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UNITED NATIONS COMMISSION ON  
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Twentieth session  
Vienna, 20 July - 14 August 1987

PROVISIONAL AGENDA, ANNOTATIONS THERETO  
AND SCHEDULING OF MEETINGS

Note by the Secretariat

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## II. ANNOTATIONS TO THE PROVISIONAL AGENDA

### Item 1. Opening of the session

The twentieth session will be held at the Vienna International Centre from 20 July to 14 August 1987. The session will be opened on Monday, 20 July 1987, at 10:30 a.m. The Commission is composed of the following member States: Algeria, Argentina, Australia, Austria, Brazil, Central African Republic, Chile, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Hungary, India, Iran (Islamic Republic of), Iraq, Italy, Japan, Kenya, Lesotho, Libyan Arab Jamahiriya, Mexico, Netherlands, Nigeria, Sierra Leone, Singapore, Spain, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, and Yugoslavia.

### 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

It is suggested that all items be considered in plenary. Part III of this note discusses the scheduling of meetings.

### Item 4. International payments: draft Convention on International Bills of Exchange and International Promissory Notes

The Commission, at its nineteenth session in 1986, considered the articles of the draft Convention on International Bills of Exchange and International Promissory Notes as revised by it at its seventeenth session and by the Working Group on International Negotiable Instruments at its thirteenth and fourteenth sessions. At the end of the nineteenth session, the Secretariat was requested to transmit to States and interested international organizations for comment the draft Convention as then revised by the Commission. In addition, the Secretariat was requested to submit to the Working Group draft final clauses to be included in the draft Convention.

The Commission decided that the draft Convention as revised would be reviewed by the Working Group in the light of the comments received from States and interested international organizations prior to the twentieth session of the Commission and would be considered and approved by the Commission at its twentieth session.

The Working Group held its fifteenth session in New York from 17 to 27 February 1987, at which time it considered the comments submitted in regard to articles 1 to 32 of the draft Convention and adopted revised texts in respect to some of these articles. It did not have sufficient time to consider the draft final clauses that had been prepared by the Secretariat.

The Commission will have before it the report of the Commission on the work of its nineteenth session (A/41/17) as well as the report of the Working Group on the work of its fifteenth session (A/CN.9/288). The Commission will also have before it the comments of Governments and international organizations on the draft Convention (A/CN.9/WG.IV/WP.32 and Add.1-7) and the draft final clauses prepared by the Secretariat (A/CN.9/WG.IV/WP.33), both of which were originally submitted to the Working Group. The text of the draft Convention as revised by the Commission at its nineteenth session is found in annex I to A/41/17; the text of those provisions which the Working Group revised at its fifteenth session is found in the annex to A/CN.9/288.

Copies of the commentary to the 1981 draft text of the Convention (A/CN.9/213), of the report of the Commission on the work of its seventeenth session (A/39/17), of the report of the Working Group on the work of its thirteenth and fourteenth sessions (A/CN.9/261 and A/CN.9/273, respectively) and of the text of the draft Convention as revised by the Commission at its seventeenth session and by the Working Group at its thirteenth and fourteenth sessions (A/CN.9/274) will also be made available.

The General Assembly, in resolution 41/77, para. 3:

"notes the progress made by the Commission at its nineteenth session in the preparation of a draft Convention on International Bills of Exchange and International Promissory Notes, and, in this connection:

"(a) Takes note of the need to minimize the financial costs of adopting the Convention without sacrificing the quality or the international acceptability of the Convention;

"(b) Requests the Commission to complete its work on the draft Convention during its twentieth session;

"(c) Decides to consider the draft Convention during its forty-second session, with a view to its adoption or any other action to be taken."

The Commission may wish to complete the consideration of articles 33 to 80 of the draft Convention in the light of the comments of States and interested international organizations, to consider the draft final clauses and to approve the draft Convention on International Bills of Exchange and International Promissory Notes for submission to the General Assembly with an appropriate recommendation.

Item 5. New international economic order

(a) Draft Legal Guide on Drawing Up International Contracts for Construction of Industrial Works

The Working Group on the New International Economic Order held its ninth session in New York from 30 March to 16 April 1987, at which time it completed its work on the draft Legal Guide on Drawing Up International Contracts for Construction of Industrial Works. The Commission will have before it the report of the Working Group on the work of its ninth session (A/CN.9/289). The Commission will also have before it the draft foreword, introduction and chapters of the Legal Guide as considered by the Working Group at its ninth session (A/CN.9/WG.V/WP.20 and Add. 1-29), and a note by the Secretariat containing a draft index to the Legal Guide (A/CN.9/290). The draft Legal

Guide as approved by the Working Group consists of the draft foreword, introduction, chapters and index as modified by the changes and additions to and deletions from the draft Legal Guide agreed to by the Working Group (set forth in A/CN.9/289).

The Commission may wish to adopt the UNCITRAL Legal Guide on Drawing Up International Contracts for Construction of Industrial Works and to request the Secretariat to take all possible actions to assure that it is published as soon as possible after its adoption.

(b) International procurement

At its nineteenth session (1986) the Commission decided to undertake work in the area of international procurement as a priority topic. The Commission will have before it a note by the Secretariat on its progress on this topic (A/CN.9/291).

Item 6. Operators of transport terminals

The Working Group on International Contract Practices held its tenth session at Vienna from 2 to 12 December 1986. The Commission will have before it the report of the Working Group on the work of its tenth session (A/CN.9/287).

Item 7. 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 note by the Secretariat on the co-ordination of activities in the field of international trade law (A/CN.9/292). During the consideration of this agenda item by the Commission representatives of international organizations will have an opportunity to make statements concerning the activities of their respective organizations.

Item 8. Status of conventions

The Commission will have before it a note by the Secretariat (A/CN.9/294) concerning the present status of the Convention on the Limitation Period in the International Sale of Goods (New York, 1974); Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980); United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg); United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980); and Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958).

Item 9. Training and assistance

The Commission will have before it a report of the Secretary-General on this subject (A/CN.9/293).

Item 10. General Assembly resolution on the work of the Commission

The Commission may wish to take note of General Assembly resolution 41/77 of 3 December 1986 on the Report of the United Nations Commission on International Trade Law on the work of its nineteenth session. Copies of the resolution and the report of the Sixth Committee (A/41/861) will be made available at the present session.

Item 11. Future work

(a) Date and place of the twenty-first session

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

(b) Sessions of Working Groups

The Commission may wish to agree upon the scheduling of sessions for the Working Groups.

(i) Working Group on International Contract Practices

The recommendation by the Working Group as to its eleventh session is contained in the report of the Working Group on the work of its tenth session (A/CN.9/287, paragraph 161). The Secretariat has reserved the dates of 18 to 29 January 1988 for the eleventh session, subject to the approval of the Commission.

(ii) Working Group on the New International Economic Order

The recommendation by the Working Group as to its tenth session is contained in the note by the Secretariat on international procurement (A/CN.9/291, paragraph 8).

(iii) Working Group on International Payments

The Commission at its nineteenth session decided that work on the preparation of model legal rules on electronic funds transfers should be entrusted to the Working Group on International Negotiable Instruments, which might be renamed for this purpose the Working Group on International Payments (A/41/17, paragraph 230).

The Commission also decided that the sixteenth session of the Working Group should be held for this purpose in 1987 after the twentieth session. The dates of 2-14 November at Vienna have been reserved. The Commission may wish to authorize the seventeenth session of the Working Group to be held in 1988 prior to the twenty-first session of the Commission on dates to be determined by the Secretariat.

Item 12. Other business

(a) Medium term plan for 1990-1995

Planning regulation 3.12 requires that the various chapters of the proposed medium-term plan for 1990-1995 be reviewed by the competent intergovernmental bodies.

In accordance with that regulation the Commission will have before it the draft medium-term plan relevant to the work of the Commission for 1990-1995 (A/CN.9/XX/R.1).

(b) Programme Performance Report

The Committee on Programme Planning and Co-ordination (CPC) requested the applicable portions of the Programme Performance Report for 1984-1985 (A/41/318 and Add.1) to be forwarded, together with the comments of CPC (A/41/38), to the relevant intergovernmental bodies. Relevant portions of these documents will be made available at the session.

(c) Bibliography

The Commission will have before it a bibliography of recent writings related to the work of UNCITRAL (A/CN.9/295).

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, paragraph 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. SCHEDULING OF MEETINGS

There will be 17 working days available for consideration of the agenda items (other than agenda item 13, Adoption of the report) at the session. Ten working days will be available during the first two weeks. The third week will contain 4 working days, since Monday, August 3, is a United Nations holiday in Vienna. During the fourth week, meetings will be scheduled for Monday, August 10, Tuesday, August 11 and Wednesday, August 12. No meeting will be scheduled for Thursday, August 13, to enable the Secretariat to prepare the draft report. Friday, August 14, will be reserved for the adoption of the report.

Meeting hours will be from 9.30 to 12.30 and 14.30 to 17.30, except on Monday, July 20, when the meeting will commence at 10.30.

The Secretariat expects that, apart from the opening of the session (agenda item 1), election of officers (agenda item 2) and adoption of the agenda (agenda item 3), which would be taken up as the first items of business on July 20, the first two weeks of the session would be devoted exclusively to agenda item 4 (International payments: draft Convention on International Bills

of Exchange and International Promissory Notes). If consideration of the draft Convention is not completed during these two weeks, further time would be available in the third week.

The Secretariat expects that no more than three days would be devoted to agenda item 5(a) (New international economic order: draft Legal Guide on Drawing Up International Contracts for Construction of Industrial Works), beginning in the third week. No more than two days of the fourth week should be required for consideration of agenda items 5(b) (New international economic order: international procurement), 6 (Operators of transport terminals), 7 (Co-ordination of work), 8 (Status of conventions), 9 (Training and assistance), 10 (General Assembly resolutions on the work of the Commission), 11 (Future work) and 12 (Other business).

The Commission may wish to consider the possibility of adopting the portion of the report concerning agenda item 4 (International payments: draft Convention on International Bills of Exchange and International Promissory Notes) as soon as possible after it has completed its discussion of that agenda item, rather than adopting it on the final day of the session with the rest of the report. It might be possible, for example, to adopt that portion of the report on the Friday of the third week, August 7, or early in the fourth week. This would facilitate the submission of the report by the Secretariat to the editorial and documentation services promptly after the completion of the session, which will be necessary in order to ensure that the report is available on time for consideration by the Sixth Committee of the General Assembly. It would also enable those delegates and observers who took part in the discussion of that agenda item but who might not be present on the final day of the session to participate in the adoption of that portion of the report.

The Government of Austria has planned for August 3 a programme to commemorate the twentieth anniversary of UNCITRAL. The time and venue of the programme will be communicated during the session.