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Exploratory and preparatory work on digital payments and paperless trade – Colloquium (Vienna, 19–22 January 2026)

Note by the Secretariat

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I. Introduction

1. At its fifty-eighth session (Vienna, 7–23 July 2025), the Commission requested the secretariat to carry out exploratory work on digital payments and to continue its preparatory work on enabling end-to-end trade digitalization and paperless trade (A/80/17, paras. 22(e), 245 and 270). The Commission also agreed to hold colloquiums on these topics, utilizing the conference resources allocated to the forty-second and forty-third sessions of Working Group I (A/80/17, para. 347(c)).

2. For more than three decades, UNCITRAL has prepared legislative texts facilitating electronic commerce and enabling the use of electronic communications for commercial and other purposes. One early result of that work is the UNCITRAL Model Law on International Credit Transfers (1992) (MLICT), facilitating payments in electronic form in the early days of the digital economy. UNCITRAL texts on electronic commerce are collectively supportive of end-to-end trade digitalization, but the existence of different UNCITRAL texts dealing with similar issues, as well as the rapidly evolving needs of digital trade, has indicated a need for (i) compilation and possible consolidation of existing UNCITRAL texts, on which the Commission has requested the secretariat to continue its work (A/80/17, para. 242), and (ii) monitoring and examining emerging legal issues related to facilitation of end-to-end trade digitalization and the development of the digital trade ecosystem, including digital payments and paperless trade.

3. This note describes the background and objectives of the exploratory work on digital payments (chapter II) and the preparatory work on paperless trade (chapter III), which are distinct topics on UNCITRAL's work programme. It also provides an overview of the Colloquium on Digital Payments and Paperless Trade, being held in Vienna, 19–22 January 2026 (chapter IV), which is to address the two topics, in order to advance the respective work and consistent with UNCITRAL's efforts to provide an enabling legal framework and guidance supportive of end-to-end trade digitalization.

4. Summaries of the outcomes of the work on digital payments and paperless trade, including the discussions and recommendations at the Colloquium, respectively, are to be reported to the Commission for consideration at its fifty-ninth session, in 2026.

II. Exploratory work on digital payments

5. At its fifty-eighth session in 2025, the Commission welcomed a proposal supported by the Governments of Saudi Arabia and Sierra Leone to initiate exploratory work in the field of digital payments. In light of the exponential growth of digital payments globally and their importance to international trade, the proposal emphasized the need to assess legal issues and evaluate the necessity and feasibility of developing harmonized international standards to support efficient, secure and inclusive cross-border digital payments (A/CN.9/1229).

6. It was noted that the work could explore the need to develop an enabling legal framework that reduced complexities, enhanced legal certainty, mutual recognition and interoperability, and promoted affordability, transparency and financial inclusion. It was also noted that payments and payment systems intersected with regulatory regimes, including financial regulations and regulations to counter money-laundering and the financing of terrorism, with the need to take a cautious approach being emphasized, so as to ensure that the exploratory work would clearly define the scope of work and the issues to be addressed. After discussion, the Commission requested the secretariat to carry out exploratory work on the topic and organize a colloquium to review legal issues and challenges related to digital payments and to take stock of existing international and regional instruments and efforts by other organizations, and to report back to the Commission on the desirability and feasibility of developing harmonized standards (A/80/17, paras. 267–270).

7. The exploratory work builds on UNCITRAL's longstanding work and expertise in the field of payments, which includes the adoption of the UNCITRAL Legal Guide on Electronic Funds Transfers (1987) and the MLICT,[1] two critical instruments that provided early guidance on electronic and cross-border payments, defining the legal obligations and liabilities of parties involved. In addition to those instruments, the work could also consider and build on the following UNCITRAL texts:

(a) UNCITRAL Model Law on Electronic Commerce (MLEC)[2] and the United Nations Convention on the Use of Electronic Communications in International Contracts (ECC);[3]

(b) UNCITRAL Model Law on Electronic Transferable Records (MLETR);[4]

(c) UNCITRAL Model Law on Electronic Signatures (MLES);[5]

(d) UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services (MLIT);[6] and

(e) UNCITRAL Guide on Access to Credit for MSMEs, as well as the MSME-focused legislative guides.[7]

The work also aligns with UNCITRAL's broader work to enable end-to-end trade digitalization, by integrating payment systems into a single digital trade ecosystem, facilitating seamless title transfer and settlement and furthering the progressive harmonization, modernization and unification of the law of international trade.

8. The exploratory work is expected to address two main objectives. The first is to map and analyse existing international and domestic legal frameworks governing digital payments, with a view to identifying specific legal issues, challenges and gaps that could inform any future legislative work by UNCITRAL. The second is to refine potential legislative options, aimed at determining the most suitable approach to addressing the emerging challenges and identified gaps, including whether there would be a need to revise the MLICT or to develop a new instrument. Particular attention is to be paid to (i) intersections with existing regulatory frameworks and clearly defining the scope of possible future work within UNCITRAL's mandate and (ii) future-proofing such work, ensuring its adaptability to new forms of digital assets.[8]

III. Preparatory work on paperless trade

9. At its fifty-eighth session in 2025, the Commission considered a note by the secretariat on the stocktaking of UNCITRAL texts that referred to electronic aspects, which included a discussion of UNCITRAL texts and paperless trade (A/CN.9/1226), as well as a proposal by the Russian Federation on possible future work on legal aspects of paperless trade (A/CN.9/1234). After discussion, the Commission requested the secretariat to continue its preparatory work on enabling end-to-end trade digitalization and paperless trade, emphasizing a step-by-step approach to the work. In that regard, it was agreed that a colloquium could be held to explore the use of UNCITRAL electronic commerce texts for paperless trade with a view to presenting guidance text and possible model legislation on paperless trade to the Commission for consideration at its next session (A/80/17, paras. 238–245).

[1] https://uncitral.un.org/en/texts/payments.
[2] https://uncitral.un.org/en/texts/ecommerce/modellaw/electronic_commerce.
[3] https://uncitral.un.org/en/texts/ecommerce/conventions/electronic_communications.
[4] https://uncitral.un.org/en/texts/ecommerce/modellaw/electronic_transferable_records.
[5] https://uncitral.un.org/en/texts/ecommerce/modellaw/electronic_signatures.
[6] https://uncitral.un.org/en/mlit.
[7] https://uncitral.un.org/en/texts/msmes.
[8] For a discussion of the relationship between payment services and digital assets, see UNCITRAL, *Guide on legal issues relating to the use of distributed ledger technology in trade* (Vienna, 2025), paras. 98–107.

10. The core issues that have emerged during the work and the discussions at the Commission relate, on the one hand, to cross-border recognition of data and documents and, on the other hand, to the satisfaction of requirements for the submission of trade and trade-related documents and data to public entities tasked with trade regulation, typically through a single window facility for import and export operations. The preparatory work is also taking into account recent documents outlining policy and practical issues related to paperless trade issued by other intergovernmental organizations.[9]

IV. Colloquium on Digital Payments and Paperless Trade

11. In line with the Commission's request for exploratory and preparatory work on digital payments and paperless trade, respectively, and for the holding of colloquiums on such work, a Colloquium on Digital Payments and Paperless Trade is to be organized by the secretariat and held in two parts: Part I on digital payments (19–20 January 2026) and Part II on paperless trade (21–22 January 2026).

12. The Colloquium is expected to facilitate discussions by a diverse range of experts and practitioners from international and regional organizations and governments, as well as the private sector and other entities. Such discussions are intended to enhance understanding of the current landscape but also inform identification of any legal challenges and gaps and the development of effective, forward-looking solutions to address them.

13. The Colloquium is to take place in Vienna at the Vienna International Centre from 19 to 22 January 2026, from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m. each day, except on Monday, 19 January 2026, when the Colloquium is to commence at 10 a.m. The UNCITRAL secretariat is seeking to make arrangements to broadcast the Colloquium via UN Web TV. More information about the Colloquium, including a detailed programme, is available on the website of UNCITRAL at the following link: https://uncitral.un.org/en/paymentspaperlesstrade.

A. Part I – Digital payments (19–20 January 2026)

14. Part I is intended to identify specific issues that could inform future legislative work by UNCITRAL in the area of digital payments, with a particular focus on the first objective of the exploratory process (see para. 8). Discussions are to address the following topics:

(a) Examining the legal landscape applicable to digital payments and how UNCITRAL could build on existing instruments and initiatives to support the development and implementation of international and domestic frameworks governing digital payments;[10]

(b) Rights and obligations of parties and legal treatment of digital payments as contractual performance;

(c) Interoperability and interaction with identity management, trust services and data security laws; and

(d) Questions of form and process for an updated or new instrument on digital payments potentially developed by UNCITRAL.

Other aspects, such as the role of digital assets within payment systems and the integration of non-banking payment service providers into the new legal landscape,

[9] See, e.g., Organisation for Economic Co-operation and Development, *The Digitalisation of Trade Documents and Processes: Going Paperless Today, Going Paperless Tomorrow*, OECD Trade Policy Paper No. 297 (Paris, 2025); Organization for Security and Co-operation in Europe, *A Practical Guide to Cross-Border Facilitation* (Vienna, 2025).

[10] See, e.g., the example digital trade agreement provisions referenced in A/CN.9/1229, chapter III.

also warrant careful consideration. Intersections with banking and finance regulatory regimes (e.g. regulations to counter money-laundering and the financing of terrorism) may be touched upon as well, in order to define the scope of possible future work within UNCITRAL's mandate. In all, the discussions are intended to support evaluation of the necessity and feasibility of possible future harmonization efforts by UNCITRAL in this area, in particular to enhance legal certainty, efficiency, security, inclusivity and affordability of digital payments.

B. Part II – Paperless trade (21–22 January 2026)

15. Part II (paperless trade) aims to further explore and analyse use of UNCITRAL electronic commerce texts for paperless trade. Given the broad scope of application of UNCITRAL electronic commerce texts, an enabling legal framework for paperless trade may be established already on the basis of existing texts such as the MLEC and MLETR. The discussions are intended to support preparation of a draft guidance document or possible model legislation on paperless trade for consideration by the Commission. Discussions are to address the following topics:

(a) Experiences and challenges in establishing an enabling legal framework for paperless trade;

(b) Cross-border recognition of electronic documents, data and identity management based on UNCITRAL texts, namely, the MLIT and MLETR;

(c) Specific challenges arising from exchanging trade and trade-related documents and data with public entities;

(d) Regional perspectives and experiences of single-window platforms for submitting trade documents; and

(e) Private sector practices and needs.