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16 September 2021

Dear representatives of Working Group III,

I have the honor to write to you in accordance with a decision taken by the Commission at its fifty-fourth session (2021) regarding the upcoming forty-first session of the Working Group III that will be held from 15 to 19 November 2021. The Commission agreed to extend the arrangements made with regard to the format, officers and methods of work of the UNCITRAL working groups during the coronavirus disease 2019 (COVID-19) pandemic as contained in documents [A/CN.9/1078](#) and [A/CN.9/1038, Annex I](#) until its fifty-fifth session in 2022.

I have been informed that the arrangements have been made to allow delegations to participate in the session in person at the Vienna International Centre and remotely via an online platform, Interprefy.

I will take steps to ensure an inclusive and transparent approach and adjust the pace and organization of the session to accommodate remote participation, especially as delegations may face technological difficulties. Considering the limited time allocated for the session, I would urge delegations to make concise interventions not exceeding five (5) minutes and also to make appropriate use of the chat and other functions available on Interprefy. This will ensure that we make efficient use of the resources available to the Working Group.

An advance copy of the provisional agenda for the session ([A/CN.9/WG.III/WP.207](#)) is available on the [website of Working Group III](#). If I do not receive any objection or alternative proposals on the agenda by 8 November 2021, the agenda will be considered adopted at the beginning of the session on 15 November.

According to the provisional agenda, the Working Group is expected to consider the draft code of conduct for adjudicators in international investment disputes based on the drafts contained in documents [A/CN.9/WG.III/WP.208](#) and [A/CN.9/WG.III/WP.209](#), which will be available on the website of Working Group III in due course. The draft code of conduct was developed jointly by the ICSID and UNCITRAL Secretariats in the context of UNCITRAL Working Group III and ICSID's amendment of its procedural rules with the aim to foster consistent and harmonized solutions. It will therefore be presented jointly by the two Secretariats during the session. You are invited, when composing the delegation, to take account of the needed expertise regarding also the ICSID process.

As to the organization of the session, I hope that the following arrangements, made in consultation with the Secretariat in the light of the means currently available, will be agreeable to you.

- Meetings will be held from Monday, 15 November to Friday, 19 November.
- The meeting hours will be 11:00–13:00 and 15:00–17:00 Vienna time (Central European Time).

In accordance with the adopted procedure (see paragraph 6 of the decision in document [A/CN.9/1038](#)), the rapporteur and I will prepare a summary reflecting the deliberations and any conclusions reached during the session (the “Summary”), which will be circulated to you for comments. The Summary will be in a format similar to that of previous Working Group reports. My hope is that the Working Group will be satisfied with the Summary and will be willing to adopt it as its report to the Commission at its fifty-fifth session in 2022.

Please feel free to convey all your comments on the above to the secretary of the Working Group (Ms. Corinne Montineri, corinne.montineri@un.org) copying myself (Shane.Spelliscy@international.gc.ca) and the rapporteur (Natalie_MORRIS-SHARMA@agc.gov.sg). I count on your constructive feedback despite such a short notice and on your kind cooperation.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Spelliscy', written over a faint circular stamp.

Shane Spelliscy
Chair
UNCITRAL Working Group III