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Coordination activities

Note by the Secretariat

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I. Introduction

1. In resolution 34/142 of 17 December 1979, the General Assembly requested the Secretary-General to place before the United Nations Commission on International Trade Law a report on the legal activities of international organizations in the field of international trade law, together with recommendations as to the steps to be taken by the Commission to fulfil its mandate of coordinating the activities of other organizations in the field.

2. In resolution 36/32 of 13 November 1981, the General Assembly endorsed various suggestions by the Commission to implement further its coordinating role in the field of international trade law.¹ Those suggestions included presenting, in addition to a general report of activities of international organizations, reports on specific areas of activity focusing on work already under way and areas where unification work was not under way but could appropriately be undertaken.²

3. This report, prepared in response to resolution 34/142 and in accordance with UNCITRAL's mandate,³ provides information on the activities of other international organizations active in the field of international trade law in which the UNCITRAL secretariat has participated, principally working groups, expert groups and plenary meetings. The purpose of that participation has been to ensure coordination of the related activities of the different organizations, share information and expertise and avoid duplication of work and the resultant work products.

4. The Commission may wish to note the increasing involvement of the Secretariat in initiatives of other organizations. This is a recurrent pattern in recent years, consistent with the increase in the Secretariat's technical assistance activities,⁴ and which is expected to continue and even increase in future.

II. Coordination activities

A. The International Institute for the Unification of Private Law and the Hague Conference on Private International Law

International Institute for the Unification of Private Law (Unidroit)

5. The Secretariat participated as an observer in the third meeting of the Unidroit Working Group on Long-Term Contracts (Oslo, 3-4 March 2016), which was established for the purpose of formulating proposals for possible amendments and additions to the black-letter rules and comments of the Unidroit Principles of International Commercial Contracts 2010 (see also A/CN.9/838, para. 5). UNCITRAL participation aimed to ensure coordination of the topics under discussion with relevant UNCITRAL texts.

¹ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 17 (A/36/17)*, paras. 93-101.

² *Ibid.*, para. 100.

³ See General Assembly Resolution 2205 (XXI), sect. II, para. 8.

⁴ See A/CN.9/775.

Hague Conference on Private International Law (HccH)

6. The Secretariat attended the Council on General Affairs and Policy of the Hague Conference (The Hague, The Netherlands, 15-17 March 2016) at which, inter alia, a “joint proposal of the Secretariats of UNCITRAL, Unidroit and HccH for cooperation in the area of international commercial contract law (with a focus on sales)” was discussed. The HccH Council directed its Permanent Bureau to further cooperate with the Secretariats of UNCITRAL and Unidroit on this matter (see also para. 8 below).

Joint activities with Unidroit and HCCH

7. The 2016 tri-partite coordination meeting of UNCITRAL, Unidroit and HccH was hosted by Unidroit (Rome, 19-20 April 2016). As in the past, the meeting provided the opportunity to discuss current work of the three organizations, areas of mutual interest and possible joint activities.

8. At its forty-ninth session, the Commission will have before it a joint proposal on cooperation in the area of international commercial contract law (with a focus on sales) prepared by the UNCITRAL secretariat and the secretariats of HccH and of Unidroit (A/CN.9/892, see also para. 6 above).

B. Other organizations

9. The Secretariat undertook other coordination activities with various international organizations. Most of such activities included provision of comments on documents drafted by those organizations, and participation in various meetings and conferences with the purpose of briefing about the work of UNCITRAL or to provide an UNCITRAL perspective on the matters at stake.

1. General

10. The Secretariat continued its collaboration with the Asia-Pacific Economic Cooperation (APEC) (see also A/CN.9/872). At the APEC Structural Reform Ministerial Meeting (Cebu, Philippines, 7-8 September 2015), the APEC Ministers recognized the importance of work to develop model legal instruments and commended APEC work in this area in collaboration with UNCITRAL. The APEC Ministers further agreed that the development of international legal instruments and their adoption would create a more conducive climate for cross-border trade and investment, thus facilitating economic growth and that the use of those instruments provides greater legal certainty in cross-border transactions, harmonization of finance and dispute resolution systems, closer economic and legal integration among cooperating economies, and the simplification of procedures involved in international transactions. The Secretary of UNCITRAL addressed the APEC Economic Committee during its plenary (Lima, 29 February-1 March 2016), providing a general overview of UNCITRAL, its mandate and texts, its involvement in technical assistance and coordination and the need for continued collaboration with APEC, particularly its Economic Committee.

11. The Secretariat attended the Annual Meeting of the Advisory Committee on Private International Law held under the aegis of the United States State Department

(Washington D.C., 24-25 September 2015), which brings together senior representatives from international organizations involved in private international law, representatives of Governments and NGOs. The Secretariat provided an update on the activity of UNCITRAL and participated in discussions over recent achievements and future work of the main international organizations involved in private international law.

12. The Secretariat remained actively involved in the Inter-Agency Cluster on Trade and Productive Capacity. Among others, it took part (remote participation) in the annual meeting of the Cluster (Geneva, Switzerland, 12 November 2015) at which the establishment of a Global Multi Donor Trust Fund on Trade and Productive Capacity was discussed and follow-up actions were proposed (see also A/CN.9/838, para. 10).

13. The Secretariat continued to be involved in the Global Forum on Law, Justice and Development (GFLJD), a permanent global forum, established at the initiative of the World Bank, that aims to exchange and disseminate innovative legal solutions for development. As explained in A/CN.9/838 para. 11, the GFLJD is intended to spur both South-South and North-South collaboration and its multidisciplinary activities address economic, legal and technical dimensions of the targeted issues. The UNCITRAL secretariat was appointed as co-leader of the Law and Economy Working Group, with effect from September 2014.

14. One of the GFLJD activities is the Law, Justice and Development Week at which the Secretariat participated in sessions on public procurement and public-private partnerships (Washington, D.C., 16-20 November 2015), addressing systems for review or challenges to decisions in public procurement in the context of the international financial institutions (IFIs), on suspension and debarment in sanctions and debarments in IFIs, United Nations organizations and other international organizations; and on enhancing the quality of decisions in PPP transactions in a variety of areas.

15. The Secretariat participated in an academic workshop on the Economic Assessment of International Commercial Law Reform held at Harris Manchester College, University of Oxford jointly with the Unidroit Foundation (Oxford, United Kingdom of Great Britain and Northern Ireland, 29-31 March 2016).

16. The Secretariat attended the eighty-eighth regular session of the Inter-American Juridical Committee (IAJC) as an observer (Washington, D.C., 4 April 2016). The IAJC “serves the [Organization of American States] OAS as an advisory body on juridical matters of an international nature and promotes the progressive development and the codification of international law.” The meeting, attended by members (academics and other legal experts) and observers from member States and international organizations, aimed to generate ideas for legislative projects which could be put before OAS member States.

Rule of Law

17. The UNCITRAL secretariat undertook or facilitated several coordination activities on the rule of law in those areas of work of the United Nations and other entities that are of general relevance to UNCITRAL. The Secretariat continued contributing to a rule of law newsletter and annual report of the Secretary-General to the General Assembly on strengthening and coordinating United Nations rule of

law activities. It also contributed to a joint report by the Office of the High Commissioner for Human Rights (OHCHR), Office of Legal Affairs (OLA) and United Nations Office on Drugs and Crime (UNODC) to the Rule of Law Coordination and Resource Group (RoLCRG) prepared pursuant to the 2012 decision of the Secretary-General's Policy Committee relating to the United Nations rule of law arrangements (Decision No. 2012/13). The decision, in particular, called for the cooperation of OHCHR, OLA and UNODC, in consultation with all other relevant entities in the RoLCRG and with the assistance of the Rule of Law Unit, in order to strengthen the Organization's institutional response to trends and challenges in the application of the rule of law at the international level. The joint report is intended as a basis for discussion by the RoLCRG. It outlines some examples of institutional cooperation that have taken place among the three offices since September 2012, identifies trends and challenges in the application of the rule of law at the international level, as requested by the above-mentioned Policy Committee decision, and suggests areas of possible future collaboration among OHCHR, OLA and UNODC in strengthening the rule of law at the international level.

18. It may be recalled that, at its forty-sixth to forty-eighth sessions, in 2013 to 2015, the Commission learned about initiatives across the United Nations system to formulate sustainable development goals and a post-2015 international development agenda.⁵ At that time, the Commission noted the relevance of UNCITRAL work to these initiatives and requested its Bureau and its Secretariat to take appropriate steps to ensure that the areas of work of UNCITRAL and the role of UNCITRAL in the promotion of the rule of law and sustainable development were not overlooked. Pursuant to those requests, efforts were made to ensure that the message of UNCITRAL was conveyed to the States negotiating the post-2015 development agenda. As a result, in the Addis Ababa Action Agenda (General Assembly resolution 69/313, para. 89) (the AAAA), which is an integral part of the 2030 Agenda for Sustainable Development (General Assembly resolution 70/1, para. 40), States endorsed "the efforts and initiatives of the United Nations Commission on International Trade Law, as the core legal body within the United Nations system in the field of international trade law, aimed at increasing coordination of and cooperation on legal activities of international and regional organizations active in the field of international trade law and at promoting the rule of law at the national and international levels in this field." Pursuant to those requests of the Commission, efforts were made to ensure that the message of UNCITRAL was conveyed to the States negotiating global indicators that would accompany the 2030 Agenda for Sustainable Development, to be adopted in September 2016.

19. At the Secretariat level, the UNCITRAL secretariat has joined the Inter-Agency Task Force (IATF) on Financing for Development (FfD), convened by the Secretary-General to: (a) review progress in implementing the AAAA; and (b) advise the intergovernmental follow-up process thereon. The UNCITRAL secretariat contributed to the 2016 Inaugural Report of IATF, which set out options for monitoring the commitments covered in the Trade Chapter of the AAAA. The

⁵ *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 17 (A/68/17)*, paras. 274-275; *ibid.*, *Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 220-233; and *ibid.*, *Seventieth Session, Supplement No. 17 (A/70/17)*, paras. 298-231.

submission by the UNCITRAL secretariat in particular stated that achievement of the targets covered by paragraph 89 of the AAAA could be monitored through data that is already collected on:

- (a) Treaty actions and enactments of UNCITRAL texts;
- (b) Relevant court and arbitral decisions applying and interpreting UNCITRAL texts that are reported and publicized through the Case Law on UNCITRAL texts system (CLOUT);
- (c) Participation in UNCITRAL sessions by States, IGOs and NGOs;
- (d) Cooperation and coordination activities involving UNCITRAL participation;
- (e) Technical assistance activities conducted by UNCITRAL;
- (f) Dissemination activities conducted by UNCITRAL (website, digests and other publications);
- (g) Teaching, training and capacity-building activities; and
- (h) Other activities not covered above that are reported as being, or having been, conducted by States and organizations (both IGOs and NGOs) at the national, regional and international levels that refer to the use of UNCITRAL texts.

Data collected can be disaggregated, as appropriate, by reference to factors such as type of activity, topic, gender, country, region, level of development and the IGOs and NGOs involved. Where relevant, information relating to activities conducted by UNCITRAL would include those conducted jointly with States, IGOs and NGOs. These indicators can be monitored every four years. It is not expected that such monitoring would impose any additional reporting burden on States, except with respect to tracking the use of UNCITRAL texts.

20. The new web page of the UNCITRAL website, which became operational from 5 April 2016, provides an overview of the relevance of UNCITRAL to the 2030 Agenda for Sustainable Development.

21. It may be recalled that, at its forty-eighth session, in 2015, the Commission recalled its call to its secretariat to continue exploring synergies and expanding outreach to delegations of States to various United Nations bodies with the view of increasing their awareness of the work of UNCITRAL and its relevance to other areas of work of the United Nations. Support was expressed in that context at that session for outreach to various bodies of the United Nations system operating at a country level with the mandate to assist with local law reforms, be it in the promotion of the rule of law, development or other context, so that they appropriately factor in their work the promotion of the rule of law in commercial relations generally and UNCITRAL standards in particular.⁶ The draft guidance note on strengthening United Nations support to States, upon their request, to implement sound commercial law reforms (contained in document A/CN.9/883 that will be before the Commission at its forty-ninth session), is aimed at becoming a tool to increase awareness across the United Nations about the importance of sound

⁶ *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, para. 301.

commercial law reforms and the use of internationally accepted commercial law standards in that context.

2. Micro, small and medium-sized enterprises (MSMEs)

22. The Secretariat has encouraged participation and dialogue in respect of its work on micro, small and medium-sized enterprises (MSMEs — Working Group I) through its participation in the Corporate Registers Forum (CRF) and the European Commerce Registers' Forum (ECRF) joint annual conference, as well as presenting on the topic of “Business Registration, Registry and Legal Reform, Reducing Burdens” at such a conference (Cardiff, United Kingdom, 9-12 May 2016) (see also A/CN.9/872).

3. Procurement

23. In accordance with requests of the Commission and Working Group I (under its former mandate on Public Procurement), the Secretariat has established links with other international organizations active in procurement reform to foster cooperation with regard to the UNCITRAL Model Law on Public Procurement (2011) and its accompanying Guide to Enactment (2012). The aims of such cooperation are to ensure that reforming governments and organizations are informed of the policy considerations underlying those texts, so as to promote a thorough understanding and appropriate use of the Model Law, at both regional and national levels. The Secretariat is taking a regional approach to this cooperation, and activities with the multilateral development banks in several regions, focusing on good governance and anti-corruption (in which procurement reform plays a pivotal role), are envisaged (see A/CN.9/838, para. 26).

24. To this end, the Secretariat participated, among others, in the following activities:

(a) The work of the World Bank's International Advisory Group on Procurement, which has advised the World Bank on its Procurement Policy Review, including participation in a final meeting held in Cairo, to review and comment on the proposed implementation of the reforms (Washington, D.C., 21-22 September 2015);

(b) The development of a World Bank system for benchmarking public procurement, including participation in discussions on expansion of the scope of the system (Washington, D.C., 22 September 2015);

(c) The “Third Suspension and Debarment Colloquium, 2015”, held at the World Bank Headquarters, addressing (inter alia) the prospects for harmonization in systems for sanctions and debarment in public procurement (Washington, D.C., 16 December 2015);⁷

(d) The work of the team of specialists in Public-Private Partnerships (PPPs) of the United Nations Economic Commission for Europe (UNECE), which meets and reviews policy issues in PPPs, including on the Role of PPPs in financing the post-2015 United Nations Development Agenda;

⁷ See www.worldbank.org/en/events/2015/11/05/third-suspension-and-debarment-colloquium-2015.

(e) The work of the Meeting of Leading Practitioners on Public Procurement of the Organization for Economic Co-operation and Development (OECD), focusing on possible revisions to the draft OECD Recommendation on Public Integrity and to the 1998 OECD Recommendation on Improving Ethical Conduct in the Public Service, under the OECD Public Governance Committee;

(f) The work of the Sustainable Public Procurement Initiative Network established by the United Nations Environment Programme (UNEP), including serving on its working groups on developing principles for sustainable public procurement, addressing legal barriers, and promoting collaboration between international organizations (see also A/CN.9/872, para. 30);

(g) The work of the World Trade Organization regarding its Agreement on Government Procurement, including through the issue of a joint publication on the treatment of small and medium-sized enterprises in public procurement and joint technical assistance activities (see also A/CN.9/872, para. 32).⁸

4. Dispute settlement

25. As noted by the Commission at its forty-eighth session, in 2015, UNCITRAL standards in the field of dispute settlement are characterized by their flexibility and generic application to different types of arbitration, including both purely commercial arbitration and investor-State arbitration.⁹ In line with the decision of the Commission that the Secretariat should continue to coordinate with organizations in relation to the various types of arbitration to which UNCITRAL standards were applicable, and to closely monitor developments, further exploring areas for cooperation and coordination,¹⁰ the Secretariat activities in the area of international commercial arbitration and conciliation included:

(a) Coordination with United Nations Conference on Trade and Development (UNCTAD) in the field of international investment arbitration, including participation in the expert group meeting on investor-State dispute settlement (ISDS) reforms “International Investment Agreements (IIA) Stocktaking” to provide information on UNCITRAL instruments on transparency and on possible future work (Geneva, Switzerland, 16 March 2016);

(b) Coordination with United Nations Department of Economic and Social Affairs (UNDESA) on resolution of disputes between States arising under tax conventions and in connection with relevant issues such as transfer pricing, base erosion and profit shifting.

(c) Coordination with OECD, including the organization of the Second International Conference for Euro-Mediterranean Community of International Arbitration (also with Cairo Regional Centre for International Commercial Arbitration (CRCICA)) addressing topical issues in both commercial and investment

⁸ The title of the publication is: “SME participation in government procurement markets — legal and policy considerations under the WTO Agreement on Government Procurement and the UNCITRAL Model Law on Public Procurement” (forthcoming).

⁹ *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, para. 268.

¹⁰ *Ibid.*

arbitration, and a workshop on international investment treaties, investment disputes and arbitration for Iraqi government officials;

(d) Cooperation with the World Economic Forum and the International Centre for Trade and Sustainable Development (ICTSD) on the E15 Initiative Task Force on Investment Policy, a project aimed at “strengthening the global trade and investment system”;

(e) Coordination with the International Centre for Settlement of Investment Disputes (ICSID) and with the Permanent Court of Arbitration at The Hague (PCA) on matters related to international investment arbitration;

(f) Coordination with the International Chamber of Commerce (ICC) with regard to possible cooperation on joint conferences, training, and use of resources in relation to international arbitration, particularly in the Asia-Pacific region;

(g) Coordination with a wide range of arbitral institutions and organizations with respect to use of the UNCITRAL Arbitration Rules as well as the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings;

(h) Coordination with the Energy Charter Treaty (ECT) secretariat and participation in their expert groups including the group on mediation;

(i) Coordination with the European Union and the OPEC Fund for International Development (OFID) with respect to the financing of the UNCITRAL Transparency Registry; and

(j) Coordination with the International Bar Association (IBA) and participation in its committee on investment arbitration.

5. Electronic commerce

26. The Secretariat carried out coordination activities with international and regional organizations involved in the formulation of legal standards in the field of electronic commerce in order to ensure their compatibility with UNCITRAL texts and their underlying principles. Among others, coordination with the Arab Information and Communication Technologies Organization (AICTO), which included participation in the Conference “PKI & the global e-commerce law” (Tunis, 8 May 2015), and with the World Bank, which included participation in the “International Identity Management Law and Policy Meeting” (Washington, D.C., 14 January 2016), are to be noted.

27. In the context of the preparation by the United Nations Economic and Social Commission for Asia and the Pacific (UN/ESCAP) of a Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific, the Secretariat participated as an observer in the Second Meeting of the Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation (the “Steering Group”, Bangkok, 4-6 November 2015), in the Interim Meeting of the Legal Working Group of the Steering Group (Bangkok, 19-21 January 2016 — remote participation) and in the Third Meeting of the Legal Working Group of the Steering Group and in the Second Meeting of the Steering Group on: (Bangkok, 21-25 March 2016). The Commission will hear an oral report on the content of that Framework Agreement and its relevance for the promotion of the adoption, use and uniform interpretation of UNCITRAL texts on electronic commerce.

6. Insolvency

28. The Secretariat coordinated with the International Insolvency Institute (III) by attending its fifteenth annual conference (Naples, Italy, 14-16 June, 2015) and participating as a panellist in a session entitled “UNCITRAL: A Treaty On Insolvency-Related Judgements?”. Several additional topics of relevance to the work of UNCITRAL’s Working Group V on Insolvency (in which III participates as an NGO) were discussed on panels and in breakout sessions at the III conference, including the following: The European Insolvency Reform and the New Approach to Business Failure; Financial Derivatives in Bankruptcy: Containing or Creating Systemic Risk?; Sovereign Debt Restructuring: Current Developments and Proposals for Reform; Judicial Panel: Issues and Answers in Coordinating Cross-Border Cases; Solving Corporate Group Insolvencies; Three Dimensional Chess: Directors’ and Officers’ Responsibilities in Distressed Company Groups; and Resolving IP Issues in Insolvency and Restructurings.

29. The Secretariat attended various sessions of the annual conference of the International Bar Association (IBA) (Vienna, 4-9 October, 2015). With respect to insolvency law, the Secretariat participated in two sessions discussing the feasibility of developing an international convention on selected aspects of cross-border insolvency law, a topic that is being studied, together with the potential for wider adoption of the Model Law on Cross-Border Insolvency, by an open-ended, informal group reporting to Working Group V (Insolvency Law).¹¹

7. Security interests

30. Coordination with relevant organizations was pursued to ensure that States were offered comprehensive and consistent guidance in the area of secured transactions law.

31. Specific activities of the Secretariat included:

(a) Coordination with III on the current work of UNCITRAL on security interests in the context of its fifteenth Anniversary Conference (Naples, 15-16 June 2015) (see also para. 28 above);

(b) Coordination with IBA on UNCITRAL texts on security interests in the context of its Annual Conference (Vienna, 4-9 October 2015) (see also para. 29 above);

(c) Coordination with the Factors Chain International and the International Factors Group on the harmonization of the law of secured transactions in the context of their Annual Meeting (Vienna, 19-21 October 2015) (see also A/CN.9/872, para. 39);

(d) Coordination with Unidroit to ensure that the Mining, Agriculture and Construction (MAC) Protocol being prepared by the relevant Unidroit Study Group does not overlap or conflict with the security interests texts prepared by UNCITRAL (Rome, 19-21 October 2015 and 7-9 March 2016);

¹¹ See A/CN.9/798, para. 19, A/CN.9/803, para. 39 and the *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 17 (A/69/17)*, paras. 152 and 158.

(e) Coordination with the United Nations Global Compact initiative on the Finance Chapter of the United Nations and Global Commerce publication with regard to UNCITRAL and its work on security interests (February-April 2016); and

(f) Coordination with the World Bank to prepare a revised version of the joint UNCITRAL-World Bank Standard on Insolvency and Creditor Rights to include the key recommendations of the UNCITRAL Legislative Guide on Secured Transactions, (Washington, D.C., 19 November 2015).

World Bank Insolvency and Creditor Rights Standard (ICR Standard)

32. At its forty-eighth session, in 2015, the Commission took note with appreciation of the report of the Secretariat about the progress achieved in: (a) the revision the World Bank Insolvency and Creditor Rights Standard (the “ICR Standard”) to take into account the key recommendations of the Secured Transactions Guide; (b) the coordination efforts with the European Commission with a view to ensuring a coordinated approach to the law applicable to the third-party effects of assignments of receivables, taking into account the approach followed in the Assignment Convention, the Secured Transactions Guide and the draft Model Law; (c) the coordination efforts with Unidroit with respect to a fourth Protocol to the Convention on International Interests in Mobile Equipment on matters specific to agricultural, construction and mining equipment; and (d) the coordination efforts with the International Finance Corporation and the Organization of American States in providing technical assistance and assistance with respect to local capacity-building in the area of security interests.¹² It was widely felt that such coordination and cooperation efforts were extremely important and should continue with a view to ensuring that the work of the Commission on security interests was reflected to the maximum extent possible in the relevant texts of other organizations. After discussion, the Commission renewed its mandate to the Secretariat to continue its coordination and cooperation efforts in the area of security interests.¹³

33. The Commission may wish to note that, further to the agreement reached at a meeting held in Washington, D.C., on 19 November 2015, the Secretariat provided comments on the World Bank Secured Transactions Principles that are part of the ICR Standard and is expecting to receive the comments of the World Bank on the revised version of the ICR Standard prepared jointly by the Secretariat and the World Bank that includes references to the key recommendations of the Secured Transactions Guide. The Commission may wish to consider this matter and confirm or revise the mandate given to the Secretariat to coordinate with the World Bank so as to include in the revised ICR Standard the key recommendations of the Secured Transactions Guide and references to the other UNCITRAL texts on secured transactions. In this connection, the Commission may wish to take into account the need for both duplication of effort and divergence in the texts to be avoided, with due respect for the different mandates of the Commission and the World Bank.¹⁴

¹² *Official Records of the General Assembly, Seventieth Session, Supplement No. 17 (A/70/17)*, para. 218.

¹³ *Ibid.*, para. 219.

¹⁴ *Ibid.*, *Forty-eighth Session, Supplement No. 17 (A/48/17)*, para. 174.

8. Commercial Fraud

34. No development occurred in the area of commercial fraud since A/CN.9/838 was prepared. For easy reference of the Commission, the relevant paragraph (para. 37) of that Secretariat's Note is reproduced here below.

35. Further to the request of the Commission (A/63/17, para. 347; A/64/17, para. 354, and A/68/17, para. 312) in relation to commercial fraud, the Secretariat continued to coordinate with the United Nations Office on Drugs and Crime (UNODC) in its work on economic crime and identity fraud. In particular, the Secretariat remains a member of UNODC's core group of experts on identity-related crime, which was formed to bring together on a regular basis representatives from governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime. Work planned by UNODC core group of experts on the development of model legislation on identity-related crime did not proceed due to a lack of extrabudgetary resources, however the Secretariat will continue to participate in the core group of experts once its work proceeds. The Commission may also wish to note that UNODC also plans to develop, again subject to the availability of extrabudgetary funds, a web-based repository of information on identity-related crime, as well as a comprehensive package of training tools (see E/CN.15/2014/17, paras. 72 to 75 for more details).
