN.9/498), requested the Secretariat to prepare a digest of case law on the United Nations Convention on Contracts for the International Sale of Goods⁴⁸ (Vienna, 1980). It was noted at that session that such analytical digest of court and arbitration cases, identifying trends in interpretation of the Convention, would be useful to foster its uniform interpretation. It was further noted at that session that, in drafting the digest, the Secretariat should avail itself of the help of the network of CLOUT national correspondents and avoid criticism of the decisions of national courts.⁴⁹ At its thirty-fifth session, in 2002, the Commission requested the Secretariat to prepare a similar digest of case law on the UNCITRAL Model Law on International Commercial Arbitration.⁵⁰ At its forty-fifth session, in 2012, the Commission agreed that a digest on the UNCITRAL Model Law on Cross-Border Insolvency should be prepared, subject to the availability of resources in the Secretariat and encouraged the Secretariat to explore the possibility of collaborating with national correspondents and other experts to facilitate the preparation of the necessary analysis and case information.⁵¹

⁴⁶ Ibid., *Forty-third Session, Supplement No. 17* (A/43/17), paras. 98-109.

⁴⁷ Most recently, resolution 70/115, para. 19.

⁴⁸ United Nations, *Treaty Series*, vol. 1489, No. 25567, p. 3.

⁴⁹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17* and corrigendum (A/56/17 and Corr.3), paras. 386-395.

⁵⁰ Ibid., *Fifty-seventh Session, Supplement No. 17* (A/57/17), para. 243.

⁵¹ Ibid., *Sixty-seventh Session, Supplement No. 17* (A/67/17), para. 156.

56. Since 2004, the Commission has regularly been informed by the Secretariat on the progress of work on the digests. In particular, the Commission may wish to recall that such work has resulted in the publication of the *UNCITRAL Digest of Case Law on the United Nations Convention on Contracts for the International Sale of Goods: 2012 Edition*⁵² and the *UNCITRAL 2012 Digest of Case Law on the Model Law on International Commercial Arbitration*.^{53,54} At its forty-eighth session, in 2015, the Commission was informed of the progress in the preparation of the digest of case law on the UNCITRAL Model Law on Cross-Border Insolvency.⁵⁵ The General Assembly, in its resolutions, has repeatedly expressed support for the work on digests.⁵⁶

57. At its forty-ninth session, the Commission will have before it a note by the Secretariat (A/CN.9/873) (see para. 54 above), which will provide updates on the current activities concerning the digests.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

12. Status and promotion of UNCITRAL legal texts

58. At its forty-ninth session, the Commission will have before it a note by the Secretariat concerning the status of the conventions and model laws resulting from its work as well as the status of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (the “New York Convention”)⁵⁷ (A/CN.9/876).

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

13. Coordination and cooperation

(a) General

59. At its forty-ninth session, the Commission will have before it a note by the Secretariat (A/CN.9/875) providing a brief survey of the activities undertaken by the Secretariat since the Commission’s forty-eighth session to ensure coordination with the work of other organizations active in the field of international trade law.

(b) Reports of other international organizations

60. At the forty-ninth session of the Commission, representatives of international organizations will be given an opportunity to apprise the Commission of their current activities and possible means of strengthening cooperation with UNCITRAL.

⁵² Available at the date of this document from www.uncitral.org/uncitral/en/case_law/digests.html.

⁵³ United Nations publication, Sales No. E.12.V.9. Also available at the date of this document from www.uncitral.org/uncitral/en/case_law/digests.html.

⁵⁴ *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 17 (A/67/17)*, paras. 153 and 154.

⁵⁵ *Ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, para. 258.

⁵⁶ Most recently, resolution 70/115, para. 20.

⁵⁷ United Nations, *Treaty Series*, vol. 330, No. 4739, p. 3.

(c) International governmental and non-governmental organizations invited to sessions of UNCITRAL and its Working Groups

61. At its forty-ninth session, the Commission will hear an oral report concerning intergovernmental and non-governmental organizations invited to sessions of UNCITRAL.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

14. UNCITRAL regional presence

62. At its forty-ninth session, the Commission will have before it a note by the Secretariat providing, inter alia, a survey of the activities undertaken by the UNCITRAL Regional Centre for Asia and the Pacific since the Commission's forty-eighth session (A/CN.9/877).

63. At its forty-ninth session, the Commission will hear an oral report on the progress made in establishing UNCITRAL's presence in other regions.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

15. Role of UNCITRAL in promoting the rule of law at the national and international levels

64. The item has been on the agenda of the Commission since its forty-first session, in 2008,⁵⁸ in response to the General Assembly's invitation to the Commission to comment, in its report to the General Assembly, on the Commission's current role in promoting the rule of law.⁵⁹ At its forty-first to forty-eighth sessions, in 2008 to 2015, respectively, the Commission, in its annual reports to the General Assembly, transmitted comments on its role in promoting the rule of law at the national and international levels, including in the post-conflict reconstruction context. It expressed its conviction that the promotion of the rule of law in commercial relations should be an integral part of the broader agenda of the United Nations to promote the rule of law at the national and international levels, including through the Rule of Law Coordination and Resource Group supported by the Rule of Law Unit in the Executive Office of the United Nations Secretary-General.⁶⁰ This view was endorsed by the General Assembly.⁶¹

⁵⁸ For the decision of the Commission to include the item on its agenda, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 17 (A/62/17)*, part two, paras. 111-113.

⁵⁹ General Assembly resolutions 62/70, para. 3; 63/128, para. 7; 64/116, para. 9; 65/32, para. 10; 66/102, para. 12; 67/97, para. 14; 68/116, para. 14; and 69/123, para. 17.

⁶⁰ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), para. 386; *ibid.*, *Sixty-fourth Session, Supplement No. 17 (A/64/17)*, paras. 413-419; *ibid.*, *Sixty-fifth Session, Supplement No. 17 (A/65/17)*, paras. 313-336; *ibid.*, *Sixty-sixth Session, Supplement No. 17 (A/66/17)*, paras. 299-321; *ibid.*, *Sixty-seventh Session, Supplement No. 17 (A/67/17)*, paras. 195-227; *ibid.*, *Sixty-eighth Session, Supplement No. 17 (A/68/17)*, paras. 267-291; *ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 215-240; and *ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 318-324.

65. The Commission considered it essential to keep a regular dialogue with the Rule of Law Coordination and Resource Group through the Rule of Law Unit and to keep abreast of progress made in the integration of the work of UNCITRAL into the United Nations joint rule of law activities. To that end, it requested the Secretariat to organize briefings by the Rule of Law Unit biannually, when sessions of the Commission were held in New York.⁶² The briefings consequently took place at the Commission's forty-fifth and forty-seventh session, in 2012 and 2014,⁶³ respectively, and the next rule of law briefing is scheduled to take place at the Commission's forty-ninth session.

66. In addition, at its forty-ninth session, the Commission will hear an oral report by the Secretariat on the implementation of the relevant decisions taken by the Commission at its forty-eighth session.⁶⁴ At its forty-ninth session, the Commission may also wish to take note of General Assembly resolution 70/118 on the rule of law at the national and international levels, by paragraph 20 of which the General Assembly invited the Commission to continue to comment, in its reports to the General Assembly, on its current role in promoting the rule of law. The Commission may also wish to note that, by paragraph 23 of that resolution, the General Assembly decided to focus the upcoming Sixth Committee debates at the seventy-first session of the General Assembly, in 2016, under the agenda item "The rule of law at the national and international levels" on subtopics "Sharing national practices of States in the implementation of multilateral treaties" and "Practical measures to facilitate access to justice for all, including for the poorest and most vulnerable". At its forty-ninth session, the Commission, in formulating its comments to the General Assembly on its current role in promoting the rule of law, may therefore wish to focus on those subtopics. To facilitate the formulation by the Commission of the comments on those subtopics pursuant to the above-referred invitation by the General Assembly, a panel discussion will be organized by the Secretariat.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

16. Work programme of the Commission

67. At its forty-eighth session, in 2015, broad support was expressed for increasing, within available resources, the number of promotional and capacity-building activities aimed at supporting adoption and effective implementation of the United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980).⁶⁵ In this regard, at its forty-ninth session, the Commission will have before it a joint proposal on cooperation in the area of international commercial contract law (with a focus on sales) prepared by the

⁶¹ General Assembly resolutions 63/120, para. 11; 64/111, para. 14; 65/21 paras. 12 to 14; 66/94, paras. 15 to 17; 67/89, paras. 16 to 18; 68/106, paras. 12 to 14; 69/115, para. 12; and 70/115, para. 11.

⁶² *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 17 (A/65/17)*, para. 335.

⁶³ *Ibid.*, *Sixty-seventh Session, Supplement No. 17 (A/67/17)*, paras. 199-210; and *ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 229-233.

⁶⁴ *Ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 300-301.

⁶⁵ *Ibid.*, para. 333.

Secretariat and the secretariats of the Hague Conference on Private International Law and Unidroit (A/CN.9/892).

68. At its forty-ninth session, the Commission will have before it a note by the Secretariat (A/CN.9/878) prepared to assist the Commission in its annual discussion of the Commission's overall work programme and planning of its activities.⁶⁶ Document A/CN.9/878 sets out UNCITRAL's activities in legislative development and activities designed to support the effective implementation, use and understanding of UNCITRAL texts (collectively referred to as "support activities"). The Commission will also have before it document A/CN.9/889, which contains reports to the Commission on the results of (a) the Secretariat's exploratory work on supporting the effective implementation and use of the UNCITRAL Model Law on Public Procurement⁶⁷ through the possible development of a legislative text on suspension and debarment and (b) the Secretariat's preparations towards possible future work on public-private partnerships (PPPs).⁶⁸

(For suggested scheduling of meetings to consider this agenda item, see paras. 90 and 92 below.)

17. Congress 2017

69. At its forty-ninth session, the Commission will have before it a note by the Secretariat (A/CN.9/878) addressing UNCITRAL's work programme (see para. 68 above) that will also set out the progress made towards the proposed Congress to be held in July 2017. The Commission will have proposals before it regarding: (a) the scope and focus of the proposed Congress; (b) reporting to the Commission thereon; and (c) the timing of both the event itself and report thereon.

(For suggested scheduling of meetings to consider this agenda item, see para. 90 below.)

18. Relevant General Assembly resolutions

70. The Commission may wish to take note of General Assembly resolution 70/115 of 14 December 2015, adopted on the recommendation of the Sixth Committee. Copies of the resolution and the relevant report of the Sixth Committee (A/70/507) will be made available at the forty-ninth session of the Commission.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

19. Other business

(a) Entitlement to summary records

71. The Commission may wish to recall that at its forty-fifth session, in 2012, it decided, while not relinquishing its entitlement to summary records under General Assembly resolution 49/221, to request that digital recordings continue to be provided at its forty-sixth and forty-seventh sessions, in 2013 and 2014, on a trial

⁶⁶ Ibid., *Sixty-eighth Session, Supplement No. 17* (A/68/17), para. 310.

⁶⁷ Ibid., *Sixty-sixth Session, Supplement No. 17* (A/66/17), annex I.

⁶⁸ Ibid., *Seventieth Session, Supplement No. 17* (A/70/17), paras. 362 and 363.

basis, in addition to summary records, as was done for the forty-fifth session.⁶⁹ At its forty-seventh and forty-eighth sessions, in 2014 and 2015, respectively, the Commission assessed the experience of using digital recordings and on the basis of that assessment decided to prolong the practice of providing to UNCITRAL digital recordings in parallel with summary records. It was noted that at its next session the Commission would again assess its experience with the use of digital recordings.⁷⁰ It was understood that until it was ascertained that no obstacles existed to making the transition from summary records to digital recordings, summary records would have to be provided to the Commission.⁷¹ At the Commission's forty-ninth session, an oral report will be presented by the Secretariat on the use of digital recordings in the United Nations generally and experience with the use of UNCITRAL's digital recordings in particular.

(b) Internship programme

72. An oral report will be presented on the internship programme in the Commission's secretariat.

(c) Evaluation of the role of the UNCITRAL secretariat in facilitating the work of the Commission

73. The Commission will hear an oral report from the Secretariat on the results of evaluation by UNCITRAL of the role of its secretariat in facilitating the work of the Commission since the start of the Commission's forty-eighth session on 29 June 2015.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

20. Date and place of future meetings

Fiftieth session of the Commission

74. The fiftieth session of the Commission will be held in Vienna. Tentative arrangements have been made for the session to be held from 3 to 21 July 2017.

Sessions of working groups

75. At its thirty-sixth session, in 2003, the Commission agreed that: (a) working groups should normally meet for a one-week session twice a year; (b) extra time, if required, could be allocated from the unused entitlement of another working group provided that such arrangement would not result in the increase of the total number of 12 weeks of conference services per year currently allotted to sessions of all six working groups of the Commission; and (c) if any request by a working group for extra time would result in the increase of the 12-week allotment, it should be reviewed by the Commission, with proper justification being given by that working

⁶⁹ Ibid., *Sixty-seventh Session, Supplement No. 17 (A/67/17)*, para. 249.

⁷⁰ Ibid., *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 271-276; and *ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 368-370.

⁷¹ Ibid., *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, para. 276.

group regarding the reasons for which a change in the meeting pattern was needed.⁷²

Sessions of working groups between the forty-ninth and fiftieth sessions of the Commission

Working Group I (MSMEs)

76. The twenty-seventh session of the Working Group could be held in Vienna, from 3 to 7 October 2016, and the twenty-eighth session could be held in New York, from 15 to 19 May 2017.

Working Group II (Arbitration and Conciliation)

77. The sixty-fifth session of the Working Group could be held in Vienna, from 19 to 23 September 2016, and the sixty-sixth session could be held in New York, from 6 to 10 February 2017.

Working Group III

78. The thirty-fourth session of the Working Group could be held in Vienna, from 5 to 9 September 2016, and the thirty-fifth session could be held in New York, from 3 to 7 April 2017.

Working Group IV (Electronic Commerce)

79. The fifty-fourth session of the Working Group could be held in Vienna, from 31 October to 4 November 2016, and the fifty-fifth session could be held in New York, from 24 to 28 April 2017.

Working Group V (Insolvency Law)

80. The fiftieth session of the Working Group could be held in Vienna, from 12 to 16 December 2016, and the fifty-first session could be held in New York, from 8 to 12 May 2017.

Working Group VI (Security Interests)

81. The thirtieth session of the Working Group could be held in Vienna, from 5 to 9 December 2016, and thirty-first session could be held in New York, from 13 to 17 February 2017.

Sessions of working groups in 2017 after the fiftieth session of the Commission

Working Group I (MSMEs)

82. Tentative arrangements have been made for the twenty-ninth session of the Working Group to be held in Vienna, from 2 to 6 October 2017.

Working Group II (Arbitration and Conciliation)

83. Tentative arrangements have been made for the sixty-seventh session of the Working Group to be held in Vienna, from 11 to 15 September 2017.

⁷² Ibid., *Fifty-eighth Session, Supplement No. 17 (A/58/17)*, para. 275.

Working Group III

84. Tentative arrangements have been made for the thirty-sixth session of the Working Group to be held in Vienna, from 18 to 22 September 2017.

Working Group IV (Electronic Commerce)

85. Tentative arrangements have been made for the fifty-sixth session of the Working Group to be held in Vienna, from 30 October to 3 November 2017.

Working Group V (Insolvency Law)

86. Tentative arrangements have been made for the fifty-second session of the Working Group to be held in Vienna, from 20 to 24 November 2017.

Working Group VI (Security Interests)

87. Tentative arrangements have been made for the thirty-second session of the Working Group to be held in Vienna, from 11 to 15 December 2017.

(For suggested scheduling of meetings to consider this agenda item, see para. 92 below.)

21. Adoption of the report of the Commission

88. The General Assembly, in its resolution 2205 (XXI) of 17 December 1966, decided that the Commission should submit an annual report to it and that the report should be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Pursuant to a decision of the Sixth Committee,⁷³ the report of the Commission is introduced to the General Assembly by the chairperson of the Commission or by another officer designated by the chairperson.

(For suggested scheduling of meetings to consider this agenda item, see paras. 89 to 93 below.)

III. Scheduling of meetings and documentation

89. The United Nations Headquarters is closed on Monday, 4 July, and Wednesday, 6 July 2016. The Secretariat recommends that the Commission devote the time from 27 June to 1 July 2016 to consideration of item 4 on the agenda. Adoption of the report of the Commission on agenda item 4 may be expected to take place on Friday, 1 July 2016.

90. The Secretariat recommends that the Commission devote the time on 5 July to consideration of agenda items 6, 16⁷⁴ and 17. Adoption of the report of the Commission on those agenda items may be expected to take place on 15 July 2016.

⁷³ Ibid., *Twenty-third Session, annexes*, agenda item 88, document A/7408, para. 3.

⁷⁴ Agenda item 16 will be taken up on that day only in the part relevant to a possible future work in the areas of public procurement and public-private partnerships. Other aspects of the Commission's work programme will be discussed under agenda item 16 during the third week of the session and under other agenda items.

91. The Secretariat recommends that the Commission devote the time on 7 and 8 July to consideration of agenda item 5. Adoption of the report of the Commission on that agenda item may be expected to take place on 8 and 15 July 2016.

92. The Secretariat recommends taking up the remaining agenda items on Monday, 11 July, Tuesday, 12 July, and Wednesday, 13 July. As stated in paragraph 50 above, the Commission, at its forty-eighth session, requested the Secretariat to allocate sufficient time at the forty-ninth session of UNCITRAL for consideration of the revised text of a draft guidance note on strengthening United Nations support to States, upon their request, to implement sound commercial law reforms if the revised text had to be considered at that time, and to make provisions for specific time to be allotted to that item in the provisional agenda of that session.⁷⁵ The Secretariat recommends that the Commission devote the time on 12 July, afternoon, to consideration of agenda item 10, including the draft guidance note. The rule of law briefing and discussion under agenda item 15 (see paras. 64 to 66 above) may take place on Wednesday, 13 July, during the first two hours of the morning meeting.

93. If necessary, meetings may be held on Thursday, 14 July (last Thursday of a UNCITRAL session is usually used by the Secretariat to prepare a draft report). The remaining parts of the draft report (i.e., not adopted on Friday, 1 July 2016, and on Friday, 8 July 2016, see paras. 89 and 91 above) will be presented to the Commission for adoption on Friday, 15 July 2016.

94. It should be noted that the above recommendations on the scheduling of meetings are intended to assist States and invited organizations in planning the attendance of their pertinent representatives; the actual scheduling will be determined by the Commission itself.

95. Meetings will be held from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., except on Monday, 27 June, when the morning meeting will commence at 10:30 a.m. (see para. 1 above).

96. UNCITRAL documents are posted on the UNCITRAL website (www.uncitral.org/) upon their issuance in all the official languages of the United Nations. Delegates may wish to check the availability of the documents for the forty-ninth session by accessing the page of the forty-ninth session of the Commission in the "Commission Documents" section of the UNCITRAL website (www.uncitral.org/).

⁷⁵ *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 251-252.