



General Assembly

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**United Nations Commission
on International Trade Law**
Working Group II (Arbitration and Conciliation)
Sixty-first session
Vienna, 15-19 September 2014

Annotated provisional agenda

I. Provisional agenda

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda.
4. Revision of the UNCITRAL notes on Organizing Arbitral Proceedings.
5. Organization of future work.
6. Adoption of the report.

II. Composition of the Working Group

1. The Working Group is composed of all States members of the Commission, which are the following: Algeria (2016), Argentina (2016), Armenia (2019), Australia (2016), Austria (2016), Belarus (2016), Botswana (2016), Brazil (2016), Bulgaria (2019), Cameroon (2019), Canada (2019), China (2019), Côte d'Ivoire (2019), Colombia (2016), Croatia (2016), Denmark (2019), Ecuador (2019), El Salvador (2019), Fiji (2016), France (2019), Gabon (2016), Georgia (2015), Germany (2019), Greece (2019), Honduras (2019), Hungary (2019), India (2016), Indonesia (2019), Iran (Islamic Republic of) (2016), Israel (2016), Italy (2016), Japan (2019), Jordan (2016), Kenya (2016), Kuwait (2019), Liberia (2019), Malaysia (2019), Mauritania (2019), Mauritius (2016), Mexico (2019), Namibia (2019), Nigeria (2016), Pakistan (2016), Panama (2019), Paraguay (2016), Philippines (2016), Poland (2016), Republic of Korea (2019), Russian Federation (2019), Sierra Leone (2019), Singapore (2019), Spain (2016), Switzerland (2019), Thailand (2016), Turkey (2016), Uganda (2016), United Kingdom of Great Britain



and Northern Ireland (2019), United States of America (2016), Venezuela (Bolivarian Republic of) (2016) and Zambia (2019).

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

3. The sixty-first session of the Working Group will be held at the Vienna International Centre, from 15 to 19 September 2014. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m., except on Monday, 15 September 2014, when the session will be opened at 10 a.m.

Item 2. Election of officers

4. In accordance with its practice at previous sessions, the Working Group may wish to elect a Chairman and a Rapporteur.

Item 4. Revision of the UNCITRAL Notes on Organizing Arbitral Proceedings

(a) Previous deliberations

5. At its forty-seventh session (New York, 7-18 July 2014), the Commission mandated Working Group II to undertake work on the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings.¹ At that session, the Commission agreed that the Working Group should consider at its sixty-first and, if necessary, its sixty-second session, the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings. In so doing the Working Group should focus on matters of substance, leaving drafting to the Secretariat.

(b) Documentation

6. The Working Group will have before it notes by the Secretariat regarding the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings (A/CN.9/WG.II/WP.183; and A/CN.9/WG.II/WP.184).

7. A limited number of the following background documents will be made available at the session:

- UNCITRAL Arbitration Rules (1976);
- UNCITRAL Arbitration Rules (as revised in 2010);
- UNCITRAL Notes on Organizing Arbitral Proceedings;

¹ Report of the commission on the work of its forty-seventh session (under preparation).

- UNCITRAL Model Law on International Commercial Arbitration (1985, as amended in 2006); and
- Report of the United Nations Commission on International Trade Law on the work of its forty-seventh session (*under preparation*).

8. 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 by accessing the Working Group's page in the "Working Groups" section of the UNCITRAL website.

Item 5. Organization of future work

9. It may be noted that at its forty-seventh session, 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. The Commission invited delegations to provide information to the Secretariat in respect of that subject matter.²

10. In relation to the issue of concurrent proceedings, the Commission agreed that the Secretariat should explore the matter further, in close cooperation with experts from other organizations working actively in that field. This work should focus on treaty-based investor-State arbitration, but should not disregard the issue in the context of international commercial arbitration. The Commission requested the Secretariat to report to the Commission at a future session, outlining the issues at stake and identifying work that UNCITRAL might usefully undertake in the field.³

Item 6. Adoption of the report

11. The Working Group may wish to adopt, at the close of its session, a report for submission to the forty-eighth session of the Commission, scheduled to be held in Vienna, from 29 June to 16 July 2015. The main conclusions reached by the Working Group at its ninth meeting (on Friday morning) will be summarily read out for the record at the tenth meeting and subsequently incorporated into the report.

IV. Scheduling of meetings

12. The Working Group's sixty-first session will last for five working days. There will be ten half-day meetings available for consideration of the agenda items. The Working Group may wish to note that, consistent with decisions taken by the Commission at its thirty-fourth session,⁴ the Working Group is expected to hold substantive deliberations during the first nine half-day meetings (that is, from Monday to Friday morning), with a draft report on the entire period being prepared

² Report of the commission on the work of its forty-seventh session (*under preparation*).

³ *Ibid.*

⁴ *Official records of the General Assembly, Fifty-sixth Session, Supplement No. 17 and corrigendum (A/56/17 and Corr.3)*, para. 381.

by the Secretariat for adoption at the tenth and last meeting of the Working Group (on Friday afternoon).

13. The Working Group may wish to note that its sixty-second session is scheduled to be held in New York, from 2-6 February 2015.
