



General Assembly

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Agenda item 75

**Report of the United Nations Commission on International
Trade Law on the work of its fifty-fifth session**

Resolution adopted by the General Assembly on 7 December 2022

[on the report of the Sixth Committee ([A/77/413](#), para. 11)]

77/101. Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services

The General Assembly,

Recalling its resolution [2205 \(XXI\)](#) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Recalling also its resolution [60/21](#) of 23 November 2005, by which it adopted the United Nations Convention on the Use of Electronic Communications in International Contracts and called upon all Governments to consider becoming party to the Convention, and its resolutions [51/162](#) of 16 December 1996, [56/80](#) of 12 December 2001 and [72/114](#) of 7 December 2017, in which it recommended that all States give favourable consideration to the Model Law on Electronic Commerce, the Model Law on Electronic Signatures and the Model Law on Electronic Transferable Records of the Commission, respectively,

Mindful that the Convention, the Model Law on Electronic Commerce, the Model Law on Electronic Signatures and the Model Law on Electronic Transferable Records are of significant assistance to States in enabling and facilitating electronic commerce in international trade,

Convinced that confidence, legal certainty and predictability in electronic commerce, including across borders, will be enhanced by the harmonization of certain rules on the legal recognition of identity management and trust services on a technology-neutral basis and, when appropriate, according to the functional equivalence approach,



Recalling that, at its forty-ninth session, in 2016, the Commission mandated its Working Group IV (Electronic Commerce) to undertake work on the use and cross-border recognition of identity management and trust services,¹

Noting that the Working Group devoted 10 sessions, from 2017 to 2022, to that work, and that the Commission considered at its fifty-fifth session, in 2022, a draft model law on the use and cross-border recognition of identity management and trust services prepared by the Working Group, together with comments on the draft received from Governments and international organizations invited to sessions of the Working Group,²

Believing that a model law on the use and cross-border recognition of identity management and trust services will constitute a useful addition to existing Commission texts in the area of electronic commerce by assisting States in enhancing their legislation governing the use of identity management and trust services, or formulating such legislation where none currently exists, in particular with respect to cross-border aspects,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for completing and adopting the Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services;³

2. *Requests* the Secretary-General to publish the Model Law together with an explanatory note, including electronically, in the six official languages of the United Nations, and to disseminate it broadly to Governments and other interested bodies;

3. *Recommends* that all States give favourable consideration to the Model Law when revising or adopting legislation relevant to identity management and trust services, and invites States that have used the Model Law to advise the Commission accordingly;

4. *Also recommends* that States continue to consider becoming parties to the United Nations Convention on the Use of Electronic Communications in International Contracts⁴ and to give favourable consideration to the use of the Model Law on Electronic Commerce,⁵ the Model Law on Electronic Signatures⁶ and the Model Law on Electronic Transferable Records⁷ when revising or adopting legislation on electronic commerce;

5. *Appeals* to the relevant bodies of the United Nations system and other relevant international and regional organizations to coordinate their legal activities in the area of electronic commerce, including paperless trade facilitation, with those of the Commission, to avoid duplication of efforts and to promote efficiency, consistency and coherence in the modernization and harmonization of legislation on electronic commerce.

*47th plenary meeting
7 December 2022*

¹ *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17 (A/71/17)*, paras. 235–236.

² *Ibid.*, *Seventy-seventh Session, Supplement No. 17 (A/77/17)*, chap. VI.

³ *Ibid.*, annex II.

⁴ Resolution 60/21, annex; see also United Nations, *Treaty Series*, vol. 2898, No. 50525.

⁵ Resolution 51/162, annex.

⁶ Resolution 56/80, annex.

⁷ *Official Records of the General Assembly, Seventy-second Session, Supplement No. 17 (A/72/17)*, annex I.