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UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
Working Group on International
Contract Practices
Ninth Session
New York, 6-17 January 1986

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Formulation of uniform legal rules on the liability of operators of transport terminals
4. Other business
5. Adoption of the report

Notes on the provisional agenda

The Commission, at its sixteenth session (1983), decided to include the topic of liability of operators of transport terminals in its programme of work, to request the International Institute for the Unification of Private Law (UNIDROIT) to transmit its preliminary draft Convention on that subject to the Commission for its consideration, and to assign work on the preparation of uniform rules on that subject to a Working Group. The Commission deferred to its seventeenth session the decision on the composition of the Working Group. 1/

1/ Report of the United Nations Commission on International Trade Law on the work of its sixteenth session, Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 17 (A/38/17), para. 115.

At its seventeenth session (1984), the Commission decided to assign to its Working Group on International Contract Practices the task of formulating uniform legal rules on the liability of operators of transport terminals. It further decided that the mandate of the Working Group should be to base its work on document A/CN.9/252 and on the UNIDROIT preliminary draft Convention and the Explanatory Report thereto, and that the Working Group should also consider issues not dealt with in the UNIDROIT preliminary draft Convention, as well as any other issues which it considered to be relevant. 2/

The Working Group commenced its work on this topic at its eighth session, held at Vienna from 3 to 13 December 1984, by engaging in a comprehensive consideration of the issues arising in connection with the liability of operators of transport terminals. 3/ The Commission, at its eighteenth session (1985), expressed its satisfaction with and appreciation for the work thus far accomplished, and requested the Working Group to proceed with its work expeditiously. 4/

At its ninth session, the Working Group will have before it a study of various factual and legal aspects of operations performed by operators of transport terminals, together with draft articles of uniform rules on the liability of operators of transport terminals, both prepared by the Secretariat.

The Working Group consists of the following States: Algeria, Australia, Austria, Brazil, Central African Republic, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Guatemala, Hungary, India, Iraq, Italy, Japan, Kenya, Mexico, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Sweden, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Yugoslavia.

Item 1. Election of officers

The Working Group, in accordance with normal practice, may wish to elect a Chairman and a Rapporteur.

2/ Report of the United Nations Commission on International Trade Law on the work of its seventeenth session, Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 17 (A/39/17), para. 113.

3/ A/CN.9/260.

4/ Report of the United Nations Commission on International Trade Law on the work of its eighteenth session, Official Records of the General Assembly, Fortieth Session, Supplement No. 17 (A/40/17), para. 349.

Item 3. Formulation of uniform legal rules on the liability of operators of transport terminals

The Working Group will have before it the following documents:

(a) Liability of operators of transport terminals: certain factual and legal aspects of operations performed by operators of transport terminals (A/CN.9/WG.II/WP.55);

(b) Liability of operators of transport terminals: draft articles of uniform rules on the liability of operators of transport terminals and comments thereon (A/CN.9/WG.II/WP.56).

The following documents will be made available at the session:

(a) The report of the Secretary-General entitled "Co-ordination of work: some recent developments in the field of international transport of goods" (A/CN.9/236) which was submitted to the sixteenth session of the Commission;

(b) The report of the Secretary-General entitled "Liability of operators of transport terminals" (A/CN.9/252), which was submitted to the seventeenth session of the Commission (the text of the UNIDROIT preliminary draft Convention is set forth in annex II to this document);

(c) The notes by the Secretariat entitled "Liability of operators of transport terminals: issues for discussion by the Working Group" (A/CN.9/WG.II/WP.52 and Add.1) and "Liability of operators of transport terminals: additional issues for discussion by the Working Group" (A/CN.9/WG.II/WP.53), which were before the Working Group at its eighth session as Working Papers (the Explanatory Report to the UNIDROIT preliminary draft Convention is set forth in the annex to A/CN.9/WG.II/WP.52/Add.1);

(d) The report of the Working Group on the work of its eighth session (A/CN.9/260).

Item 5. Adoption of the report

The Working Group may wish to adopt, at the close of its session, a progress report for submission to the nineteenth session of the Commission (to be held from 16 June to 11 July 1986 in New York).

Meetings

The session of the Working Group will take place from 6 to 17 January 1986 at United Nations Headquarters, New York. Meetings will be scheduled from 6 to 10 January, from 13 to 15 January and on 17 January 1985. Meeting hours will be from 10.00 a.m. to 1.00 p.m. and 3.00 p.m. to 6.00 p.m., except on Monday, 6 January 1985, when the meeting will commence at 10.30 a.m.

Delegates and observers who will attend the ninth session of the Working Group are requested to arrange for passes to enter United Nations Headquarters through appropriate channels and in accordance with procedures in effect at United Nations Headquarters.