

Background documentation

Note by the Secretariat

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Introduction

This background documentation was prepared by the UNCITRAL secretariat in support of intersessional consultations on possible cost-saving and efficiency enhancing measures for the United Nations Commission on International Trade Law (UNCITRAL). It contains the proposals received during the Commission session (Annexes 1-3) and the first intersessional consultation meeting (Annex 4) as well as reference documentation¹ providing background for the assessment of the different proposals (Annex 5).

A/80/17, paras. 276-280²

“276. The Commission was informed of measures under consideration within the United Nations at large to enhance efficiency and of the potential impact of the proposed budget reductions on the secretariat.

277. The Commission noted the possible cost-saving measures proposed by the Governments of Germany, Israel and Switzerland as well as those suggested by the delegations of France and Canada during the session with regard to the discontinuation of the practice of rotating meeting venues between New York and Vienna and the holding of virtual/hybrid meetings, respectively.

278. The Commission requested the secretariat to compile the proposed measures and to analyse the related budget savings and their implications for the functioning of the Commission, the working groups and the secretariat. It was stressed that the inclusive nature

¹ The background documentation has been included in its original format, subject to minor edits (e.g., adjustments of the number of footnotes).

² *Official Records of the General Assembly, Seventy-eighth Session, Supplement No.17 (A/80/17)*.

of the work of the Commission should be preserved and that the measures should not result in a reduction in the Commission's activities or output.

279. The Commission agreed to engage in consultations regarding the various proposals to enhance the efficiency of the Commission during the intersessional period and asked the secretariat to facilitate those consultations. The secretariat was also requested to summarize the outcomes of consultations and to present the summary, along with an overall budget analysis, to the Commission at its next session so that the Commission could make an informed decision.

280. In addition, the Commission welcomed the proposal for the delegate of Mexico to take up the role of coordinating the consultative process, which was aimed at revisiting the working methods of UNCITRAL so as to increase efficiency, at achieving cost savings and at enabling the Commission and the secretariat to adapt to new realities, and which would involve UNCITRAL focal points of member and observer States not only from Vienna-based permanent missions but also from capitals.”

Annex I: Proposal by the delegations of Germany, Israel and Switzerland

On 10 July 2025, during the fifty-eighth session of UNCITRAL, the Government of Germany, Israel and Switzerland requested the Secretariat to circulate a proposal regarding cost-cutting measures for consideration in connection with the working methods of UNCITRAL (Agenda item 12(h)). The text received by the Secretariat is reproduced hereinafter in the form in which it was received, in English, with some formatting changes.³

Introduction

The purpose of this paper is to provide the Commission with some proposals that could be used as a basis for discussions for cost-cutting measures in the operation of the UNCITRAL Commission and Working Groups.

Proposals

- *Commission Session Duration* – The Commission sessions could be shortened to 10 days consisting of five days of deliberations primarily focusing on topics for future work and strategic issues with five days allocated for completion of substantive work in advanced stages if necessary. Generally, substantive work should be completed at working group level during the year. This could reduce venue costs, administrative overhead and delegate travel requirements while potentially improving the efficiency of discussions.
- *Reduction of the number of Working groups* – Consolidating the current Working Groups could achieve administrative efficiencies while maintaining coverage of essential topics. Although there is always additional work to be undertaken, this consolidation could streamline operations and reduce costs.
- *Shorter Working Group Sessions* – Working Group sessions could be reduced in duration to 4 days. Alternatively, Working Group sessions could be nine days over a year (four days during one session and five during another). Ending the current practice of cancelling a morning or afternoon session during the middle of the Working Group session week is preferable.

³ Conference Room Paper No.4 circulated during the 58th Commission session (CRP4).

- *Temporary working group breaks* – Not all work is time-sensitive. Some working groups could suspend their work for a year in order to save costs, or have only one Working Group meeting per year.
- *Document Length Reduction* – Current documentation practices result in extensive materials requiring significant resources for translation. Shorter, more focused documents could reduce these costs while potentially improving readability and comprehension. The Secretariat could establish guidelines for maximum document lengths (for example, limiting document length to 10 pages unless the document is a legislative instrument).
- *Translation* – manual translation into all six official UN languages represents a substantial expense. The Secretariat should consider implementing automatic or semi-automatic translation for certain types of documents, while maintaining manual translation for all other documents

Annex II: Proposal by the delegation of France

Oral statement by H.E. the Ambassador of France at the 58th Commission session (reproduced with the authorization of the Permanent Mission of France to the United Nations (Vienna)).

- « Je souhaite réitérer, Madame la Secrétaire, chère Anna, l'appréciation de la France pour la qualité et le volume du travail accompli par la CNUDCI. Ce travail est d'autant plus remarquable que son budget et ses ressources humaines sont limités. L'adoption de la Convention sur les documents de cargaison négociables la semaine dernière constitue encore un exemple de l'excellent travail accompli par un organe des Nations Unies rationalisé et efficace.
- Nous pensons que la réforme des Nations Unies ONU 80 peut être l'occasion pour le système multilatéral de devenir plus efficace et efficient, si la réforme est mise en œuvre avec une vision et conformément à une stratégie claire. À cet égard, nous sommes profondément préoccupés par les coupes budgétaires prévues pour la CNUDCI.
- Nous comprenons que sept des trente postes de la CNUDCI seront supprimés prochainement. Ces coupes importantes en personnel risquent de compromettre la capacité de la CNUDCI à fonctionner dans des conditions normales. En particulier ces coupes menacent les activités menées par le Groupe de travail III, dans le cadre d'un programme de travail ambitieux qui devrait aboutir à la mise en place d'un mécanisme d'appel et d'une cour permanente compétente pour les différends entre investisseurs et États.
- Concernant les mesures d'économie, nous remercions les propositions déjà formulées, notamment par la Suisse, l'Allemagne et Israël. Nous sommes prudents quant aux mesures qui pourraient entraîner une réduction des activités, voire du mandat de la CNUDCI - ce que personne ne souhaite vraiment je pense - sans nécessairement entraîner des économies importantes.
- Nous avons identifié une mesure spécifique d'économie qui, en outre, n'entraînerait pas une réduction du champ d'action de la CNUDCI. Il s'agirait de mettre fin à l'alternance entre Vienne et New York, tant pour les réunions des groupes de travail que pour la session annuelle. La tenue de toutes les sessions de la Commission en un seul lieu, à Vienne, où le secrétariat dispose de bureaux établis, permettrait de réaliser des économies de centaines de milliers de dollars au titre des frais de voyage. Cela alignerait la CNUDCI sur les pratiques d'autres organes onusiens.

- Nous proposons cette mesure en cohérence avec notre engagement de long terme pour l'inclusivité et l'équité entre toutes les délégations.
- Il nous semble plus efficace de promouvoir l'inclusion en couvrant les frais de voyage des participants. À cet égard, la France, comme d'autres États, verse des contributions volontaires à la CNUDCI pour aider à financer les frais de voyage de certaines délégations. D'autres mesures plus spécifiques pourraient être mises en œuvre pour rationaliser les travaux de la CNUDCI, ce qui rendrait cet organe encore plus efficace sans compromettre sa capacité de s'acquitter de son mandat.
- A ce titre, nous serions ravis que le secrétariat produise un document présentant les pistes d'économies envisagées, les conditions juridiques nécessaires à leur mise en œuvre et leurs conséquences en termes budgétaires.
- Je me réjouis de cette discussion stratégique avec vous, chers collègues. »

Annex III: Proposal by the delegation of Canada

The delegation of Canada suggested replacing some in-person meetings (i.e. some working group sessions as well as some colloquia) - with fully virtual meetings, meaning that participants would attend exclusively online.⁴

Annex IV: Proposal by the delegation of Colombia

The delegation of Colombia proposed holding hybrid participation and displaying/projection of negotiating legislative texts on the screen during working sessions in English only. "Hybrid meetings encourage the use of new technology and the participation of members of delegations that have experienced difficulties in attending in person official meetings. However, implementing this measure should not be to the detriment of financing the travel from developing countries. Displaying on the screen the text that is being negotiated simplifies the tasks of participants both in person and online. This practice has been proven to be efficient for fostering transparency, inclusiveness and making official meetings more dynamic, and could be implemented in UNCITRAL."⁵

Annex V: Background materials to assess and discuss proposals

1. Evolution of working groups and duration of sessions

A/CN.9/638, paras. 22-24⁶

"22. At its thirty-fourth session, in connection with its deliberations on the implications of increasing its membership, the Commission held another overall review of its working methods on the basis of notes by the Secretariat (A/CN.9/499 and A/CN.9/500).⁷ In the light of the expanded work program of the Commission, the Commission increased the number of its working groups from three to six, working in parallel, with the corresponding shortening of the duration of the working group sessions from two weeks to one week.⁸ The Commission also agreed that working groups should hold substantive deliberations during the first eight half-day meetings,

⁴ Oral intervention by the delegation of Canada at the 58th Commission session.

⁵ This proposal was tabled during the 1st inter-sessional consultations meeting, on 7 October 2025.

⁶ UNCITRAL rules of procedure and methods of work, Note by the Secretariat (A/CN.9/638), 17 Oct. 2007.

⁷ A/56/17, paras. 370-383.

⁸ Ibid., para. 425.

with a draft report on the entire period to be adopted at the tenth and last meeting during the working group's session (on Friday afternoon). The Commission acknowledged that, under that option, no extensive report could be prepared on deliberations held during the ninth meeting (on Friday morning). The Commission agreed that main conclusions reached at that meeting should be summarily read out for the record by the Chairman at the tenth meeting and subsequently incorporated into the report. The prevailing view within the Commission was that it was important for the working group to adopt the entire report at the same session.⁹ The understanding was that new working methods would be used in a flexible manner and, depending on priority, a working group would be able to use two weeks for consideration of one topic. The Commission also invited delegations to resort to informal consultations prior to actual meetings, thus reserving actual conference time only for those issues that required extensive deliberations, both formal and informal, in the context of Commission and working group meetings.¹⁰

23. At the following sessions, the Commission expressed its conviction that its current working methods had proved their efficiency. The disadvantage of shortening the duration of a session of a working group from nine days to five days was considered to be outweighed by the advantages, which included: the ability of the Commission to work on more than three subjects (which was necessary in view of the pressing need for modernization of commercial laws in an increased number of areas of commercial law); the savings in time and expenditure for delegates attending a given session; and the experience that a number of members of delegations of member States and observers were able to attend a five-working-day session whereas, owing to their busy agenda, they could not attend a two-week session.¹¹

24. At its thirty-sixth session, the Commission formulated a policy, which has been followed since then, 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 group regarding the reasons for which a change in the meeting pattern was needed.¹²

A/CN.9/638/Add.1, paras. 22-30¹³

“(b) Intersessional subsidiary organs: working groups

22. The Commission established its first intersessional intergovernmental subsidiary organ, called a working group, already at its first session. The working group was of limited membership but open for attendance by other States members of the Commission who were entitled to present their observations orally or in writing. The mandate given to the working group was to examine the comments of the Governments, reports and studies received on the priority topics, and generally to consider the progress made in the work programme and make appropriate proposals and recommendations for the Commission to consider at its second session. The

⁹ Ibid., para. 381. In the current practice of working groups, substantive deliberations continue during the ninth meeting (on Friday morning), and main conclusions of that meeting are summarized by the Secretariat and read out to the working group at the tenth meeting, on Friday afternoon. The working group adopts the entire report of the session, including the summary of the ninth meeting, at its last meeting, on Friday afternoon.

¹⁰ Ibid., para. 382.

¹¹ A/57/17, para. 271; and A/58/17, paras. 270-275.

¹² A/58/17, para. 275

¹³ UNCITRAL rules of Procedure and methods of work, Note by the Secretariat (A/CN.9/638/Add.1), 17 Oct. 2007

Secretary-General was requested to convene a meeting of the Working Group one week before the opening of the second session if, in the opinion of the Secretary-General, arranging such a meeting would be of assistance to the Commission's future work.¹⁴

23. At its second session, the Commission established three working groups to work between Commission's sessions, all of limited membership but open for attendance to other States members of the Commission and interested international organizations. No mention of participating in the work of the working groups by States not members of the Commission was made.¹⁵ Each working group was given a specific mandate and assigned a name corresponding to the subject matter referred to it (on the International Sale of Goods, on Prescription, and on International Shipping Legislation).¹⁶ The Commission decided that the term "working group" would be used for the present for all intersessional bodies set up at its second session.¹⁷ This term has since been used for all intersessional subsidiary organs established by the Commission.

29. In the early years, the Commission set out the mandate for its working groups in specific terms.¹⁸ In later years, the mandate has been defined broadly and substantive discretion has been given to working groups as regards the implementation and interpretation of the mandate.¹⁹ Since early years, it has been the practice for the Commission to establish a timeframe for the completion of the project by its working group with flexibility, on the basis of the prevailing view that the quality should not be jeopardized by establishing an unrealistic deadline.²⁰

30. From 1978 until recently, the Commission had three working groups. Each was authorized to meet twice a year for two weeks, for a total of 12 weeks of working group meetings. That pattern was changed in 2001, when the Commission decided to have six working groups, meeting as a general rule twice a year for a one-week session.²¹ (See A/CN.9/638, para. 22.)"

2. Limitation of length of documents

A/59/17, paras. 123-126²²

"123. With respect to the notion of "page limit" referred to in the memorandum, the attention of the Commission was drawn to the report of the Secretary-General on improving the performance of the Department of General Assembly Affairs and Conference Services (A/57/289), paragraph 57 of which reads as follows:

"57. **Enforcing page limits.** As a result of reinforced instructions by the Secretary-General, the 16-page limit (7,200 words) on reports originating in the Secretariat is being applied systematically. Waivers to the rule are granted in only a limited number of cases. More attention must also be paid to the 20-page guideline (9,000 words) for reports of subsidiary bodies, special rapporteurs and the like, which account for a significant proportion of documents issued. Essentially, the 20-page limit will now serve as a guideline for all reports not falling within the 16-page limit.

¹⁴ A/7216, para. 52

¹⁵ See further A/CN.9/638/Add.5 for the evolving practice in the Commission and its subsidiary organs in this regard.

¹⁶ A/7618, paras. 38, 46 and 133 (3).

¹⁷ *Ibid.*, para. 184.

¹⁸ See, e.g., A/7618, paras. 38, 46 and 133; and A/39/17, paras. 88 and 113.

¹⁹ A/56/17 and Corr.3, para. 358; A/59/17, paras. 81-82; and A/61/17, para. 209.

²⁰ It is also common for the Commission to request its working groups to finalize the work expeditiously (see, e.g., A/9617, paras. 17-18, 20 (3) and 53 (3); and A/31/17, para. 33 (2)).

²¹ A/56/17, para. 425.

²² *Official Records of the General Assembly, Fifty-ninth Session, Supplement No.17 (A/59/17)*

Since Secretariat officials often draft such reports, they will be required to strive for observance of the guideline”.

In addition, the attention of the Commission was drawn to paragraph 15 of General Assembly resolution 53/208 B of 18 December 1998, in which the Assembly stressed once again the need for compliance with existing page limits; and invited all intergovernmental bodies to consider, where appropriate, the possibility of further reducing the length of their reports from 32 to 20 pages without adversely affecting either the quality of presentation or the content of the reports.

124. The Commission appreciated the provision of background information on the drafting guidelines contained in the Secretary-General’s memorandum (see para. 121 above), which aimed to achieve the page limits for reports of subsidiary bodies as discussed above. However, the Commission recalled the particular characteristics of its work that made it inappropriate for page limits to be applied to the documentation of the Commission or its subsidiary bodies.

125. The Commission noted that it had been established by the General Assembly by its resolution 2205 (XXI) with a broad mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade. The Commission also recalled that, if international legal rules were to be drawn up by consensus, the building of such consensus would typically require an analysis and precise statement of existing law and commercial practice. In addition, the Commission recalled that the legal standards it prepared for consideration by States when modernizing their legislation in the field of international trade law had to be justified by evidence of existing law and the requirements of its progressive development in the light of the current needs of the international community. Thus, the draft articles or other recommendations contained in documentation prepared for the Commission or its subsidiary bodies and in the reports of the Commission and its subsidiary bodies themselves had to be supported by sufficient references to existing law, commercial practice and other relevant data, including treaties, judicial decisions and, occasionally, doctrine.

126. In addition, the Commission noted that maintaining the level of detail and high quality of its documentation was necessary for the following reasons: (a) they were a critical component in the process of consulting States and obtaining their views; (b) they assisted individual States in the understanding and interpretation of the rules embodied in legal standards prepared by the Commission; (c) they were part of the *travaux préparatoires* of such standards and were frequently referred to or quoted by national legislators, judges and lawyers applying the standards; and (d) they contributed to the dissemination of information about international trade law in accordance with the relevant United Nations programme.”

GA Resolution 79/117, para.20²³

“20. Reiterates its request to the Secretary-General, in conformity with resolutions of the General Assembly on documentation-related matters,²⁴ which, in particular, emphasize that any invitation to limit, where appropriate, the length of documents should not adversely affect either the quality of the presentation or the substance of the documents, to bear in mind the particular characteristics of the mandate and functions of the Commission in the progressive development and codification of international trade law when implementing page limits with respect to the documentation of the Commission.²⁵”

²³ Ibid., *Seventy-ninth Session* (A/RES/79/117) [on the report of the Sixth Committee (A/79/467, para.11)].

²⁴ Resolutions 52/214, sect. B, 57/283 B, sect. III, and 58/250, sect. III.

²⁵ See resolutions 59/39, para. 9, and 65/21, para. 18; see also *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17 (A/59/17)*, paras. 124–128.

A/80/448, para. 22²⁶

“22. Reiterates its request to the Secretary-General, in conformity with resolutions of the General Assembly on documentation-related matters,²⁷ which, in particular, emphasize that any invitation to limit, where appropriate, the length of documents should not adversely affect either the quality of the presentation or the substance of the documents, to bear in mind the particular characteristics of the mandate and functions of the Commission in the progressive development and codification of international trade law when implementing page limits with respect to the documentation of the Commission.²⁸”

GA Resolution 53/208 B, para.15²⁹

“15. Stresses *once again* the need for compliance with existing page limits, and invites all intergovernmental bodies to consider, where appropriate, the possibility of further reducing the length of their reports from thirty-two to twenty pages without adversely affecting either the quality of presentation or the content of the reports.”

3. Working languages of UNCITRAL

A/520/Rev.20, Rule 51³⁰ - Multilingualism and document distribution

“VIII. Languages:

Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the General Assembly, its committees and its subcommittees.”

GA Resolution 79/17, para. 19³¹

“19. *Recalls* that Arabic, Chinese, English, French, Russian and Spanish are both the official and the working languages of the General Assembly, including its committees and subcommittees, and also recalls paragraph 64 of its resolution 78/330 of 6 September 2024 on multilingualism as applicable also to the documentation, publications and meetings of the United Nations Commission on International Trade Law.”

GA Resolution 76/268, paras. 67, 68 and 70³²

“67. *Underlines* that all the initiatives on leveraging technology, where applicable, including those introduced on a trial basis, shall comply with the principle of parity among the official languages of the Organization, with a view to preserving and enhancing the quality and scope of the services provided by the Secretariat,

²⁶ *Official Records of the General Assembly, Eightieth Session (A/80/448)*, [Report of the Sixth Committee].

²⁷ Resolutions 52/214, sect. B, 57/283 B, sect. III, and 58/250, sect. III.

²⁸ Resolutions 59/39, para. 9, and 65/21, para. 18; see also *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17 (A/59/17)*, paras. 124–128.

²⁹ *Official Records of the General Assembly, Fifty-third Session (A/RES/53/208)* [on the report of the Fifth Committee (A/53/744)]

³⁰ Rules of Procedure of the General Assembly (embodying amendments and additions adopted by the General Assembly up to and including its seventy-fifth session), Sept.2022

³¹ *Official Records of the General Assembly, Seventy-ninth Session (A/RES/79/17)* [on report of the First Committee (A/79/405), para. 7].

³² *Ibid.*, *Seventy-sixth Session (A/RES/76/268)* [without reference to a Main Committee (A/76/L.57 and A/76/L.57/Add.1)].

and encourages the Secretary-General to continue these efforts as a practical contribution to the achievement of the goals of multilingualism.

68. *Reiterates with concern its request* that the Secretary-General ensure that the rules concerning the simultaneous distribution of documents in all six official languages are strictly respected as regards both the distribution of printed copies and the posting of parliamentary documentation on the Official Document System and the United Nations website, in accordance with section III, paragraph 5, of its resolution 55/222 of 23 December 2000;

70. *Underlines* that all the initiatives on the evolution of the working methods, including those introduced on a trial basis, shall comply with the principle of parity among the official languages of the Organization, with a view to preserving or enhancing the quality and scope of the services provided by the Secretariat.”

A/80/448, para. 21³³

“21. *Recalls* that Arabic, Chinese, English, French, Russian and Spanish are both the official and the working languages of the General Assembly, including its committees and subcommittees, and also recalls paragraph 64 of its resolution 78/330 of 6 September 2024 on multilingualism as applicable also to the documentation, publications and meetings of the United Nations Commission on International Trade Law.”

4. Rotation scheme

GA Resolution 2205 (XXI), para. 6³⁴ – Establishment of UNCITRAL

“6. The Commission shall normally hold one regular session a year. It shall, if there are no technical difficulties, meet alternately at United Nations Headquarters and at the United Nations Office at Geneva.”

GA Resolution 2609 (XXIV), paras. 10 and 12³⁵ – Sessions away from headquarters; cost implications

“10. Decides that United Nations bodies may hold sessions away from their established headquarters when a government issued an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved.

12. Urges all organs and subsidiary bodies of the United Nations to plan their future conferences and meetings in accordance with the following recommendations of the Ad Hoc Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies: "... (iii) The financial ability of the organizations and of member States to meet the requirements necessary to hold conferences should be determined and taken into account.”

GA Resolution 31/140, para. 4³⁶ – Venue and rotation reaffirmed

“4. Reaffirms the general principle that, in drawing up the schedule of conferences and meetings, United Nations bodies shall plan to meet at their respective established headquarters, with the following exceptions: (...) (e) The sessions of the United Nations Commission on International Trade Law may be held, subject to the provision in section II, paragraph 6, of General Assembly resolution 2205 (XXI) of 17 December 1966, alternately at Headquarters in New York and at Geneva.”

³³ Ibid., *Eightieth Session (A/80/448)* [Report of the Sixth Committee].

³⁴ Ibid., *Twenty-first Session (2205 (XXI))*.

³⁵ Ibid., *Twenty-fourth Session (2069 (XXIV))*.

³⁶ Ibid., *Thirty-first Session (A/RES/31/140)*.

GA Resolution 66/246, para. 48³⁷ – Retention of rotation scheme between Vienna and New York

“48. Decides to increase non-post resources by 274,200 dollars in order to provide sufficient funding for servicing the work of the United Nations Commission on International Trade Law for fourteen weeks and to retain the rotation scheme between Vienna and New York.”

GA Resolution 31/194³⁸ – Approval of Vienna facilities for UNCITRAL

Following General Assembly resolution 31/194 (December 1976), by which the General Assembly approved the utilization of office accommodation and conference facilities at the Donaupark Centre in Vienna,³⁹ the Commission discussed the idea of transferring the UNCITRAL secretariat from NY to Vienna and implications of such transfer on the work of UNCITRAL as follows:⁴⁰

C. Possible transfer of the International Trade Law Branch from New York to Vienna

59. With respect to General Assembly resolution 31/194, the Commission noted that the General Assembly, by that resolution, had authorized the Secretary-General to put into effect, among other things, the proposal contained in paragraph 41 of his report on the utilization of office accommodation and conference facilities at the Donaupark Centre in Vienna (A/C.5/31/34), which mentions the International Trade Law Branch as one of the units to be considered for possible transfer from New York to Vienna in 1979. In view of the fact that the International Trade Law Branch functions as the secretariat of the Commission, the Commission held an exchange of views concerning the effect of the proposed transfer on its work, and it was agreed that the report on the work of its tenth session should reflect the views expressed by delegations.

60. Opinions were divided on the question whether it was proper for the Commission to express its opinion on the General Assembly resolution at issue.

61. According to one view, since the Secretary-General had been authorized by the General Assembly to put his proposal to transfer the Commission's secretariat to Vienna into effect, it was no longer open for the Commission, as an organ of the General Assembly, to seek to discuss the issue or to express views contrary to the policy decisions embodied in the pertinent resolution. This was particularly so since that resolution must be taken to embody the result of the deliberations of all Member States, including those represented by representatives to the current session of the Commission. Furthermore, at issue was an administrative and budgetary matter, and it was outside the legal competence of the Commission to interfere in such a matter.

62. According to another view, the Commission was not precluded from expressing its views on the question. The Commission's primary competence with respect to matters relating to the unification and harmonization of trade law had been recognized in its mandate. Since it must be taken as given that both the General Assembly and the Secretary-General were interested in the continued success of the Commission's work, it was not improper, but on the contrary justified, for the Commission, within its area of recognized competence, to bring to the attention of the General Assembly and the Secretary-General any factors which it felt might have an adverse effect on its ability to carry out its mandate effectively, even if such factors arose from a decision of the Secretary-General which had been approved by the General Assembly.

63. In the course of the discussions, two separate

issues were identified with regard to the planned relocation of the Commission's secretariat in Vienna: the effect of that relocation, firstly on the Commission's work, and, secondly, on the venue of the Commission's sessions.

64. As to the first issue, several representatives expressed concern that the proposed transfer might adversely affect the ability of the secretariat to function at the level of effectiveness and competence which the Commission had come to expect of it. In this connexion, it was observed that sound preparatory work in respect of the technically complex areas with which the Commission was dealing was fundamental to the success of any work in the unification of law and that the favourable reception which had so far been accorded to the work of the Commission reflected the thorough preparatory work carried out by the secretariat. Accordingly, it was considered essential that adequate research facilities be readily accessible and be available in the working languages of the Commission.

65. The representative of Austria, speaking in this context, informed the Commission that his Government was aware of the importance of research facilities to the work of the Commission. The appropriate Austrian authorities were actively exploring all possible means, including financial, that would provide the Commission and its secretariat with such facilities. Contacts had been established between representatives of the Austrian Government and the Commission's secretariat to ascertain the latter's needs in this regard and these would continue in the months ahead.

66. On the question of where the Commission would hold its sessions in the event of a transfer of its secretariat to Vienna, most representatives who spoke on the matter urged the retention of New York as one of the regular meeting places. It was recalled in this connexion that it had been the understanding when the Commission was established that it would hold its sessions on a regular basis alternately in New York and in Geneva. The principle of rotation, it was urged, should be respected.

67. Many representatives expressed support for holding the sessions alternately between New York and Vienna, although the view was also advanced that the sessions might rotate between New York, Vienna and Geneva. There was, however, consensus that the Commission should not take an official stand on this question at this time either because it would be premature to do so since everything was based on a contingency — the relocation to Vienna of the secretariat — which would at any event not materialize until after the next session or because the question involved certain complex and delicate issues which required particular consideration.

68. The Commission concluded its consideration of the question of venue without formal decisions but with the understanding that the matter would again be considered at its next session.

³⁷ Ibid., *Sixty-sixth Session* (A/RES/66/246) [on the report of the Fifth Committee (A/66/637)].

³⁸ Ibid. *Thirty-first Session* (A/RES/31/194).

³⁹ Ibid.

⁴⁰ Ibid. *Thirty-second Session, Supplement No. 17* (A/32/17), paras. 46-47 and 59-68.

A/32/402, para. 42⁴¹

“42. Several representatives addressed the issue of the possible transfer of the International Trade Law Branch of the Office of Legal Affairs, the secretariat of the Commission, from New York to Vienna, Austria. It was said that reasons of efficiency, economy and the convenience of States, particularly developing countries, many of which did not have representation in Vienna, made it desirable for the work of the Commission to continue to be centred in New York. It was also to be hoped that adequate research and support facilities would be available for the secretariat should it be relocated, in order that it might maintain the high quality that had characterized its work. The view was also expressed in this connexion that it would be desirable to seek the opinion of the Commission on this issue.”

A/33/17, para. 90⁴²

In 1978 the Commission continued discussions regarding the proposed transfer of ITLD to Vienna and the potential disruptions this move could cause to the Commission's work. Concerns were raised about the impact of the relocation, particularly in relation to the availability of adequate research facilities. As a result, the Commission decided to defer the established rotation scheme for a period of three years, allowing time for the necessary infrastructure to be put in place:

1. Venue of the Commission's sessions

90. The discussions on the venue of the Commission's sessions showed that there was considerable support for the continuation of the existing pattern of sessions, which had been authorized by the General Assembly when it established the Commission and under which the Commission met alternately at United Nations Headquarters in New York and at the United Nations Office at Geneva (see Assembly resolution 2205 (XXI) of 17 December 1966, sect. II, para. 6). The Commission noted that this pattern of sessions had been reaffirmed by the Assembly in resolution 2609 (XXIV) of 16 December 1969 and by resolution 31/140 of 17 December 1976. There was agreement that the rotation between New York and Europe should continue and that the European session might be held at Geneva or Vienna once the Commission's secretariat was established in the latter city. Accordingly, the Commission decided to recommend to the Assembly that, in respect of the Commission, the above meeting pattern, under which sessions of the Commission may be held alternately at Headquarters in New York and at Geneva or Vienna, should be maintained.

⁴¹ Ibid., *Thirty-second Session (A/32/402)* [Report of the Sixth Committee]

⁴² Ibid., *Thirty-third Session, Supplement No. 17 (A/33/17)*

In 1979 the Commission reported the establishment of the new rotation between New York and Vienna, although it expressed that some working groups continued to alternate between New York and Geneva:

A/34/17, paras. 121-122⁴³

“121. The Commission was informed by the Secretariat that, although the normal rule was that all meetings of the United Nations body and its subsidiary organs should be held at the place where the secretariat of that body was located, the Committee on Conferences had decided that sessions of the Commission and its Working Groups which had alternated between New York and Geneva should now alternate between New York and Vienna. In this connexion, the view was expressed that representatives of some developing countries found it easier to attend meetings in New York or Geneva rather than in Vienna. Under another view, however, the interests of efficiency and economy required that sessions when held in Europe be held at the location of the Commission's secretariat.

122. After deliberation, the Commission was agreed that sessions of the Commission and its Working Groups should, as a general rule, alternate between New York and Vienna.”

In subsequent sessions of UNCITRAL, delegations have been raising issues arising from the rotation from time to time. The detailed discussion took place in 2011 (A/66/17, paras. 334-344):

A/66/17, paras. 334-344⁴⁴

“XXI. Date and place of future meetings

A. Consideration of a budget proposal made by the Secretary-General affecting the alternating pattern of UNCITRAL meetings in New York and Vienna

“334. The Commission was informed of a proposal made by the Secretary-General with the aim of reducing administrative costs involved in servicing UNCITRAL sessions by cutting the travel budget of Secretariat staff to service UNCITRAL meetings in New York. It was noted that the effect of the Secretary-General's proposal would be that the long-established practice of holding sessions of the Commission and its working groups alternately in New York and Vienna would be discontinued and thus, as from 2012, all sessions of the Commission and its Working Groups would be held in Vienna. It was also noted that, for that proposal to come into effect, decisions must be made by the Commission and the General Assembly. The Commission was also informed that the Secretary-General's budget proposal for 2012-2013 involved cutting not only travel funds required for the servicing of meetings in New York (a proposed reduction of \$274,200 for the biennium 2012-2013, or 94.3 per cent of the 2010-2011 appropriation) but also resources budgeted for the following: hiring of consultants (a reduction of \$20,000, or 23.6 per cent); travel of experts (a reduction of \$39,100, or 17.8 per cent); other travel of Secretariat staff (a reduction of \$22,800, or 20 per cent); and furniture and equipment (a reduction of \$17,200, or 44.9 per cent), among other things. Altogether, the budget reduction proposed for UNCITRAL and its secretariat would amount to \$364,700 for the biennium 2012-2013, or 5.2 per cent of the 2010-2011 appropriation. Bearing in mind that 84.2 per cent of the aggregate budget of the UNCITRAL secretariat was spent on staff posts, the proposed reduction would amount to 33 per cent of the non-post appropriation for 2010-2011.

335. The Commission took note of the proposal. Unanimous support was expressed for efforts to achieve savings across the United Nations.

⁴³ Ibid., *twelfth Session, Supplement No. 17* (A/34/17), paras. 121-122).

⁴⁴ Ibid., *forty-fourth Session, Supplement No. 17* (A/66/17)

336. The Commission recalled that the alternating pattern of meetings between New York and a European city (Geneva from 1969 to 1977 and Vienna since 1978) had been a feature of UNCITRAL throughout its existence. Among the reasons for such a changing venue that were put forward by States when the Commission was established and when its secretariat was transferred from New York to Vienna were the following: the proportionate distribution of travel costs among delegations; the influence and presence of UNCITRAL globally; and the needs of developing countries, many of which did not have representation in Vienna. The Commission confirmed that those reasons remained as valid today as ever. It was recalled that, throughout the history of UNCITRAL, proposals had been made for holding some meetings of the Commission and its working groups in other regions of the world, so as to increase the visibility of UNCITRAL in those regions and worldwide. From that perspective, the current alternating pattern was already the result of a compromise that should not be unravelled. The Commission also recalled its decisions as regards ways and means of achieving better integration of UNCITRAL resources into other United Nations activities, such as joint rule-of-law programmes, development programmes and post-conflict reconstruction (see paras. 318-320 above). Implementing those decisions would require closer cooperation and coordination between the UNCITRAL secretariat and the relevant parts of the United Nations system located in New York.

337. Member States attending the current session unanimously felt that abolishing the alternating pattern of meetings would entail detrimental consequences to the ability of UNCITRAL to continue its work on the harmonization and unification of the law of international trade. That work, it was said, presupposed the fullest possible participation of States in sessions of the Commission and its working groups so that UNCITRAL standards achieved universal acceptability. It was emphasized that the special interests of developing countries should be taken into account to ensure their continued or increased representation in the work of UNCITRAL. In terms of perception, it was also important that the uniform instruments of UNCITRAL should be seen to be the result of worldwide consensus based on proper representation. Concern was expressed that the proposed change would contradict General Assembly resolution 2205 (XXI) on the establishment of UNCITRAL, as well as Assembly resolutions 2609 (XXIV) and 31/140, all of which dealt with the pattern of UNCITRAL conferences. In view of the above, the Commission expressed its unanimous support for the continuation of the current alternating pattern of meetings held by UNCITRAL.

338. Bearing in mind the current financial crisis, the Commission generally agreed that, while the proposed abolition of the alternating pattern of meetings should be avoided, every effort should be made to identify alternatives that would achieve an equal amount of savings. In response to a question, the Commission was informed that, according to a recent estimate, the costs of servicing a one-week meeting within the entitlement to conference services support for regular calendar meetings of UNCITRAL or its working groups amounted to \$132,654, regardless of whether the meeting was held in New York or Vienna. That amount was approximately the same as the annual cost (\$137,100) of Secretariat staff travelling to New York to service sessions of UNCITRAL and its working groups. The Commission was generally of the view that reducing its entitlement to conference services support by one week per year, while disruptive to its work programme, would constitute an acceptable alternative to abolishing its alternating pattern of meetings. In that context, the Commission noted that its current entitlement to conference services support amounted to 12 weeks per year for working group sessions and 3 weeks per year for the Commission session — a total of 15 weeks of conference services support per year. The possible savings would result in a reduction of that entitlement from 15 to 14 weeks of meetings per year.

339. The Commission understood that abolishing the alternating pattern of meetings, as opposed to eliminating one week of conference services support, although substantially equivalent for the overall budget of the United Nations, would not be equally reflected in the budget of the Office of Legal Affairs and, in particular, of the UNCITRAL secretariat. It was explained that savings achieved by eliminating one week of conference services support would appear under the budget of the Department for General Assembly and Conference Management, while savings achieved by eliminating the alternating pattern of meetings of UNCITRAL would appear under the budget of the Office of Legal Affairs. Concern was expressed as to whether the link between the proposed alternative savings in the Department for General Assembly and Conference Management budget and the operation of UNCITRAL would be sufficiently visible to the Fifth Committee of the General Assembly to be credited to the Office of Legal Affairs. A number of delegations expressed their confidence that compensation between two lines of the regular budget should be acceptable provided that sufficient explanations were given.

340. The Commission decided to propose the alternative to the General Assembly. It appealed to members of delegations represented at the forty-fourth session of the Commission to coordinate closely with representatives of their delegations in the Fifth and Sixth Committees when the proposal and reasons therefor were considered in those bodies. The understanding was that the final decision of the Commission on the date and place of sessions of UNCITRAL and its working groups in 2012 (see paras. 345, 349 and 350 below) would be deferred until the decision of the Assembly on the Secretary-General's proposal and the alternative proposal of the Commission was taken, which was expected to be in December 2011.

341. The Commission exchanged ideas as to possible additional ways of achieving savings on the budget of its secretariat. One delegation suggested reducing the number of personnel travelling to New York to service sessions. Other delegations were of the view that micromanagement should be avoided and flexibility should be preserved in that regard since some projects might require the involvement of more staff than others. Holding back-to-back sessions with mostly the same personnel servicing two or more sessions was also suggested. While there was general agreement that this might constitute a desirable goal, practical difficulties were highlighted, in particular since the dates were not always available for holding back-to-back sessions and the lack of expertise of the Secretariat staff in the topics considered in different working groups might detrimentally affect substantive secretariat services provided during sessions. As to the possibility of cutting posts in the UNCITRAL secretariat, the view was strongly held by a number of delegations that this should not be considered an acceptable way forward.

342. The Commission was invited to reconsider the frequency with which working groups met and the desirability of undertaking new projects. The view was shared that servicing six working groups stretched the resources of the UNCITRAL secretariat to the maximum and increased the risk that the quality of services would be negatively affected. Holding one session of a working group per year instead of the traditional two sessions (as was decided at the current session as regards Working Group I (see para. 184 above)) and temporarily suspending the activities of one working group were considered as options. For example, it was suggested that the Commission might decide at its next session to suspend the work of Working Group VI once that working group completed work on its current project. Nevertheless, concerns about long suspensions of working group activities were expressed, since the prolonged inactivity might create doubt about the ability of UNCITRAL to maintain its level of expertise in a particular field. Electronic commerce and transport law were cited as examples.

343. Some delegations expressed the view that, in the light of the shortage of resources and the budgetary cuts faced by the UNCITRAL secretariat, the time was ripe for the Commission to engage in strategic planning by holding a comprehensive review of its current and future work programmes and more efficient ways to implement them. Prioritizing work on the various topics, clearly defining a time frame for a working group to complete its work and rationalizing the Commission's work, in particular the volume and contents of documentation, were considered to be among the issues worth considering in that context. More extensive resort to informal consultations for resolving controversial issues and to drafting groups for finalizing text, as had successfully been done during the current session in respect of the Model Law on Public Procurement, was suggested as a pattern to be considered to expedite decision-taking at plenary meetings of the Commission. Nevertheless, a note of caution was struck and it was generally agreed that any proposed changes should not negatively affect the flexibility of the methods by which the Commission had successfully operated and proved its effectiveness and efficiency. After discussion, the Commission requested the Secretariat to prepare for the next session of the Commission a note on strategic planning, with possible options and an assessment of their financial implications.

344. A number of delegations expressed concern over the fact that the full range of financial information, including existing documents containing budget proposals that might have a decisive impact on the work of the Commission and require policy decisions on its part, was not made available to the Commission as a matter of course.”

5. Holding online meetings

GA Resolutions 75/133, para. 14⁴⁵ - Commend temporary adjustments during Covid-19

“14. *Commends* the Commission for the temporal adjustments made in the methods of work of the Commission in order to advance its work to the extent possible in the light of prevailing travel restrictions owing to the COVID-19 pandemic on the participation of delegations at sessions of the Commission and its working groups, which demonstrates the adaptability and resilience of the Commission and its secretariat in such exceptional circumstances as well as the fruitful efforts to preserve transparency, inclusiveness, flexibility, multilingualism, effectiveness and equality in carrying out its work.”

A/RES/76/229, para. 16⁴⁶ - Commend temporary adjustments during Covid-19

“16. *Commends* the Commission for the continued temporary adjustments it has made in its methods of work in order to advance its work to the extent possible in the light of prevailing travel restrictions owing to the COVID-19 pandemic on the participation of delegations at sessions of the Commission and its working groups, which demonstrates the adaptability and resilience of the Commission and its secretariat in such exceptional circumstances as well as the fruitful efforts to preserve transparency, inclusiveness, flexibility, multilingualism, effectiveness and equality in carrying out its work.”

⁴⁵ Ibid., *Seventy-fifth Session* (A/RES/75/133) [on the report of the Sixth Committee (A/75/424, para. 7)].

⁴⁶ Ibid., *Seventy-sixth Session* (A/RES/76/229) [on the report of the Sixth Committee (A/76/471, para. 13)].

Methods of work and different tools or ways of advancing work in working groups

A/77/17, paras. 180 and 238⁴⁷

“180. The Commission noted that progress was being made with regard to other reform elements through a series of intersessional meetings⁴⁸ and other informal meetings,⁴⁹ as well as by collecting comments on initial drafts of working papers prepared by the secretariat.⁵⁰

238. In addition, working groups were encouraged to avail themselves of various tools in order to enhance the efficiency and productivity of deliberations during the formal sessions, including by holding informal consultations between or in conjunction with working group sessions. It was observed that such informal consultations could be organized by the secretariat for the sake of transparency and inclusiveness, in order to ensure wide participation. It was also noted that it was necessary to ensure that delegations had equal opportunity to take part in informal consultations. It was emphasized that informal consultations should not be used to take decisions for, or pre-empt or foreclose the decisions by, a working group and that the number of informal consultations should not be excessive, as that could limit the participation of certain delegations.”

UNCITRAL report A/78/17, paras. 23, 216-222⁵¹ – Informal meetings allowed; inclusivity and transparency were emphasized

“23. With respect to agenda item 11 (Work programme of the Commission), under the subtopic of methods of work, the Commission: (...) (b) Confirmed that Working Group III, or any other working group when the need arose, could continue to use the final meetings of its sessions for substantive deliberations and adopt the report of the session by means of a written procedure.

216. The Commission recalled that, at its fifty-fifth session, in 2022, it had considered possible adjustments to its methods of work in light of the experience accumulated from the holding of UNCITRAL sessions during the COVID-19 pandemic.

217. Among other things, the Commission had agreed to continue to arrange for the meetings of its working groups to be made available on a streaming or videoconferencing platform, which would allow delegates participating remotely to listen to the deliberations but not make active interventions.⁵² However, it had been stressed that any such arrangement should continue to promote inclusivity and should seek to be effective in relation to costs and budgets.

218. At the present session, the Commission had before it a note by the Secretariat giving a general overview of the work programme of the Commission and of its working groups and

⁴⁷ *Ibid.*, *Seventy-seventh Session, Supplement No. 17 (A/77/17)*

⁴⁸ The fourth intersessional meeting, on procedural rules reform and cross-cutting issues, was held online on 2 and 3 September 2021, hosted by the Republic of Korea (for a summary of the meeting, see document A/CN.9/WG.III/WP.214). The fifth intersessional meeting, on the use of mediation in investor-State dispute settlement, was held in a hybrid format (in person and online) on 28 and 29 October 2021, hosted by Hong Kong, China (for a summary of the meeting, see A/CN.9/WG.III/WP.210).

⁴⁹ Informal meetings were held on 26 August 2021, 13 and 14 September 2021, 6–10 December 2021, 20 January 2022, 2 and 3 March 2022, 23 and 24 March 2022, 5 May 2022 and 7–10 June 2022, on the following topics: calculation of damages, the multilateral standing mechanism and its financing, the code of conduct, shareholder claims for reflective loss, the multilateral instrument on investor-State dispute settlement reform, the appellate mechanism, investment mediation, and procedural rules reform. For further information, see the website of Working Group III (https://uncitral.un.org/en/working_groups/3/investor-state), under “Intersessional activities” in the right-hand column.

⁵⁰ The initial drafts covered the following topics: third-party funding, the selection and appointment of investor-State dispute settlement tribunal members to a standing multilateral mechanism, the assessment of damages, mediation and other forms of alternative dispute resolution, the appellate mechanism, a compilation of dispute prevention practices, and pertinent elements of selected permanent international courts and tribunals.

⁵¹ *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 17 (A/78/17)*

⁵² A/77/17, para. 237

its secretariat, including methods of work (A/CN.9/1140). The Commission noted that the Secretariat had provided live streaming of all sessions of the working groups since the fifty-fifth session of the Commission, as well as the present session of the Commission, in the six official languages of the United Nations (although without the possibility for remote participants to make interventions). The Commission was informed that the secretariat had incurred costs for the livestreaming of the sessions, which was currently not included in the regular budget of UNCITRAL and its secretariat. In that context, there was strong support for continuing to livestream the sessions, as it would allow for inclusiveness and transparency and lead to broader participation by subject-matter experts in real time. While support was also expressed for a hybrid interactive format of UNCITRAL sessions, it was stated that this would limit the conference time allocated to the sessions and might create difficulties for some delegates to obtain approval to attend sessions in person. After discussion, the Commission requested the secretariat to seek ways to continue the livestreaming of UNCITRAL sessions within the existing resources of the Secretariat.

219. With regard to the use of the final meetings of the working group session to continue substantive deliberations, the Commission confirmed that Working Group III (or any other working group, when the need arose) could continue to use the final meetings of its sessions for substantive deliberations, and adopt the report of the session by a written procedure.

220. A proposal with two options was put forward to guide the secretariat when organizing informal meetings of working groups in between formal sessions. One option was that the working groups should decide how and when intersessional informal meetings could be organized and set the agenda. The other option was that the Commission should invite the working groups to discuss how intersessional informal work can best be organized, and to set the agenda. At the outset, it was clarified that the proposal did not aim to address the methods of work by Working Group III, which had already been agreed by the Working Group, nor address the expert meetings organized by the secretariat. Some concerns were expressed about organizing informal meetings (including in respect of intersessional meetings of Working Group III), as some delegates might not be able to participate due to limited time and resources as well as the lack of interpretation. There was, however, broad support for organizing informal meetings so as to enhance the efficiency and productivity of deliberations during the formal sessions. It was noted that such informal meetings should not be used to take decisions for, or pre-empt or foreclose the decisions by, a working group and that the number of informal consultations should not be excessive, as that could limit the participation of certain delegations. The importance of ensuring that delegations had equal opportunity to take part in informal meetings in light of the different time zones involved was emphasized. It was added that the organization of such meetings should not have any impact on the regular budget of UNCITRAL and its secretariat. A suggestion was made for the recordings of informal meetings to be made available to all delegates of the working group.

221. After deliberations, the Commission agreed that each working group should decide how and when informal meetings of the working group would be organized by the secretariat in between its sessions. The Commission further agreed that the agenda of such meetings should be agreed by the working group and announced in advance in order to facilitate the participation of the delegates involved. The Commission noted that in that process, the working groups and the secretariat should ensure (a) the inclusiveness and transparency of the informal meetings, (b) that no decision would be taken during informal meetings, (c) that an excessive burden would not be put on delegates to attend such meetings, (d) that recordings of the meetings were made available to delegates who could not attend, and (e) that interpretation would be provided to the extent possible and resources permitting.

222. In respect of holding informal meetings during the Commission session, the Commission agreed to continue its practice of informal meetings during the formal sessions.”

A/79/643, paras. 41 and 52-55⁵³ - Pattern of conference

“41. Welcomes the innovative efforts of the Department for General Assembly and Conference Management to improve conference services with a view to facilitating the decision-making process by intergovernmental bodies, and requests the Secretary-General to continue to explore technological and other innovations that advance effectiveness and efficiency in this regard and to report on these efforts during the eightieth session

Draft resolution on matters related to documentation and publications

52. Emphasizes the paramount importance of the equality of the six official languages of the United Nations;

53. Underlines that all the initiatives on the evolution of working methods, including those introduced on a trial basis, shall comply with the principle of parity among the official languages of the Organization, with a view to preserving or enhancing the quality and scope of the services provided by the Secretariat;

54. Emphasizes the importance of multilingualism in the activities of the United Nations, and requests the Secretary-General to continue his efforts to ensure full parity among the six official languages in accordance with General Assembly resolution 76/268 and to report thereon to the Assembly at its eightieth session;

55. Also emphasizes the importance of making use of all the official languages of the United Nations, ensuring their full and equitable treatment in all the activities of the Department of Global Communications of the Secretariat, with the aim of eliminating the disparity between the use of English and the use of the five other official languages, and in this regard reaffirms its request that the Secretary -General ensure the archiving of official meetings webcasts in all six official languages on the United Nations website; 56. Notes that the disparity between the use of English and the use of the five other official languages in the archiving of official meetings webcasts remains, and requests the Secretary-General to increase his efforts to ensure the equal treatment of the official languages in this regard.”

6. Displaying text on a screen in English

Practice of UN GA subsidiaries bodies - Examples

A) Ad hoc Committee to elaborate a comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal purposes - Real-time projection of draft text during negotiations.

A/AC.291/23, para. 23⁵⁴

“23. At the 1st to 23rd meetings, the Chair opened the floor for Member States to make substantive amendments and proposals relating to the draft text of the convention, which was projected on screen to reflect in real time the amendments and proposals made by Member States, following the groups of articles of the draft text of the convention contained in the annex to the methodology for conducting the work of the Ad Hoc Committee at its sixth

⁵³ Draft resolution recommended to the 80th General Assembly [on the report of the Fifth Committee], ongoing process.

⁵⁴ Report of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes (A/AC.291/23).

session.⁵⁵ Before the end of each day, the Chair provided to the plenary the draft text of the convention containing the comments that had been made by Member States on that day.”⁵⁶

B. Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights-text captured on screen in hybrid format – editing documents in real time.

A/HRC/52/41, paras. 6, 21 and 23⁵⁷

“6 The Chair-Rapporteur explained that for each segment he would offer a brief introduction of the article or articles to be discussed, and then States would be invited to make textual proposals, (...). Textual proposals on either document would be captured in real time on the projected screen

21. State delegations were then invited to present specific textual proposals on the various provisions of the third revised draft text or the Chair-Rapporteur’s informal contribution for that article, as well as respond to any proposed text by expressing support or non-support or suggesting amendments. Specific textual proposals and amendments to such proposals on both the third revised draft and the Chair-Rapporteur’s informal contributions were captured with proper attribution on the projected screen.

23. Specific textual proposals and amendments to such proposals were captured with proper attribution on the projected screen.”

⁵⁵ https://www.unodc.org/documents/Cybercrime/AdHocCommittee/6th_Session/general-documents/AHC_6th_session_-_Methodology.pdf

⁵⁶ See Record of the sixth session - <https://webtv.un.org/en/asset/k1j/k1jv9y23ad>

⁵⁷ Report on the eighth session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, 30 December 2022