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UNITED NATIONS COMMISSION ON  
INTERNATIONAL TRADE LAW

Fourteenth Session  
Vienna, 19-26 June 1981

PROVISIONAL AGENDA, ANNOTATIONS THERETO  
AND TENTATIVE SCHEDULE OF MEETINGS

Note by the Secretary-General

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## II. ANNOTATIONS TO THE PROVISIONAL AGENDA

### Item 1. Opening of the session

The fourteenth session will be held at the Vienna International Centre from 19 to 26 June 1981. The session will be opened on Friday, 19 June 1981, at 10:30 a.m. by the representative of the Secretary-General, who will also preside over the election of a Chairman.

### Item 2. Election of officers

Pursuant to a decision taken by the Commission at its first session, the Commission elects, for each session, a Chairman, three Vice-Chairmen and a Rapporteur.

### Item 3. Adoption of the agenda

The Commission, at its thirteenth session, decided that the fourteenth session should be of 6 days' duration. No provision was made for the establishment of a Committee of the Whole and it does not seem necessary that one be established. Accordingly, it is suggested that all items be considered in plenary. Part III of this note sets forth a tentative schedule of meetings.

### Item 4. International contract practices

The Commission, at its twelfth session, decided that work should be undertaken directed to the formulation of uniform rules regulating liquidated damages and penalty clauses, and entrusted this work to the Working Group on International Contract Practices.

The Working Group will hold its second session at United Nations Headquarters in New York from 13 to 17 April 1981. At that session the Working Group will continue its consideration of the feasibility of formulating uniform rules on liquidated damages and penalty clauses applicable to a wide range of international trade contracts.

The Commission will have before it the report of the Working Group on the work of its second session (A/CN.9/197). The report of the Secretary-General submitted to the Working Group (A/CN.9/WG.2/WP.33 and Add.1) will also be made available.

Also placed before the Commission is a report on fluctuation of currency clauses (A/CN.9/201).

### Item 5. International payments

- (a) Draft Convention on International Bills of Exchange and International Promissory Notes, and draft uniform rules applicable to international cheques

The Working Group on International Negotiable Instruments held its tenth session at Vienna from 5 to 16 January 1981. At that session the Working Group continued its consideration of the draft uniform rules applicable to international cheques.

The Commission will have before it the report of the Working Group on the work of its tenth session (A/CN.9/196).

The Working Group, at its tenth session, noted that it would accord with past practice for the Secretary-General to transmit the draft texts adopted by the Working Group upon their completion, together with a commentary, to Governments and interested international organizations for comments. The Working Group suggested that the Commission might wish to consider whether, for purposes of accelerating the work, it should request the Working Group to study and consider those comments and report to the Commission. In this regard the Commission will have before it a note by the Secretariat on alternative procedures available for the adoption of the Commission's draft conventions (A/CN.9/204).

(b) Universal unit of account

The Commission, at its eleventh session, included as a priority item in the programme of work the determination of a universal unit of account which could serve as a point of reference in international conventions.

The Commission, at its thirteenth session, having been informed of the consideration of the subject by the UNCITRAL Study Group on International Payments, decided to include the subject on the agenda of its fourteenth session.

The Commission will have before it a report by the Secretary-General (A/CN.9/200).

(c) Electronic funds transfer

The Commission, at its eleventh session, included as an item in its programme of work the legal problems arising out of electronic funds transfer. At its twelfth session the Commission requested the Secretariat to continue the preparatory work within the framework of the UNCITRAL Study Group on International Payments. At its thirteenth session the Commission requested the Secretariat to submit to it at its fourteenth session a progress report on the matter.

The Commission will have before it a report by the Secretary-General on the progress of the work in the Study Group (A/CN.9/199).

Item 6. International commercial arbitration

(a) UNCITRAL Arbitration Rules: administrative guidelines

The Commission, at its twelfth session, considered issues relating to the use of the UNCITRAL Arbitration Rules in administered arbitration and to the designation of an appointing authority. In response to a decision taken at its twelfth session, the Commission had before it at its thirteenth session a note by the Secretary-General on "issues relating to the use of the UNCITRAL Arbitration Rules and the designation of an appointing authority" (A/CN.9/189).

The Commission, at its thirteenth session, decided not to issue a list of arbitral institutions that have declared their willingness to act as appointing authorities under the UNCITRAL Arbitration Rules. It also decided to postpone until its fourteenth session the consideration of the draft guidelines for administering arbitrations under the UNCITRAL Arbitration Rules.

The Commission will have before it the note by the Secretary-General submitted to the thirteenth session (A/CN.9/189). In addition, a short note of the Secretary-General on the subject will be submitted (A/CN.9/208).

(b) Model arbitration law

The Commission, at its twelfth session, requested the Secretary-General to prepare (a) an analytical compilation of provisions of national laws pertaining to arbitration procedure, and (b) a preliminary draft of a model law on arbitral procedure. In order to assist the Secretariat in that task, the Commission invited Governments, in particular those that are members of the Commission, to provide the Secretariat with relevant materials on national legislation and case law, and pertinent treatises where available. The General Assembly in resolution 35/51 made a similar appeal.

The Commission will have before it a report on the identification of issues possibly to be included in a model arbitration law (A/CN.9/207).

Item 7. New international economic order: industrial contracts

The Commission, at its thirteenth session, decided to accord priority to work related to contracts in the field of industrial development and requested the Secretary-General to submit a report to the Working Group on the New International Economic Order in respect of contracts on supply and construction of large industrial works and on industrial co-operation.

The Working Group will hold its second session at Vienna from 9 to 18 June 1981 and will consider the report of the Secretary-General. The Commission will have before it the report of the Working Group on the work of its second session (A/CN.9/198), which will be made available during the session.

Item 8. Co-ordination of work

The General Assembly, in resolution 34/142, requested the Secretary-General to place before the Commission at each of its sessions a report on the activities of other organs and international organizations related to international trade law together with recommendations as to steps to be taken by the Commission.

The Commission will have before it a report on current activities of international organizations related to the harmonization and unification of international trade law (A/CN.9/202). There will also be a report which describes actions taken by the Commission in the past in respect of co-ordination of work together with recommendations (A/CN.9/203).

Item 9. Status of conventions

The Commission, at its thirteenth session, decided that it would consider, at each of its sessions, the status of conventions that were the outcome of work carried out by it.

The Commission will have before it a report of the Secretary-General (A/CN.9/205).

Item 10. Training and assistance

The Commission, at its thirteenth session, decided to hold the Second UNCITRAL Symposium on International Trade Law on the occasion of the fourteenth session of the Commission. The Commission also requested the Secretary-General to report to it on the possibility of holding regional seminars.

The Commission will have before it a report of the Secretary-General on these matters (A/CN.9/206).

Item 11. Future work

(a) Medium term plan

The General Assembly, in resolutions 34/224 and 35/9, required that the various chapters of the proposed medium-term plan for 1984-1989 be reviewed by the competent intergovernmental bodies.

In accordance with that decision, the Commission will have before it the draft medium-term plan relevant to the work of the Commission for 1984-1989 (A/CN.9/XIV/R.1).

(b) Date and place of the fifteenth session

The fifteenth session will be held in New York. Information regarding dates available for that session will be supplied by the Secretariat.

(c) Sessions of working groups

The Commission may wish to agree upon a schedule of sessions for its working groups for the period between its fourteenth and fifteenth sessions.

(i) Working Group on International Negotiable Instruments

The Commission, at its thirteenth session, authorized the Working Group to hold an eleventh session, if required, in the course of 1981. The Working Group was of the view that one further session would be required to terminate the work on international negotiable instruments which the Commission has conferred upon it. Therefore, the eleventh session of the Working Group will be held in New York from 3 to 14 August 1981.

The Commission may wish to decide whether it wishes to schedule any further session of the Working Group.

(ii) Working Group on International Contract Practices

In its report on its second session to be held in New York from 13 to 17 April 1981, the Working Group may recommend to the Commission whether any further sessions should be scheduled.

(iii) Working Group on the New International Economic Order

The Working Group in its second session to be held at Vienna from 9 to 18 June 1981 will recommend to the Commission what further sessions should be scheduled.

Item 12. Other business

(i) General Assembly resolutions on the work of the Commission

The Commission may wish to take note of General Assembly resolutions 35/51 of 4 December 1980 on the Report of the United Nations Commission on International Trade Law on the work of its thirteenth session and 35/52 of 4 December 1980 on the

Conciliation Rules of the United Nations Commission on International Trade Law. Copies of the resolutions and the report of the Sixth Committee (A/35/627) will be made available at the present session.

(ii) General Assembly resolution on summary records

The Commission may wish to take note of General Assembly resolution 35/10B by which the Commission was authorized to have summary records for its sessions devoted to the preparation of draft conventions and other legal instruments.

(iii) General Assembly resolution on international economic law

The Commission may wish to take note of General Assembly resolution 35/166 in which the Commission was requested to submit relevant information to, and to cooperate fully with, the United Nations Institute for Training and Research in its study on the existing and evolving principles and norms of international law relating to the new international economic order concerning the economic relations among States, international organizations and other entities of public international law, and the activities of transnational corporations. Copies of the resolution will be made available at the present session.

Item 13. Adoption of the report of the Commission

The General Assembly, in paragraph 10 of resolution 2205 (XXI), decided that the Commission should submit an annual report to the General Assembly, and that the report should be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Under a decision of the Sixth Committee (A/7408, para. 3), the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer of the Bureau designated by him.

III. TENTATIVE SCHEDULE OF MEETINGS

June 19 (Friday)	10:30-12:30	Opening of the session (agenda item 1) Election of officers (agenda item 2) Adoption of the agenda (agenda item 3) International negotiable instruments (agenda item 5(a))
	14:00-17:00	International contract practices (agenda item 4) Universal unit of account (agenda item 5(b)) Electronic funds transfer (agenda item 5(c))
June 22 (Monday)	9:30-12:30	Status of conventions (agenda item 9) Co-ordination of work (agenda item 8)
	14:00-17:00	Co-ordination of work (continued)
June 23 (Tuesday)	9:30-12:30	UNCITRAL Arbitration Rules: administrative guidelines (agenda item 6(a)) Model arbitration law (agenda item 6(b))
	14:00-17:00	Model arbitration law (continued)

June 24 (Wednesday)	9:30-12:30	New international economic order: industrial contracts (agenda item 7) Training and assistance (agenda item 10)
	14:00-17:00	Future work (agenda item 11) Other business (agenda item 12)
June 25 (Thursday)		(No meeting scheduled, preparation of report)
June 26 (Friday)	9:30-12:30	Adoption of report (agenda item 13)
	14:00-17:00	Adoption of report (continued, if necessary)