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A strategic direction for UNCITRAL

Note by the Secretariat

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B. The life cycle of a text (*continued*)

4. Application and interpretation of texts

(a) Background and current status

1. The mandate refers to promoting ways and means of ensuring a uniform interpretation and application of UNCITRAL texts and disseminating information on national legislation and modern legal developments, including case law (see above, A/CN.9/752, para. 3).

2. As a preliminary point, the Commission may wish to note that, in current UNCITRAL practice, UNCITRAL conventions do not have a formal Secretariat or a formal meeting of the conference of the parties. However, treaty mandates may be contained in the text of those conventions. These are currently discharged by the Secretariat, as the need arises, for those conventions in force. Activities currently discharged by the Secretariat in relations to treaty obligations and management include guidance on the adoption of treaty declarations by States. Recently, a process of reviewing existing declarations was started by a number of States members of the CISG, with a view to having those declarations withdrawn, when desirable, in order to further promote uniformity in the application of the treaty. That process is, to the best of its ability, supported by the Secretariat.

3. A more accurate assessment of those treaty mandates, including that relating to the promotion of the uniform interpretation of the treaty, might be useful in order to assess resource allocation in light of the intended goals of those mandates. In particular, that assessment would be necessary in the event steps towards the adoption of a more formal implementation review process were deemed desirable.

4. Promotion of the uniform interpretation and application of UNCITRAL texts has principally been fulfilled by the Case Law on UNCITRAL Texts system (CLOUT). The CLOUT system is instrumental in promoting adoption of UNCITRAL texts through their application by courts and arbitral tribunals worldwide, contributing to the development and refinement of a global interpretation of those texts, enhancing their acceptability and providing a resource for those countries and regions where there may be limited opportunity to develop knowledge and expertise on UNCITRAL texts. It has also proved useful in assisting those tasked with drafting and executing commercial contracts, courts and arbitral tribunals in dealing with disputes arising from international transactions involving the application of an UNCITRAL text and those researching UNCITRAL texts and their application.

5. The annual report to the Commission on CLOUT (A/CN.9/748) provides an accurate picture of the current development of the system and the challenges faced.

6. Information on UNCITRAL texts is disseminated in a number of different ways (A/CN.9/753, paras. 56-73) in addition to the CLOUT system, including through other publications prepared by the Secretariat; the annual bibliography of academic commentaries on UNCITRAL texts (A/CN.9/750); the activities of the UNCITRAL Law Library (A/CN.9/753, paras. 60-64); the proceedings of special colloquiums and symposia; articles prepared for publication in relevant trade law journals by staff of the Secretariat; the UNCITRAL website; press releases; materials prepared for specific TA activities; accession kits and other types of

text-specific information prepared in cooperation with other organizations;¹ academic programmes (e.g. the Masters Course on Public Procurement for Sustainable Development, co-managed with ITC-ILO and the University of Turin and the Master of Laws course in International Trade Law (A/CN.9/753, para. 38)); lectures on UNCITRAL texts available through the United Nations Audiovisual Library on International Law;² at event such as the Willem C. Vis International Commercial Arbitration Moot and the Willem C. Vis (East) International Commercial Arbitration Moot and regional pre-moot competitions; and at the numerous conferences and related events attended by the Secretariat to promote the work of UNCITRAL (see A/CN.9/753).

(b) Issues

7. Often the conduct of TA activities can be linked with training materials that assist not only in promoting the text and emphasizing the advantages of its adoption, but also in capacity building. Such materials can form the basis of workshops and seminars. While some materials of this nature have been produced, the Secretariat might undertake further activities such as:

(a) Seeking external support to strengthen the CLOUT system (see A/CN.9/748, paras. 15-17) and developing alternatives for those texts for which CLOUT is less appropriate;

(b) Developing online courses in collaboration with other organizations, for example, UNITAR;

(c) Preparing more lectures for inclusion in the United Nations Audiovisual Library;

(d) Preparing additional types of material to assist in promoting their adoption, for example, short 4-6 page information sheets that would discuss the rationale for the development of a text and the advantages provided by use or adoption. Preparation of short information sheets or briefers on specific texts was commenced in 2010 in cooperation with USAID to provide information in a non-legalistic style for use in bilateral programmes. Progress was made on a CISG breifer, but the project was suspended for lack of resources.

8. As a first step in considering how the materials provided to support TA could be improved, it might be useful to take stock of the materials available on each text and assess how they have been used in past TA activities. It might then be possible to identify whether those materials are current or need revising, the types of material that might usefully be added to the promotional tools available on each text and how that material might be developed. It may be, for example, that a standard set of materials might be developed for similar types of text. On the basis that a

¹ Accession kits on the Hamburg Rules, CISG, the Model Law on International Commercial Arbitration and the New York Convention were prepared in cooperation with the Commonwealth Secretariat. UNCITRAL partnered with the International Trade Centre to provide and post short summaries on selected texts as part of a web-based system developed and owned by the International Trade Centre UNCTAD/WTO (ITC) with the objective of assisting trade promotion organizations, policy makers, and business law professionals in optimizing their country's legal framework on international trade. It also partnered with UNCTAD to develop training materials on electronic commerce.

² Available from <http://untreaty.un.org/cod/avl/lectureseries.html#intlecon>

legislative or other text, once completed, typically is not adopted or used by a State or other actor without further work, the attention of a working group might be turned to development of that material or it might be developed by the Secretariat before a new topic is taken up by that working group.

C. Coordination of the work of other organizations

1. Background

9. The Secretariat reports on an annual basis to the Commission on coordination activities undertaken in the previous twelve months. Until 2011, this formed part of the note on technical cooperation and assistance, but is now a separate note. It provides information on the activities of other organizations active in the field of international trade law in which the Secretariat has participated, including working groups, expert groups and plenary meetings. While these activities focus largely on organizations outside the United Nations system, increasingly UNCITRAL is participating in activities involving other United Nations agencies (see paras. 17-21 below).

10. In recent years, a growing number of rule-making bodies, both international and regional, have been developing texts in areas of law affecting international trade. This has made the coordination function both increasingly important and challenging to conduct effectively. It is difficult to ensure not only that information is gathered on all activities and developments relevant to international trade law, but also to actively coordinate those activities as envisaged by the mandate. Many organizations, including regional organizations, set their own agendas in the area of international trade law and either do not see the relevance of the work of UNCITRAL to that agenda or view that work as being at the same level of importance as their own (rather than as establishing an international standard to be followed) and thus simply a source of reference information. Increasingly, solutions are sought within regional organizations that tend to emphasize the distinct characteristics of the particular region, rather than locating it within a broader international context and the solutions developed may facilitate cooperation and coordination between the countries of the region at the expense of cooperation and coordination on a global scale. A particular challenge for UNCITRAL is to promote its texts not only for adoption and enactment by States, but also for use in regional contexts.

11. To implement its mandate, UNCITRAL tries to maintain close links with international and regional organizations, both intergovernmental and non-governmental, that are active participants in the work of UNCITRAL and in the field of international trade law in order to facilitate the exchange of ideas and information.³ It is represented, through its Secretariat, at meetings of those organizations and generally actively follows and participates in their work where it

³ Those organizations include the International Maritime Committee (CMI); the Hague Conference on Private International Law; the International Institute for the Unification of Private Law (Unidroit); the Organization of American States (OAS); the Organization for Economic Cooperation and Development (OECD); UNCTAD; the United Nations regional commissions; the World Bank; the World Customs Organization (WCO); WIPO; and the World Trade Organization (WTO), the EU and OHADA.

relates to topics on UNCITRAL's work programme. The purpose of that participation is to facilitate coordination of the related activities of the different organizations, share information and expertise and avoid duplication of the resultant work products.

12. The Secretariat also undertakes substantive work in coordination with other organizations, including the preparation of joint papers, legal studies and surveys, and legal standards and co-organizes a number of events with other organizations.⁴

13. In 2009-2010, the Secretariat devoted approximately 33 days to these coordination activities, in 2010-2011, 41 days and in 2011-2012, 40 days.

2. Current status

14. The report to the annual session of the Commission on the coordination activities conducted in the previous 12 months provides a picture of the types of activity being undertaken, the organizations with which the Secretariat is most involved and the topics being addressed. For activities conducted in 2011-2012 see A/CN.9/749.

3. Issues

15. To improve synergies with other organizations, the Commission might consider devoting more attention to undertaking or exploring possibilities for sharing of resources or developing joint projects or partnerships with others organizations, particularly those of which member States of the Commission are also members or that are active in the field of international trade law. Those projects might relate to development of legislative texts; development of complementary texts; use of existing UNCITRAL texts; and development of training or similar materials.

16. An additional aspect of coordination which the Commission might consider is developing links with academic and related institutions that are conducting research into issues of relevance to the subject areas and topics under consideration by the Commission, either as current or possible future work. These might include, for example, topics such as microfinance and procurement or broader subject-areas such as sustainable development and the ways in which that is a relevant goal of topics being considered by UNCITRAL, such as the development of effective insolvency regimes. Such institutions might be invited to work informally with the Secretariat and to make presentations, as considered appropriate, to working groups and the Commission on relevant issues, both current topics and possible future work.

D. UNCITRAL's position within the United Nations system

17. As the core legal body in the United Nations system in the field of international trade law, UNCITRAL is an integral part of the United Nations system and it is desirable that it assert, on a continuing basis, its role as that core expert body.

⁴ See the example cited in A/CN.9/752, footnote 5 and A/CN.9/749.

18. The Commission did so in the past with tangible results. For example, in 2003 the Commission sent a strong message to the international community as regards its coordination mandate (A/58/17, paras. 264-265) which resulted in the adoption by the General Assembly of resolution 57/19 on enhancing coordination in the area of international trade law and strengthening the Secretariat of UNCITRAL, followed by the allocation of additional resources and posts to the UNCITRAL Secretariat. Since 2008, in the rule of law context, the Commission has expressed its conviction that the promotion of the rule of law in commercial relations should be an integral part of the broader agenda of the United Nations to promote the rule of law at the national and international levels.⁵ This has been subsequently endorsed by the General Assembly⁶ and at the highest levels of the United Nations Secretariat,⁷ as a result of which a closer cooperation and coordination became possible between the UNCITRAL Secretariat and the Rule of Law Coordination and Resource Group supported by the Rule of Law Unit in the Executive Office of the United Nations Secretary-General. In 2011, as regards the promotion of the rule of law in post-conflict situations in particular, the Commission emphasized the relevance of the instruments and resources of the Commission for creating an environment of sustainable economic activity conducive to post-conflict reconstruction and preventing societies from sliding back into conflict. It called for innovative ways for the instruments and other tools of the Commission to be engaged at an early stage in the post-conflict recovery operations of the United Nations and other donors, and for increased awareness about the work of UNCITRAL throughout the United Nations system and beyond.

19. Greater integration and increased visibility could be expected to provide more avenues for: (a) outreach to end users of UNCITRAL texts and promotion of those texts in a more coherent, consistent and efficient manner; (b) a more effective dialogue with United Nations operators on the ground that should be expected, on the one hand, to promote UNCITRAL texts in appropriate contexts, such as their development, post-conflict reconstruction and rule of law assistance programmes, and on the other hand, to refer problems concerning international trade law issues that they encounter in their work to UNCITRAL; and (c) work with other development assistance donors, and not only as regards the use of UNCITRAL texts (progress in this field has been achieved in some areas), but also in assisting States to prepare development frameworks (commercial law reforms are often forgotten in those frameworks).

⁵ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), para. 386; *ibid.*, *Sixty-fourth Session, Supplement No. 17* (A/64/17), paras. 413-419; *ibid.*, *Sixty-fifth Session, Supplement No. 17* (A/65/17), paras. 313-336; and *ibid.*, *Sixty-sixth Session, Supplement No. 17* (A/66/17), paras. 299-321.

⁶ See e.g. GA res 62/64, paras. 4 and 5 (d); 63/120, paras. 6, 7 (d) and 11; 64/111, paras. 9 and 14; 65/21, paras. 7, 8 (d) and 12-14; and 66/94, paras. 7, 10(e) and 15-17; in all these and earlier resolutions on UNCITRAL annual reports, see also the second preambular paragraph.

⁷ The cross-sector impact of UNCITRAL work, including in the context of post-conflict reconstruction, was highlighted, for example, by the Deputy Secretary-General Asha-Rose Migiro in her opening remarks to the 2010 UNCITRAL panel discussion on "Laws and practices of Member States in implementing UNCITRAL texts", 7 July, New York, available from www.un.org/News/Press/docs/2010/dsgsm517.doc.htm (accessed on 18 January 2012). See also references to the UNCITRAL activities in the Secretary-General reports on strengthening and coordinating United Nations rule of law activities (A/63/226, A/64/298, A/65/318 and A/66/133).

20. Achieving that greater integration and visibility would require consistent efforts and dedication of resources to:

(a) Survey developments across the United Nations to identify those relevant to UNCITRAL and bring them to the attention of the Commission (e.g. rule of law in the General Assembly; legal empowerment of the poor in ECOSOC; business and human rights in the Human Rights Council; MDGs in UNDG);

(b) Contribute UNCITRAL perspectives to reports on relevant subjects provided by the Secretary-General to other United Nations bodies;

(c) Take steps to ensure the use of UNCITRAL texts and promotional tools in United Nations joint programmes (efforts at the central level need to be supplemented by local efforts through regional offices), such as delivering training on UNCITRAL-related topics to resident coordinators and country team members in the development and rule of law assistance contexts, direct involvement by the UNCITRAL Secretariat in relevant inter-agency coordination and cooperation mechanisms (as noted above, experience shows that such direct involvement is the most effective way to achieve results (e.g. the United Nations Inter-agency Cluster on Trade and Productive Capacity, A/CN.9/749, para. 9));

(d) Assist States in fostering coordination among their delegations in various United Nations and other international bodies dealing with issues relevant to UNCITRAL, for example by highlighting in regular briefings for Permanent Missions areas of convergence of UNCITRAL work with other United Nations bodies, funds and programmes.

21. As in the past, the Commission should not shy away from the need to request additional resources for its Secretariat; for its repeated calls for additional resources to be answered by the General Assembly, coordination between States' delegations to UNCITRAL and their delegations to the Sixth and Fifth Committees of the General Assembly must be ensured, as occurred in 2011 as regards maintenance of the alternating pattern of meetings of UNCITRAL.

E. Allocation of resources in the Secretariat

22. A number of the issues raised above relate not only to the allocation of resources between the different functions in both the Commission and working groups and the Secretariat, but also to the availability of resources more generally. Various options have been raised as to how the first of those issues might be addressed with respect to the Commission and working groups. With respect to the Secretariat, issues have been raised concerning its ability to continue servicing six working groups, to the loss of expertise over time on completed texts, to the lack of resources for TA and coordination activities. A better balance between the development of texts and the delivery of TA and coordination activities and wider acknowledgement and acceptance of their equal importance is desirable.

23. Guided by strategic considerations, such as priorities, identified by the Commission, these issues might be addressed within the Secretariat by developing themed groups focusing on related topics (that would cover both current work and former instruments determined to be priorities). These groups would deal both with the relevant working groups and TA (both promotion and interpretation) and

coordination activities within each themed subject area, developing annual plans that could integrate and seek to achieve a balance between the different activities for a given year, including determining priorities both as between different texts and the different activities i.e. legislative and TA and coordination activities. Priorities would also be defined across the different groups. Such an approach might also facilitate greater sharing of expertise across legislative and TA and coordination activities and mitigate loss of expertise occasioned by the movement or absence of staff.

F. Conclusions

24. Setting priorities in UNCITRAL's work programme requires a consideration of not only its current and likely future scope (in terms of the resources available for its activities), but also the role and relevance of UNCITRAL both within the United Nations and in the field of international trade and commerce. UNCITRAL's role and relevance can be assessed by reference to the work and priorities of the United Nations, donor communities and priorities of national governments. Key developments, such as the Paris Declaration on Aid Effectiveness (2005), and major international issues of concern — anti-corruption agenda, 2008 global financial meltdown, conflict/post-conflict situations — will shape the priorities of these bodies. The relevance of UNCITRAL compared with other organizations working in similar areas, or its comparative advantage, lies in its activities in:

- Norm- and standard-setting
- Intergovernmental negotiations (as compared to those that are expert-led)
- Universal applicability of texts

25. Although this comparative advantage has indicated, and continues to encourage, a focus on UNCITRAL's legislative activities, its overall mandate of harmonization requires the other activities to support the legislative activities, as well as to bring them to a wider audience. However, as is clear from the above analysis, UNCITRAL cannot continue, with its existing resources, to generate legal texts at the current rate and work towards the implementation and use of all UNCITRAL texts to the extent necessary.

26. These factors may indicate that the Commission could provide guidance to the Secretariat on the following matters, as strategic considerations:

- (a) The subject-areas that should be accorded the highest priority, by reference to the role and relevance of UNCITRAL;
- (b) Achieving the optimal balance of activities given current resources;
- (c) The sustainability of the existing *modus operandi*, i.e. current emphasis on formal rather than informal negotiations when developing texts, given current resources;
- (d) The mobilization of additional resources and the extent to which UNCITRAL should seek external resources for its activities, such as through joint activities and cooperation with other bodies.

Annex I

UNCITRAL texts⁸

A. Legislative texts

1. Conventions

Convention on the Recognition and Enforcement of Foreign Arbitral Awards (“New York Convention”), 1958 (New York)

United Nations, *Treaty Series*, vol. 330, No. 4739, p. 3

Final Act and Convention on the Recognition and Enforcement of Foreign Arbitral Awards of the United Nations Conference on International Commercial Arbitration, New York, 20 May-10 June 1958 (United Nations publication, Sales No. 58.V.6), p. 7

Convention on the Limitation Period in the International Sale of Goods, 1974 (New York)

United Nations, *Treaty Series*, vol. 1511, No. 26119, p. 3

Official Records of the United Nations Conference on Prescription (Limitation) in the International Sale of Goods, New York, 20 May-14 June 1974 (United Nations publication, Sales No. E.74.V.8), part I, p. 101

UNCITRAL Yearbook, vol. V: 1974, part three, annex I, sect. B

As amended by the Protocol of 11 April 1980 (Vienna)

United Nations, *Treaty Series*, vol. 1511, No. 26121, p. 99

Official Records of the United Nations Conference on Contracts for the International Sale of Goods, Vienna, 10 March-11 April 1980 (United Nations publication, Sales No. E.81.IV.3), part I, p. 191 (protocol only)

UNCITRAL Yearbook, vol. XI: 1980, part three, annex I, sect. C

United Nations Convention on the Carriage of Goods by Sea (“Hamburg Rules”), 1978 (Hamburg)

United Nations, *Treaty Series*, vol. 1695, No. 29215, p. 3

Official Records of the United Nations Conference on the Carriage of Goods by Sea, Hamburg, 6-31 March 1978 (United Nations publication, Sales No. E.80.VIII.1), part I, p. 148

UNCITRAL Yearbook, vol. IX: 1978, part three, annex I, sect. B

United Nations Convention on Contracts for the International Sale of Goods, 1980 (Vienna)

United Nations, *Treaty Series*, vol. 1489, No. 25567, p. 3

Official Records of the United Nations Conference on Contracts for the International Sale of Goods, Vienna, 10 March-11 April 1980 (United Nations publication, Sales No. E.81.IV.3), part I, p. 178

UNCITRAL Yearbook, vol. XI: 1980, part three, annex I, sect. B

United Nations Convention on International Bills of Exchange and International Promissory Notes, 1988 (New York)

General Assembly resolution 43/165, annex

UNCITRAL Yearbook, vol. XIX: 1988, part three, annex I

⁸ Available on the UNCITRAL website (www.uncitral.org).

United Nations Convention on the Liability of Operators of Transport Terminals in International Trade, 1991 (Vienna)

Official Records of the United Nations Conference on the Liability of Operators of Transport Terminals in International Trade, Vienna, 2-19 April 1991 (United Nations publication, Sales No. E.93.XI.3), part I, annex
UNCITRAL Yearbook, vol. XXIII: 1992, part three, annex I

United Nations Convention on Independent Guarantees and Stand-by Letters of Credit, 1995 (New York)

United Nations, *Treaty Series*, vol. 2169, No. 38030, p. 163
General Assembly resolution 50/48, annex

United Nations Convention on the Assignment of Receivables in International Trade, 2001 (New York)

General Assembly resolution 56/81, annex

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea ("Rotterdam Rules"), 2008 (New York)

General Assembly resolution 63/122, annex

United Nations Convention on the Use of Electronic Communications in International Contracts, 2005 (New York)

General Assembly resolution 60/21, annex

2. Model laws

UNCITRAL Model Law on International Commercial Arbitration (1985)

Official Records of the General Assembly, Fortieth Session, Supplement No. 17 (A/40/17), annex I
UNCITRAL Yearbook, vol. XVI: 1985, part three, annex I

UNCITRAL Model Law on International Commercial Arbitration 1985, with amendments as adopted in 2006

Official Records of the General Assembly, Sixty-first Session, Supplement No. 17 (A/61/17), annex I (revised articles only)
United Nations publication, Sales No. E.08.V.4

UNCITRAL Model Law on International Credit Transfers (1992)

Official Records of the General Assembly, Forty-seventh Session, Supplement No. 17 (A/47/17), annex I
UNCITRAL Yearbook, vol. XXIII: 1992, part three, annex II

UNCITRAL Model Law on Electronic Commerce with Guide to Enactment (1996)

General Assembly resolution 51/162, annex (model law only)
Official Records of the General Assembly, Fifty-first Session, Supplement No. 17 (A/51/17), annex I (model law only)
United Nations publication, Sales No. E.99.V.4⁹
UNCITRAL Yearbook, vol. XXVII: 1996, part three, annex I (model law only)

⁹ The United Nations publication includes an additional article 5 bis, adopted in 1998.

UNCITRAL Model Law on Cross-Border Insolvency with Guide to Enactment (1997)

General Assembly resolution 52/158, annex (model law only)

Official Records of the General Assembly, Fifty-second Session, Supplement No. 17 (A/52/17), annex I (model law only)

UNCITRAL Yearbook, vol. XXVIII: 1997, part three, annexes I and II

UNCITRAL Model Law on Electronic Signatures with Guide to Enactment (2001)

General Assembly resolution 56/80, annex (model law only)

Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17 and corrigendum (A/56/17 and Corr.3), annex II (model law only)

United Nations publication, Sales No. E.02.V.8

UNCITRAL Yearbook, vol. XXXII: 2001, part three, annex II (model law only)

UNCITRAL Model Law on International Commercial Conciliation with Guide to Enactment and Use (2002)

General Assembly resolution 57/18, annex (model law only)

Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 17 (A/57/17), annex I (model law only)

UNCITRAL Yearbook, vol. XXXIII: 2002, part three, annexes I and II

UNCITRAL Model Law on Public Procurement (2011)¹⁰

Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 17 (A/66/17), annex I

3. Legislative guides and other texts

Unit of account provision and provisions for the adjustment of the limit of liability in international transport and liability conventions (1982)

Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 17 and corrigenda (A/37/17 and Corr.1 and 2), para. 63

UNCITRAL Yearbook, vol. XIII: 1982, part one, sect. A, para. 63

Recommendations to Governments and international organizations concerning the legal value of computer records (1985)

Official Records of the General Assembly, Fortieth Session, Supplement No. 17 (A/40/17), para. 360

UNCITRAL Yearbook, vol. XVI: 1985, part one, sect. A, para. 360

¹⁰ Prior to its adoption of the UNCITRAL Model Law on Public Procurement (2011), UNCITRAL had adopted the UNCITRAL Model Law on Procurement of Goods and Construction (1993), *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 17 (A/48/17)*, annex I, *UNCITRAL Yearbook*, vol. XXIV: 1993, part three, annex I; and the UNCITRAL Model Law on Procurement of Goods, Construction and Services with Guide to Enactment (1994), *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 17 and corrigendum (A/49/17 and Corr.1)*, annex I (model law only), *UNCITRAL Yearbook*, vol. XXV: 1994, part three, annexes I and II.

UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects (2000)

United Nations publication, Sales No. E.01.V.4 (A/CN.9/SER.B/4)

UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects (2003)

Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17 (A/58/17), annex I

UNCITRAL Yearbook, vol. XXXIV B: 2003, part three, annex I

UNCITRAL Legislative Guide on Insolvency Law (2004)

United Nations publication, Sales No. E.05.V.10

UNCITRAL Legislative Guide on Insolvency Law, Part Three: Treatment of enterprise groups in insolvency (2010)

Available from www.uncitral.org/uncitral/uncitral_texts/insolvency.html

UNCITRAL Legislative Guide on Secured Transactions (2007)

United Nations publication, Sales No. E.09.V.12

UNCITRAL Legislative Guide on Secured Transactions: terminology and recommendations (2007)

United Nations publication, Sales No. E.09.V.13

UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property (2010)

Available from www.uncitral.org/uncitral/uncitral_texts/security.html

UNCITRAL Digest of Case Law on the United Nations Convention on the International Sales of Goods (2008)

Available from www.uncitral.org/uncitral/case_law/digests.html

B. Contractual texts

UNCITRAL Arbitration Rules (1976)

Official Records of the General Assembly, Thirty-first Session, Supplement No. 17 (A/31/17), para. 57

UNCITRAL Yearbook, vol. VII: 1976, part one, chap. II, sect. A, para. 57

UNCITRAL Arbitration Rules (as revised in 2010)

Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 17 (A/65/17), annex I

UNCITRAL Conciliation Rules (1980)

Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 17 (A/35/17), chap. V, sect. A, para. 106

UNCITRAL Yearbook, vol. XI: 1980, part three, annex II

Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance (1983)

Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 17 (A/38/17), annex I

UNCITRAL Yearbook, vol. XIV: 1983, part three, annex II, sect. A

C. Explanatory texts

Recommendations to assist arbitral institutions and other interested bodies with regard to arbitrations under the UNCITRAL Arbitration Rules (1982)

Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 17 (A/37/17), annex II

UNCITRAL Yearbook, vol. XIII: 1982, part three, annex II

UNCITRAL Legal Guide on Drawing Up International Contracts for the Construction of Industrial Works (1987)

United Nations publication, Sales No. E.87.V.10 (A/CN.9/SER.B/2)

UNCITRAL Legal Guide on Electronic Funds Transfers (1987)

United Nations publication, Sales No. E.87.V.9 (A/CN.9/SER.B/1)

UNCITRAL Legal Guide on International Countertrade Transactions (1992)

United Nations publication, Sales No. E. 93.V.7 (A/CN.9/SER.B/3)

UNCITRAL Notes on Organizing Arbitral Proceedings (1996)

UNCITRAL Yearbook, vol. XXVII: 1996, part three, annex II

Recommendation regarding the interpretation of article II, paragraph 2, and article VII, paragraph 1, of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done in New York, 10 June 1958 (2006)

Official Records of the General Assembly, Sixty-first Session, Supplement No. 17 (A/61/17), annex II

UNCITRAL Yearbook, vol. XXXVII: 2006, part three, annex II

Promoting confidence in electronic commerce: legal issues on international use of electronic authentication and signature methods (2007)

United Nations publication, Sales No. E.09.V.4

UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation (2009)

United Nations publication, Sales No. E.10.V.6

UNCITRAL Model Law on Cross-Border Insolvency: The Judicial Perspective (2011)

Available from www.uncitral.org/uncitral/uncitral_texts/insolvency.html