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23 March 2021

Dear representatives,

I am writing to you regarding the thirty-eighth session of UNCITRAL Working Group VI (Judicial Sale of Ships), which will take place from 19 to 23 April 2021.

The decision adopted by the States members of UNCITRAL on the format, officers and methods of work of the UNCITRAL working groups during the coronavirus disease 2019 (COVID-19) pandemic ([A/CN.9/1038](#), Annex I), which applied to the last session of the Working Group, has been extended to the upcoming session ([A/CN.9/LIII/CRP.14](#)). According to paragraph 3 of the decision, I have the honour to continue serving as Chair of the Working Group at the session.

As with the last session, arrangements are being made by the Secretariat to allow delegations to participate at the session in person at the Vienna International Centre (Conference Room C-4) and remotely via the online platform Interprefy. It will not be possible to attend the session from the United Nations Headquarters in New York. Connection details for Interprefy will be communicated by the Secretariat to registered participants in due course.

A provisional agenda for the session has been prepared ([A/CN.9/WG.VI/WP.89](#)) and is available on the Working Group VI page of the UNCITRAL website: https://uncitral.un.org/working_groups/6/sale_ships. If I do not receive any objection or alternative proposals by 12 April 2021, the agenda will be considered adopted at the beginning of the session (item 2 of the provisional agenda).

At the session, the Working Group is expected to consider a third revision of the “Beijing Draft” ([A/CN.9/WG.VI/WP.90](#)). I would urge delegations to make written submissions in advance of the session to facilitate the discussions. Submissions should be made by email to the secretary of the Working Group (Mr. José Angelo Estrella-Faria, joseangelo.estrella-faria@un.org) at least two weeks in advance of the session in order to be translated into the other official languages of the United Nations. I will make efforts to ensure that submissions are adequately reflected in our deliberations and in the summary.

The Secretariat has informed me that, due to the current constraints within the United Nations, there will only be **one** two-hour meeting per day during the session, from 8 a.m. to 10 a.m. New York (Eastern Daylight Time) / 2 p.m. to 4 p.m. Vienna (Central European Summer Time).

Considering the limited time available, I propose that the Working Group focus its deliberations on the following issues during the session:

- (a) dealing with clean title sales (articles 3(1)(a) and 6 of the third revision; para. 44 of the report of the thirty-seventh session: [A/CN.9/1047/Rev.1](#));
- (b) provisions relating to the certificate of judicial sale (articles 5 and 11 of the third revision; paras. 65-75 of the report of the thirty-seventh session);
- (c) provisions of article 9 not considered at the last session (paras. 107-109 of the report of the thirty-seventh session); and
- (d) the definition of “charge” and other definitions not considered at the last session (article 2 of the third revision).

To facilitate the organization of the session, I invite you to provide any comments on this proposal to the secretary of the Working Group in advance of the session.

I look forward to making progress with you on the draft convention, despite the constraints that we are facing.

Yours sincerely,



Beate Czerwenka
Chair
UNCITRAL Working Group VI