



# General Assembly

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**United Nations Commission on  
International Trade Law  
Working Group VI (Judicial Sale of Ships)  
Thirty-seventh session  
Vienna, 14–18 December 2020**

## **Annotated provisional agenda**

### **I. Provisional agenda**

1. Opening of the session and scheduling of meetings.
2. Adoption of the agenda.
3. Future instrument on the judicial sale of ships.

### **II. Composition of the Working Group**

1. The Working Group is composed of all States members of the Commission, which are the following: Algeria (2025), Argentina (2022), Australia (2022), Austria (2022), Belarus (2022), Belgium (2025), Brazil (2022), Burundi (2022), Cameroon (2025), Canada (2025), Chile (2022), China (2025), Colombia (2022), Côte d'Ivoire (2025), Croatia (2025), Czechia (2022), Dominican Republic (2025), Ecuador (2025), Finland (2025), France (2025), Germany (2025), Ghana (2025), Honduras (2025), Hungary (2025), India (2022), Indonesia (2025), Iran (Islamic Republic of) (2022), Israel (2022), Italy (2022), Japan (2025), Kenya (2022), Lebanon (2022), Lesotho (2022), Libya (2022), Malaysia (2025), Mali (2025), Mauritius (2022), Mexico (2025), Nigeria (2022), Pakistan (2022), Peru (2025), Philippines (2022), Poland (2022), Republic of Korea (2025), Romania (2022), Russian Federation (2025), Singapore (2025), South Africa (2025), Spain (2022), Sri Lanka (2022), Switzerland (2025), Thailand (2022), Turkey (2022), Uganda (2022), Ukraine (2025), United Kingdom of Great Britain and Northern Ireland (2025), United States of America (2022), Venezuela (Bolivarian Republic of) (2022), Viet Nam (2025) and Zimbabwe (2025).

2. States not members of the Commission 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.



### III. Annotations to agenda items

#### Item 1. Opening of the session and scheduling of meetings

3. The thirty-seventh session of the Working Group was originally scheduled to be held at the United Nations Headquarters in New York from 20 to 24 April 2020, but was postponed due to the spread of the Coronavirus disease (COVID-19). The session is now scheduled to be held at the Vienna International Centre from 14 to 18 December 2020.

#### Item 3. Future instrument on the judicial sale of ships

##### (a) Background information

4. At its fifty-first session (New York, 25 June–13 July 2018), the Commission agreed to add the topic of judicial sale of ships to the work programme of the Commission.<sup>1</sup> Background information on the decision to add the topic to the work programme may be found in document [A/CN.9/WG.VI/WP.80](#), paragraphs 5–11.

5. At its thirty-fifth session (New York, 13–17 May 2019), the Working Group considered the topic for the first time, and decided that the draft convention on the recognition of foreign judicial sales of ships, prepared by the Comité Maritime International (CMI) and approved by the CMI Assembly in 2014 (known as the “Beijing Draft”), would provide a useful basis for discussion ([A/CN.9/973](#), para. 25), while agreeing that it would be premature for the Working Group to consider the form of any eventual instrument (*ibid.*, para. 25). At its fifty-second session (Vienna, 8–19 July 2019), the Commission expressed its satisfaction with the progress made by the Working Group.<sup>2</sup>

6. At its thirty-sixth session (Vienna, 18–22 November 2019), the Working Group continued its work on the basis of a first revision of the Beijing Draft ([A/CN.9/WG.VI/WP.84](#)), which had been prepared by the Secretariat to incorporate the discussions and decisions of the Working Group at its thirty-fifth session. The Working Group considered several key provisions of the first revision ([A/CN.9/1007](#), paras. 11–98) and expressed a preliminary view that the instrument should take the form of a convention, while agreeing that a final decision on the matter should be made at a future session (*ibid.*, para. 99).

7. To facilitate progress of work during the COVID-19 pandemic, the Secretariat invited States, international governmental organizations and invited international non-governmental organizations to submit comments on the draft provisions ahead of the rescheduled thirty-seventh session of the Working Group.

##### (b) Documentation

8. The Working Group will have before it an annotated second revision of the Beijing Draft ([A/CN.9/WG.VI/WP.87](#)), which has been prepared by the Secretariat to incorporate the discussions and decisions of the Working Group at its thirty-sixth session, and a note prepared by the Secretariat to accompany the second revision ([A/CN.9/WG.VI/WP.87/Add.1](#)), which highlights some overarching issues for consideration, including a proposed centralized online repository for the publication of notices and certificates of judicial sale. The Working Group will also have before it a further note prepared by the Secretariat analysing comments received from States and organizations in response to the invitation of the Secretariat (see para. 7 above).

9. UNCITRAL documents are posted on the UNCITRAL website (<https://uncitral.un.org/>) upon their issuance in all the official languages of the United Nations. Delegates may wish to check the availability of the documents by accessing the page of the Working Group in the “Working Documents” section of the

<sup>1</sup> *Official Records of the General Assembly, Seventy-third Session, Supplement No. 17 (A/73/17)*, para. 252.

<sup>2</sup> *Ibid.*, *Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 189.

UNCITRAL website. Delegates may wish to note that, due to the United Nations liquidity crisis, no pre-session and background documents for the session will be made available to delegates in print. In-session papers (e.g., a draft summary by the chairperson and the rapporteur and other possible conference room papers (CRPs) and their addenda) may be circulated during the session.

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