

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED

A/CN.9/WG.II/WP.39
16 November 1982

ORIGINAL: ENGLISH

UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
Working Group on International
Contract Practices
Fifth Session
New York, 22 February - 4 March 1983

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Consideration of possible features and of draft articles of a model law on international commercial arbitration
4. Other business
5. Adoption of the report

Notes on the provisional agenda

The Working Group consists of the following fifteen members of the Commission:

Austria, Czechoslovakia, France, Ghana, Guatemala, Hungary, India, Japan, Kenya, Philippines, Sierra Leone, Trinidad and Tobago, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

The terms of reference of the Working Group are to prepare a draft model law on international commercial arbitration. 1/

The Commission, at its fifteenth session (New York, 26 July - 6 August 1982), took note of the report of the Working Group on the work of its third session (A/CN.9/216) and noted that the Working Group had discussed all but

1/ Report of the United Nations Commission on International Trade Law on the work of its fourteenth session (1981), Official Records of the General Assembly, Thirty-sixth session, Supplement No. 17 (A/36/17), para. 70.

three questions set forth in a Working Paper prepared by the Secretariat (A/CN.9/WG.II/WP.35).^{2/} It was understood that the list of issues dealt with in that Working Paper, to which the Working Group had added some more issues to be possibly included in the model law, was not to be regarded as exhaustive but that the Working Group should be open to any further suggestions for inclusion of yet other issues. It was suggested in particular that the Working Group should consider such issues as the relevance of limitation of actions in the context of arbitration proceedings and the time period during which arbitral awards would be enforceable.

The Commission requested the Working Group to proceed with its work expeditiously and authorized it to hold its fourth session from 4 to 15 October 1982 at Vienna and its fifth session from 22 February to 4 March 1983 in New York. ^{3/}

The Working Group, at its fourth session, completed its consideration of the questions contained in the note A/CN.9/WG.II/WP.35 and considered draft articles 1-36 (A/CN.9/WG.II/WP.37 and 38). The report of the Working Group on the work of its fourth session is set forth in document A/CN.9/232.

Item 1. Election of officers

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

Item 3. Consideration of possible features and of draft articles of a model law on international commercial arbitration

The Working Group may wish to consider

- (a) a note by the Secretariat entitled "Additional possible features of a model law on international commercial arbitration" (A/CN.9/WG.II/WP.41);
- (b) draft articles of a model law on international commercial arbitration prepared by the Secretariat: chapter VI. Means of recourse (A/CN.9/WG.II/WP.42);
- (c) revised draft articles on scope of application, arbitration agreement, arbitrators, arbitral procedure and award, prepared by the Secretariat (A/CN.9/WG.II/WP.40).

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 sixteenth session of the Commission (to be held from 24 May to 3 June 1983 at Vienna).

Meetings

Meetings of the Working Group will take place at United Nations Headquarters, New York from Tuesday, 22 February to Friday, 4 March 1983 (except Thursday, 3 March). Meeting hours will be from 10 a.m. to 1 p.m. and from 3.00 p.m. to 6.00 p.m., except on 22 February when the meeting will commence at 10.30 a.m..

^{2/} Report of the United Nations Commission on International Trade Law on the work of its fifteenth session (1982), Official Records of the General Assembly, Thirty-seventh session, Supplement No. 17 (A/37/17), para. 88.

^{3/} Ibid., paras. 89, 148.