

General Assembly

FORTY-FOURTH SESSION

Official Records

SIXTH COMMITTEE

6th meeting

held on

Thursday, 28 September 1989

at 10 a.m.

New York

SUMMARY RECORD OF THE SIXTH MEETING

Chairman: Mr. TURK (Austria)

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LAW ON THE WORK OF ITS TWENTY-SECOND SESSION (continued)

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Distr. GENERAL

A/C.6/44/SR.6

6 October 1989

ENGLISH

ORIGINAL: FRENCH

The meeting was called to order at 10.10 a.m.

AGENDA ITEM 143: REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-SECOND SESSION (continued) (A/44/17, A/44/453 and Add.1, A/44/409 and Corr.1)

1. Mr. MAHNIĆ (Yugoslavia) said his delegation was pleased that UNCITRAL had managed to complete its consideration of the draft Convention on the Liability of Operators of Transport Terminals in International Trade at its twenty-second session, at which significant improvements had been made to the text. However, certain issues had not been finally settled and the draft could still be improved.
2. His delegation shared UNCITRAL's view that the draft articles should be adopted in the form of a convention, which would be more conducive to the uniformity of law in that area than a model law and would make it easier to fill the gaps left by other conventions in the field of carriage of goods. The draft made an important contribution to the uniformity of trade law and was a useful supplement to the international agreements on various forms of transport.
3. The Working Group on International Payments had made noteworthy progress in the preparation of model rules on international credit transfers. His delegation shared the view that had prevailed in the Working Group that the model rules should focus on international credit transfers and apply to all transfers, whether in electronic or in any other form.
4. His delegation attached exceptional importance to questions related to the New International Economic Order. It supported the work of the Working Group dealing with those questions on the preparation of a model procurement law and welcomed UNCITRAL's decision to prepare a legal guide on drawing up international countertrade contracts. Such a guide would be of immediate practical interest for the economic activity of many countries, particularly the developing countries, and would help solve the difficulties arising from that type of trade. Yugoslavia attached great importance to the question of joint ventures, which had proved to be one of the most successful forms of co-operation between developing and developed countries, and would like to see it included in UNCITRAL's programme of work in the near future.
5. Continued training and assistance in the area of international trade law was of great importance for spreading knowledge in that area and for promoting the adoption of the texts by prepared by UNCITRAL, particularly in the developing countries. His delegation therefore welcomed the efforts made to organize a greater number of seminars and symposia.
6. As for the future programme of work, a proposal had been put forward to examine the need to provide for the legal principles that would apply to the formation of international commercial contracts by electronic means, and particularly through the medium of visual display screens. That was a very topical issue whose importance was in the ascendant but which had not yet attracted appropriate legal attention.

7. Mr. SKOTNIKOV (Union of Soviet Socialist Republics) said that the main result of the intensive efforts made by the participants in the twenty-second session of UNCITRAL was the draft Convention on the Liability of Operators of Transport Terminals in International Trade. His delegation felt that UNCITRAL was correct in giving that new instrument of codification the form of a convention, which was an appropriate means of achieving a uniform and effective legal régime applicable to different types of transport agents in the States parties. It also supported UNCITRAL's decision concerning the procedure for adopting the draft within the framework of a diplomatic conference, a decision which the Sixth Committee should endorse.
8. His delegation was pleased with the progress made in several other areas of UNCITRAL's work, particularly the draft model law on international credit transfers. It also welcomed UNCITRAL's decision to prepare a uniform law on guarantees and stand-by letters of credit, as well as a legal guide on drawing up international countertrade contracts.
9. Mr. DROUSHIOTIS (Cyprus) noted that UNCITRAL, which at its twenty-second session had reviewed and completed the draft Convention on the Liability of Operators of Transport Terminals in International Trade prepared by the Working Group on International Contract Practices, recommended that an international conference of plenipotentiaries should be convened in 1991 to adopt that draft. A convention on that subject would fill the gaps in the liability régime left open by the other transport conventions and would bring about greater uniformity of law in that area. The adoption of the text in the form of an international convention by a diplomatic conference would ensure uniformity of law and guarantee the broadest possible support. His delegation therefore supported the recommendation.
10. He also took note of the work done by the Working Group on the New International Economic Order in the area of procurements. He did not feel that it would duplicate the work of GATT because the scope and objectives of the two projects differed in a number of respects. He also noted with interest that the secretariat was to prepare a draft legal guide on drawing up countertrade contracts. He welcomed the progress made by the Working Group on International Payments in the preparation of a model law on international credit transfers and said that the importance of that question could only increase with the development of technology.
11. UNCITRAL's co-ordinating role was an essential element in the unification and harmonization of international trade law. In that connection, he noted with particular satisfaction the fruitful co-operation between UNCITRAL and the Asian-African Legal Consultative Committee (AALCC), of which Cyprus was a member.
12. On the status of conventions, the UNCITRAL report showed that the legal texts prepared by UNCITRAL were gaining increasing acceptance in the international community and he welcomed the Secretary-General's efforts to promote the adoption and use of texts emanating from the Commission.
13. The work of UNCITRAL in respect of training and assistance was also extremely important to the developing countries. The seminar held in Lesotho in July 1988

(Mr. Droushiotis, Cyprus)

and the third symposium on the work of UNCITRAL held during the Commission's twenty-second session were recent examples of that work. His delegation was grateful to those countries which had contributed financially to the seminar and to the symposium.

14. Mr. TANG (China) said that the draft Convention on the Liability of Operators of Transport Terminals in International Trade, recently completed by UNCITRAL, was a useful supplement to the Hamburg Rules. The draft clarified the rights, obligations and responsibilities of all parties engaged in the international transport of goods and facilitated the protection of the interests of all sides while guiding the development of laws and regulations in that area in the direction of uniformity.

15. At its twenty-second session, UNCITRAL had reached consensus on many specific issues, thereby laying the foundations for the adoption of the Convention. Some problems still remained, however, such as the title of the Convention. Given the wide range of goods handled by the operators of transport terminals, including goods that were not involved in international trade, such as aid and relief material and goods for exhibition purposes, the current title failed to reflect accurately the substance of the Convention and might easily lead to misunderstanding. The members of UNCITRAL generally agreed that the term "goods" should be interpreted broadly and include non-commercial goods. His delegation therefore felt that "The liability of operators of transport terminals for international goods" would make a more appropriate title and it hoped that UNCITRAL would consider that proposal.

16. Furthermore, his delegation thought that the draft should be adopted in the form of a convention, which would make the final instrument more authoritative and its implementation more effective. As for the adoption procedure, in view of the differences of view that still existed on the current draft, and the fact that certain issues had not been settled and some aspects of the text could be further improved, China favoured a diplomatic conference. A conference would have the advantage of allowing a fuller exchange of views and enabling all countries, especially those which had not participated in the preparation of the draft, as well as specialists in international trade law to consult and to discuss the text, which could only improve it and favour its wider acceptance.

17. China noted with satisfaction the work done by UNCITRAL on the draft Model Law on International Credit Transfers, the model procurement law and international countertrade. It supported the Commission's decision to accord high priority to the latter. Since a considerable amount of international trade was being conducted through countertrade, the volume of which was likely to increase, and since relevant international norms were lacking, making it difficult to resolve difficulties that arose in that area, the preparation of a legal guide on the basis of a study of current practices in the various countries would be extremely useful, especially for the developing countries.

(Mr. Tang, China)

18. The elaboration of a uniform law on guarantees and stand-by letters of credit would undoubtedly meet the real needs of countries, and China looked forward to its early completion.

19. His delegation was pleased to note that the Chinese text of the Legal Guide on Drawing Up International Contracts for the Construction of Industrial Works had been issued.

20. Economic reforms and modernization were continuing in China; openness to the world and the strengthening of economic and trade co-operation with all countries were important aspects of that process. From 1978 to 1988, China's foreign trade had registered an average annual increase of 14.6 per cent. In order to create a stable and beneficial legal environment for its external economic and trade relations, his Government was continuing to work on appropriate economic legislation and was considering becoming a party to the relevant international conventions. At the same time, in its external economic and trade activities, it would observe international practices as far as possible. His delegation had always attached great importance to the work of UNCITRAL and would continue to participate actively in it.

21. Mr. SCHARIOTH (Federal Republic of Germany) said that his delegation would have preferred to see the uniform rules on the liability of operators of transport terminals in international trade laid down in the form of a model law instead of a convention, given the extraordinary structural changes currently taking place in loading and unloading operations. Only experience would tell what legal problems might arise out of the use of the new techniques. A convention, once adopted, was difficult to amend, whereas a model law had the advantage of being much more flexible. A model law that reflected the needs of the times might do more for the harmonization and unification of international trade law than an outdated convention to which States would as a result be reluctant to accede. The Federal Republic of Germany nevertheless respected the Commission's decision to proceed on the assumption that the final form of the text would be a convention. As to the procedure for the adoption for such a convention, his delegation favoured, for the reasons given by the Chairman of UNCITRAL in his introduction to the Commission's report, the convening of a diplomatic conference.

22. His delegation appreciated the progress made on other current UNCITRAL projects, particularly on guarantees and stand-by letters of credit, procurement, international countertrade and international credit transfers. The Federal Republic had concluded the legislative procedure for the ratification of the United Nations Convention on Contracts for the International Sale of Goods, and should soon be depositing the instrument of ratification.

23. With regard to future work, there was a growing consensus that legal problems arising out of automatic data processing and other revolutionary technologies should be given priority. For the moment, there was little national trade law dealing with that phenomenon, and that offered a unique opportunity to elaborate, from the outset, uniform national laws in the different legal systems.

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(Mr. Scharloth, Federal Republic of Germany)

24. Lastly, his delegation wished to commend UNCITRAL for the remarkable work it had done in co-ordinating the various United Nations activities in the field of international trade law. In times of financial difficulties, such co-ordination was more important than ever.

25. The system of national correspondents currently being built up to collect and disseminate court decisions and arbitral awards relating to UNCITRAL conventions would no doubt also contribute much to the harmonization and unification of international trade law. A world-wide subject index and abstracts of all decisions touching on the various conventions would help enormously to unify application and interpretation of the law by judges, arbitrators, lawyers and business firms throughout the world. His Government therefore welcomed the fact that the national correspondents had met for the first time in conjunction with the Commission's twenty-second session and hoped that the reference system would be prepared without delay.

26. Mr. VAN DE VELDE (Netherlands) expressed his delegation's satisfaction with the considerable progress made by the Working Group on International Payments during its 1989 session in elaborating the draft Model Law on International Credit Transfers. It particularly welcomed the agreement reached on the money-back guarantee and considered that there should be further discussion on the liability of the bank towards the originator in the event of failures of intermediary banks.

27. His delegation approved of the Commission's decision to recommend that the draft Convention on the Liability of Operators of Transport Terminals in International Trade should be submitted to a diplomatic conference, which should be able to deal with the remaining outstanding issues. In particular, article 8 (A/44/17, annex 1) concerning the loss of right to limit liability should be improved: the operator should lose the benefit of the limitation of liability only if he himself acted with intent to cause loss, damage or delay or acted recklessly, and not in the case of such conduct by his servants or agents; article 8, paragraph 1, of the Hamburg Rules so provided, in fact, with regard to the carrier. For insurance purposes, it was important for the operator to know that he could rely on the limitation of liability provided for in the uniform rules and that he could lose the right to limit liability only in exceptional cases.

28. His delegation did not agree with the arguments put forward in paragraph 247 of the report against the elaboration of a legal guide on drawing up international countertrade contracts. The study done by the Economic Commission for Europe on the legal aspects of commercial compensation and industrial compensation contracts had instead shown that such a guide could be very useful. In any case, given the complexity of the issues involved, it would save valuable time, particularly on research, to await the outcome of the work of the Economic Commission for Europe.

29. The United Nations Convention on Contracts for the International Sale of Goods would soon be submitted to the Netherlands Parliament for approval.

30. The Netherlands, as was evident from its participation in the financing of the UNCITRAL seminar in Lesotho in 1988, was convinced of the usefulness of the

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(Mr. Van de Velde, Netherlands)

training and assistance programme organized by the UNCITRAL secretariat, and sincerely hoped that voluntary contributions would continue to be given in support of the programme.

31. Mr. NITSCHÉ (German Democratic Republic) welcomed the adoption by the General Assembly of the United Nations Convention on International Bills of Exchange and International Promissory Notes (resolution 43/165) and said that his country was planning to carry out the domestic procedures needed for the signing of the Convention.

32. As for the draft Convention on the Liability of Operators of Transport Terminals in International Trade, his country was among those which had expressed a preference for a convention rather than a model law. It fully endorsed the proposal of UNCITRAL to convene a conference of plenipotentiaries in order to adopt the draft convention.

33. It also endorsed the continuation of work on the preparation of a legal guide on drawing up international countertrade contracts, regardless of the work in that area which was being carried out by the Economic Commission for Europe, since the latter did not take into account the problems of developing countries for which such trade was of paramount importance because of their lack of foreign exchange.

34. Lastly, his delegation thought that the work done by UNCITRAL with regard to international credit transfers, guarantees and standby letters of credit, and procurements was very useful.

35. Mr. MOLNAR (Hungary) said that his delegation deemed the draft Convention on the Liability of Operators of Transport Terminals in International Trade in its current form to be generally acceptable and thought that it constituted a solid basis for the finalization of a new legal instrument. It fully supported the decision to embark on the preparation of a model procurement law and welcomed the coming into force of the Convention on the Limitation Period in the International Sale of Goods and the 1980 Protocol amending that Convention. It was fully satisfied with the progress that had been made on various other projects undertaken by UNCITRAL, to which the Sixth Committee should give its full encouragement.

36. Mr. LLEWELLYN (United Kingdom) said that neither his Government nor British commercial interests felt that a convention on the liability of operators of transport terminals in international trade was necessary to supplement the various existing transport conventions. Consequently, his Government was not in favour of submitting the draft Convention on that subject to a diplomatic conference.

37. It had recently been decided that the UNCITRAL Model Law on International Commercial Arbitration would be implemented in Scotland, which had a civil law tradition. England, Wales and Northern Ireland, which had a common law tradition, would adopt a new arbitration act, comprising the essential principles of existing statutory and common law rules, which would, however, as far as possible, have the same structure and language as the Model Law. That should enhance its accessibility to those familiar with the Model Law.

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(Mr. Llewellyn, United Kingdom)

38. His delegation supported the decision of the Working Group on International Payments to concentrate on international transfers only and intended to take an active part in the preparation of a draft model law on the subject. On the other hand, it considered the preparation of a uniform law on guarantees and stand-by letters of credit to be premature. It would have been preferable to allow the International Chamber of Commerce (ICC) to complete its draft uniform rules and to wait until those rules had been in force for some time before embarking on the preparation of a model law. His delegation did not object to the Commission continuing its work on a legal guide on drawing up international countertrade contracts, provided that it did not result in any new constraints on an open, cash-based, multilateral trading system. It had some doubts, however, about giving priority to the preparation of that guide.

39. As to the status of conventions, consultations were currently being held in the United Kingdom regarding the Vienna Convention on Contracts for the International Sale of Goods and the Convention on International Bills of Exchange and International Promissory Notes.

40. Lastly, his delegation was pleased that the Commission had requested the secretariat to prepare a preliminary study on the legal issues arising out of the formation of international commercial contracts by electronic means.

41. Mr. HUNJA (Kenya) said that in 1989 his country had ratified the United Nations Convention on the Carriage of Goods by Sea and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Moreover, it was in the process of redrafting its Arbitration Act and was being guided in that work largely by the UNCITRAL Model Law on International Commercial Arbitration.

42. In view of the importance of the issues dealt with in the draft Convention on the Liability of Operators of Transport Terminals in International Trade and in order to increase the possibility of the Convention being universally accepted, the draft should be submitted for consideration to an international conference of plenipotentiaries.

43. There was no need to fear any duplication between the work of the Working Group on the New International Economic Order on Procurements and that of GATT on the enlargement of the GATT Agreement on Government Procurement, as the two projects were aimed at different objectives. It was to be hoped that the model procurement law would be as widely accepted as the UNCITRAL Model Law on International Commercial Arbitration.

44. With a view to facilitating the participation of developing countries in the work of UNCITRAL, his delegation proposed that there should be an increase in the number of participants from those countries in the meetings of the groups of experts which prepared the initial drafts, and that a fund should be set up to help representatives from developing countries to attend at least the meetings of the Working Group on the New International Economic Order.

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(Mr. Hunja, Kenya)

45. Lastly, his delegation congratulated UNCITRAL on its new initiatives in the area of training and assistance, particularly the Seminar held at Maseru in July 1988 and the symposium organized on the occasion of the Commission's twenty-second session, both of which had been extremely useful. It hoped that the symposium planned for 1991, the seminar which was to take place at New Delhi in October 1989 with the participation of the Asian-African Legal Consultative Committee, and the seminar to be held in Moscow in 1990 would be equally successful.

46. Mr. ROSENSTOCK (United States of America) said that UNCITRAL had been right to decide to give the rules on the liability of operators of transport terminals in international trade the form of a convention rather than that of a model law. Moreover, he welcomed the fact that UNCITRAL had sought to make a reasoned case for its recommendation regarding the procedure for the adoption of the Convention, instead of merely emphasizing the importance of the matter, as it had too often done in the past. In that regard, the financial imperatives of the United Nations should be kept in mind and, for example, if a proposal was made to convene a diplomatic conference, the programme budget statement that the Sixth Committee would receive must be in strict conformity with the procedures for the operation of the contingency fund under General Assembly resolution 42/211 and the annex thereto.

47. His delegation was confident that UNCITRAL would endeavour to determine, with an open mind, whether there was a consensus on a sufficient number of legal issues concerning international countertrade operations to make it possible to prepare a guide on the question, and that it would avoid taking any measure which might place constraints on the operation of the free market.

48. The Commission's work in electronic fund transfers and the timetable that had been proposed for its completion were satisfactory, as was the decision to authorize the Working Group on International Contract Practices to draft a uniform law on bank guarantees and stand-by letters of credit. He hoped that UNCITRAL would participate without delay in the work on that question. As a general rule, it was preferable that the Commission should not wait for other organizations to adopt their drafts before carrying out its work in related fields.

49. The work on procurements was another example of the Commission's ability to embark upon useful projects, on which sound co-operation was possible, even in areas that had seemed to raise insurmountable obstacles elsewhere.

50. A good beginning had been made on the collection and dissemination of legal decisions and arbitrations regarding the United Nations Convention on International Sales Contracts. Co-operation between the UNCITRAL secretariat and private legal publishing firms might facilitate progress and help keep costs within manageable bounds.

51. The information in the report (A/44/17) concerning the status of conventions, as supplemented by the President of UNCITRAL in his statement, was most helpful. The United States was actively reviewing for possible signature and ratification the Convention on International Bills of Exchange and Promissory Notes and the

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(Mr. Rosenstock, United States)

Convention on Prescription in International Sales and hoped that other States which had not yet ratified those conventions would do the same.

52. Mr. DASTIS (Spain) said that Spain was particularly pleased with the results of the work on the draft Convention on the Liability of Operators of Transport Terminals in International Trade. It supported the convening of a conference in 1991 to examine and approve the final text adopted at Vienna by UNCITRAL. That legal instrument was of special importance as it filled a serious gap in the legal régime of the international movement of merchandise.

53. Regarding the United Nations Convention on International Bills of Exchange and International Promissory Notes adopted by the General Assembly at its forty-third session, the representative of Spain was pleased to announce that his Government had begun the necessary steps to sign that Convention before the deadline set by the Assembly.

54. In addition, the Government of Spain had recently submitted to parliament the text of the Vienna Convention of 1980 on International Contracts for the Sale of Merchandise, which it hoped to ratify once the authorization of the legislative body had been obtained.

55. In the area of maritime transport, the Government of Spain noted with attention and interest the improvement in the status of the United Nations Convention of 1978 on the Transport of Merchandise by Sea (Hamburg Rules) and remained open to all the possibilities offered by that text.

56. Regarding the work of UNCITRAL in progress, his delegation wished to encourage the efforts undertaken in international electronic transfer of funds and the formation of contracts by electronic means, which should bring a satisfactory legal solution to the problems raised by technical progress. His delegation also supported the drafting of a uniform law on guarantees and stand-by letters of credit which would provide a framework for the rules and practices adopted in other instances.

57. Where procurement was concerned, the Government of Spain believed that it was important for the Working Group on the New International Economic Order to continue its work while considering the efforts already made, both within GATT and other more limited regional organizations, to avoid duplication and inconsistency. In general, UNCITRAL should seek to co-ordinate its work with that of other organizations involved in international commercial law to achieve greater uniformity for the promotion of the growth of trade in the interest of all countries.

58. Finally, his delegation was concerned about the delay in the publication of the Yearbook of the United Nations Commission on International Trade Law. Given the importance of the work of UNCITRAL, it should immediately receive the widest possible distribution.

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59. Mrs. RUBOW (Denmark), speaking on behalf of the five Nordic countries, said that the 1980 Convention on Contracts for the International Sale of Goods could be considered a success. The Convention had entered into force in several countries, including Finland, Sweden and Norway, and would enter into force in Denmark on 1 March 1990.

60. The Nordic countries welcomed the new Convention on International Bills of Exchange and International Promissory Notes which was currently open for signature. They intended to scrutinize the Convention with a view to its possible incorporation into national law. It was worth recalling that Denmark, Finland, Norway and Sweden had acceded to the Geneva Convention of 1930 providing a Uniform Law on Bills of Exchange and Promissory Notes, and their accession to the new Convention would require careful comparison between that convention and the Geneva Convention.

61. The draft Convention on the Liability of Operators of Transport Terminals in International Trade was of very high quality. The Nordic delegations approved the recommendation of UNCITRAL that final negotiations leading to the adoption of the Convention should take place at an international conference of plenipotentiaries. In their opinion, the few remaining problems were too technical to be effectively dealt with at the General Assembly.

62. The Nordic countries took great interest in UNCITRAL activities in the area of training and assistance. They had contributed to the financing of a seminar held in 1988 in Lesotho and to the seminar held in Vienna in May 1989. Furthermore, Finland had contributed to the financing of other activities within UNCITRAL. With a view to the planning of future activities of that type, the Nordic countries believed that they should concentrate on a relatively limited number of items. Such a course of action would improve the quality of training and assistance programmes and benefit the participants. They further recommended that such seminars be held in developing countries and encouraged other countries to support the UNCITRAL training and assistance programme by giving financial support.

63. The Nordic countries were especially interested in the preparation of a model law on international credit transfers. That item was of great practical interest and posed more general problems regarding the effects of new techniques on contract law.

64. The item on guarantees and stand-by letters of credit also received the full support of the Nordic countries. There were great expectations for the work of UNCITRAL in the banking circles of those countries.

65. The Nordic countries assured UNCITRAL of their full support for all the work undertaken on other items both present and future.

66. Mrs. MULINDWA MATOVU (Uganda) said that she was once again impressed by the results achieved by UNCITRAL at its twenty-second session and especially welcomed the completion of the review of the Draft Convention on the Liability of Operators of Transport Terminals in International Trade. That draft convention filled the gap left by other international transport conventions by addressing the question of

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(Mrs. Mulindwa Matovu, Uganda)

liability of terminal operators for loss or damage to goods while in transport terminals. Her delegation supported the decision of UNCITRAL to adopt the draft in the form of a convention rather than a model law, as it would thus acquire a status comparable to that of the conventions it was intended to complement. She also supported the recommendation of UNCITRAL to convene an international conference of plenipotentiaries to finalize the Convention and to find acceptable solutions for the few remaining problems.

67. Her delegation supported the recommendation of the Working Group on International Payments to confine its work for the time being to international transfers, and approved the Working Group's adoption of the title of draft "Model Law on International Credit Transfers".

68. Her delegation took particular interest in the discussions of the Working Group on the New International Economic Order. It appreciated the progress made in the area of procurement and approved the proposal to take into account the regional procurement arrangements in force. It also encouraged co-operation with GATT in its work on enlarging the scope of the GATT Agreement on Government Procurement. The liberalization of Government procurement would create unfair competition for upcoming entrepreneurs and suppliers in developing countries, who would be swallowed up by their better established counterparts in developed countries.

69. International countertrade transactions represented an increasingly important share of international trade. For developing countries, and for Uganda in particular, countertrade had made it possible to engage in areas of trade that would have otherwise been inaccessible because of the shortage of foreign exchange. She commended the secretariat for its preparation of the "Preliminary study of legal issues in international countertrade (A/CN.9/302) and the "Draft outline of the possible content and structure of a legal guide on drawing up international countertrade contracts" (A/CN.9/322). She supported the Commission's decision to continue work on the preparation of a legal guide. Countertrade represented a useful contribution to international trade, and was especially important in that it allowed necessary goods to be obtained without borrowing foreign exchange, thereby substantially reducing the build-up of debt - a very important factor for debtor countries, especially developing ones. The work being done by the Economic Commission for Europe, or by any other body, should not be allowed to hinder the progress of the Commission's work on preparation of the legal guide.

70. With respect to the co-ordination of work by the Commission, Uganda supported the activities of international organizations in the area of harmonization and unification of international trade law and appreciated the contribution of these organizations to the work of UNCITRAL. It noted particularly the International Chamber of Commerce (ICC) draft Uniform Rules for Guarantees, which had been reviewed by the Commission at its twenty-second session. It fully supported the Working Group's recommendation that the Commission initiate work on a uniform law on guarantees and stand-by letters of credit.

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(Mrs. Mulindwa Matovu, Uganda)

71. With respect to the status of conventions, the Ugandan delegation believed that the conventions should be widely publicized in order to encourage ratification by the States. The seminar in Maziru in 1982 had been especially useful in that regard. The Ugandan Government was in the process of examining the texts of the conventions with a view to becoming party to them.

72. Her delegation reaffirmed the importance it attached to the Commission's training and assistance programme. It noted with appreciation the symposium held in Vienna from 22 to 26 May, and expressed the belief that such symposia and training programmes were especially beneficial to developing countries.

73. Mr. EL HUNI (Libyan Arab Jamahiriya) said that the Commission's work at its twenty-second session represented a new milestone in the adoption of the draft Convention on the Liability of Operators of Transport Terminals in International Trade. The Libyan Arab Jamahiriya supported the convening of an international diplomatic conference to work out the final version of the Convention.

74. It also supported the seminars organized by the Commission, as well as the awarding of scholarships to participants from developing countries, who were thus able to improve their knowledge of international trade law.

75. The Libyan delegation was in agreement with all of the conclusions of the Commission and wished to encourage UNCITRAL's efforts to further the codification of the rules of international trade law. It also supported the co-operation of the Commission with regional international trade law organizations.

76. Mr. SANDOVAL (Ecuador) said that the Ecuadorian Government had submitted the Conventions adopted by the Commission to its internal legal authorities, thus initiating the process of becoming a party to them. Ecuador supported the convening of a diplomatic conference to work out the final version of the draft Convention on the Liability of Operators of Transport Terminals in International Trade, which represented a new step towards closer commercial and economic co-operation.

77. His delegation wished to reaffirm the importance that its Government attached to training and assistance in the area of international trade law. It supported the Commission's statement that training and assistance should be given a higher priority than it had had in the past. Training private-sector employees and representatives would inevitably foster a more precise formulation of the rules governing fair international trade practices and their harmonization with national legislation. For that reason, the Ecuadorian delegation would welcome the organization in the near future of a training course similar to those previously organized by other regional groups in Latin America and the Caribbean.

78. Mr. RUZICKA (Chairman of the United Nations Commission on International Trade Law) thanked the members of the Sixth Committee for their comments, to which he had listened with great interest. He was particularly pleased to note that an increasing number of States were ratifying or becoming parties to the instruments

(Mr. Rusicka)

adopted by the Commission. That trend represented a positive factor for the unification of international trade law.

79. He also wished to emphasize that recognition of the quality of the Commission's work encouraged it to persevere in its efforts and to bring its future projects to a successful completion.

The meeting rose at 12.10 p.m.