



REFERENCE: LA/TL 133(20-11) 61st LC/et

16 March 2021

Dear representatives,

I am writing to you regarding the sixty-first session of UNCITRAL Working Group IV (Electronic Commerce), which will take place over four days from Tuesday 6 to Friday 9 April 2021.

The decision adopted by the States members of UNCITRAL on the format, officers and methods of work of the UNCITRAL working groups during the coronavirus disease 2019 (COVID-19) pandemic ([A/CN.9/1038](#), Annex I), which applied to the last session of the Working Group, has been extended to the upcoming session (A/CN.9/LIII/CRP.14). According to paragraph 3 of the decision, I have the honour to continue as Chair of the Working Group IV at the session.

As with the last session, arrangements are being made by the Secretariat to allow delegations to participate at the session in person at the Vienna International Centre (Conference Room C-4) and remotely via the online platform Interprefy. It will not be possible to attend the session in person at the United Nations Headquarters in New York. I will again chair the session remotely, and I encourage those of you in a similar situation to participate remotely so that the Working Group can make progress. Connection details for Interprefy will be communicated by the Secretariat to registered participants in due course.

As noted in paragraph 2 of the decision, I would urge delegations to make written submissions in advance of the session to facilitate discussions. Submissions should be made to the secretary of the Working Group (Mr. Luca Castellani, luca.castellani@un.org). Considering that the Working Group session is a few weeks away, it might not be feasible to have submissions translated into the other official languages of the United Nations. Therefore, I have requested the Secretariat to make submissions available on the Working Group IV web page (https://uncitral.un.org/working_groups/4/electronic_commerce) in the format and language in which it is received. I will make efforts to ensure that submissions are adequately reflected in our deliberations and in the summary.

The provisional agenda for the session (A/CN.9/WG.IV/WP.166) is available on the Working Group IV web page. If I do not receive any objection or alternative proposals on the agenda by 29 March 2021, the agenda will be considered adopted at the beginning of the session (item 2 of the provisional agenda). At the session, the Working Group is expected to continue its consideration of the draft provisions on the use and cross-border recognition of identity management and trust services (as contained in A/CN.9/WG.IV/WP.167). The Secretariat will also report on the outcome of informal consultations held on 15-17 March 2021.

The Secretariat has informed me that, due to the current constraints within the United Nations, there will only be **one** two-hour meeting per day during the session, from 9:00-11:00 New York (EDT) / 15:00-17:00 Vienna (Central European Summer Time). Considering the limited time available, I propose that the Working Group focus its deliberations on the following issues during the session:

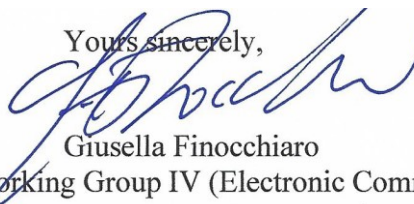
Tuesday, 6 April 2021	Liability (articles 12 and 24 of WP.162)
Wednesday, 7 April 2021	Relationship with existing UNCITRAL texts (including the electronic signature provision in article 16 of WP.162, read with articles 22 and 23) and other pending matters related to trust services.
Thursday, 8 April 2021	Cross-border recognition (chapter IV of WP.162 and the non-geographic discrimination provisions in articles 10(2), 11(4), 22(3) and 23(4)). Pending matters related to IdM.
Friday, 9 April 2021	Definitions (article 1 of WP.162) and terminological issues.

To facilitate the organization of the session, I invite you to provide any comments on this proposal to the secretary of the Working Group in advance of the session.

As with the last session, the rapporteur and I will prepare a draft summary of the deliberations and any conclusions reached during the session in a format similar to that of previous Working Group reports. The draft summary will be circulated after the session for comments. My hope is that the Working Group will be willing to adopt the summary as its report to the fifty-fourth session of the Commission in 2021.

I look forward to making progress with you towards finalization of the draft provisions, despite the constraints that we are facing.

Yours sincerely,



Giusella Finocchiaro
Chair, Working Group IV (Electronic Commerce)