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

Armenia, Austria, Bosnia and Herzegovina, Democratic Republic of the Congo, Denmark, Dominican Republic, Germany, Greece, Honduras, Hungary, Japan, Luxembourg, Philippines, Republic of Korea, Romania, Singapore, Slovakia, Slovenia, Spain, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland and Zambia: draft resolution

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

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,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity, common interest and respect for the rule of law, to the elimination of discrimination in international trade and, thereby, to peace, stability and the well-being of all peoples,

Reiterating the importance of coordinating the activities of bodies active in the field of international trade law, a core element of the mandate of the United Nations Commission on International Trade Law, as a means of avoiding duplication of efforts and promoting efficiency, consistency and coherence in the harmonization, unification and modernization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency,



consistency and coherence in the harmonization, unification and modernization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law,

Having considered the report of the Commission,¹

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law;

I Legislative activities

2. *Commends* the Commission for the approval or adoption of:

(a) In the area of international transport and sale of goods and trade finance, the draft convention on negotiable cargo documents;²

(b) In the area of insolvency law, the Asset Tracing and Recovery in Insolvency Proceedings: UNCITRAL Toolkit and Background Notes;³

(c) In the area of investor-State dispute settlement reform, the UNCITRAL Toolkit on Prevention and Mitigation of International Investment Disputes;⁴

3. *Also commends* the Commission for approving the publication of:

(a) In the area of micro-, small and medium-sized enterprises, the model organization rules for limited liability enterprises as an annex to the *Legislative Guide on Limited Liability Enterprises*;⁵

(b) In the area of climate mitigation, adaptation and resilience, the UNCITRAL-UNIDROIT study on the legal nature of verified carbon credits issued by independent carbon standard setters;⁶

(c) In the area of electronic commerce and digital trade, the guidance document on legal issues relating to the use of distributed ledger technology in trade;⁷

4. *Notes with interest* the progress made by the Commission and its working groups in the areas of dispute settlement, investor-State dispute settlement reform, electronic commerce, insolvency law and negotiable cargo documents,⁸ and encourages them to continue to move forward efficiently to further achieve tangible work outcomes;

5. *Takes note with interest* of the decision of the Commission to mandate Working Group VI to review an explanatory note for the draft convention on negotiable cargo documents, to be prepared by the secretariat;⁹

6. *Welcomes* the decision by the Commission to request its secretariat:

(a) To conduct preparatory work to refine the scope of possible work on updating the Model Law on Public Procurement and related texts to reflect recent

¹ *Official Records of the General Assembly, Eightieth Session, Supplement No. 17 (A/80/17).*

² *Ibid.*, chap. IV, sect. C, and annex I.

³ *Ibid.*, chap. V, sect. B.

⁴ *Ibid.*, chap. VI, sect. C.

⁵ *Ibid.*, chap. VII.

⁶ *Ibid.*, chap. VIII.

⁷ *Ibid.*, chap. IX.

⁸ *Ibid.*, chaps. X–XIV.

⁹ *Ibid.*, chap. XIV.

developments, which would not include issues of climate change mitigation, adaption and resilience;¹⁰

(b) To continue to monitor developments related to secured transactions using new types of assets, and to define the scope and form of any future work;¹¹

(c) To organize colloquiums on possible future work in the area of insolvency law, including possible updates to the Guide to Enactment and Interpretation of the Model Law on Cross-Border Insolvency, in conjunction with Working Group V sessions;

(d) In respect of topics related to digital trade:

(i) To continue, within the modalities it has defined, its exploratory work on the project on dispute resolution in the digital economy concerning the use of artificial intelligence, platform-based dispute resolution, as well as remote hearings in arbitration and conduct of mediation;¹²

(ii) To continue its preparatory work on enabling end-to-end trade digitalization and paperless trade;¹³

(iii) To monitor developments on legal issues relating to the use of decentralized autonomous organizations in trade and to carry out further exploratory work on those issues;¹⁴

(iv) To conduct exploratory work on legal aspects of digital trade with a focus on digital platforms and private law;¹⁵

(v) To carry out exploratory work on the topic of digital payments, carefully considering any intersection of that work with existing regulatory frameworks;¹⁶

(e) To facilitate intersessional consultations on possible cost-saving and efficiency-enhancing measures;¹⁷

(f) To hold colloquiums on topics mentioned in subparagraph (b) and subparagraph (d) (ii), (iv) and (v) above, utilizing the conference resources tentatively allocated to Working Group I in the second half of 2025 and the first half of 2026, as well as any conference resources of other working groups that may become available;¹⁸

7. *Decides* to allocate one additional one-week session per year for a period of two years from 2026 to 2027 and additional support to the Commission to allow its Working Group III to continue to finalize its work with respect to investor-State dispute settlement reform;¹⁹

8. *Also decides* to allocate the resources to the Commission to allow the livestreaming of all sessions of the Commission and its six working groups;²⁰

¹⁰ Ibid., chap. XVI, sect. B.1.

¹¹ Ibid., sect. B.2.

¹² Ibid., sect. B.3.

¹³ Ibid., sect. B.4.

¹⁴ Ibid., sect. C.2.

¹⁵ Ibid., sect. C.3.

¹⁶ Ibid., sect. C.4.

¹⁷ Ibid., sect. D.4.

¹⁸ Ibid., chap. XVI, sect. A, and chap. XXIII, sect. B.

¹⁹ Ibid., chap. XVI, sect. E.

²⁰ Ibid., sect. D.3.

II

Establishment and operationalization of the Advisory Centre on International Investment Dispute Resolution

9. *Notes* the progress made by the Commission to establish and operationalize the Advisory Centre on International Investment Dispute Resolution, including the approval in principle of its statute in 2024;²¹

III

Rules of procedure and methods of work

10. *Recalls* the importance of adherence to the rules of procedure and methods of work of the Commission,²² including transparent and inclusive deliberations, and the agreement reached by the Commission on the conditions that should be met with regard to informal meetings of the working groups between formal sessions;²³

11. *Also recalls* paragraph 48 of its resolution 66/246 of 24 December 2011 regarding the rotation scheme of meetings between Vienna and New York;

IV

Travel assistance

12. *Decides*, in order to ensure full participation of all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the eightieth session of the General Assembly, its consideration of granting travel assistance to the least developed countries, at their request and in consultation with the Secretary-General;

13. *Appeals* to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, to increase representation from developing countries at sessions of the Commission and its working groups, necessary to build local expertise and capacities in those countries to put in place a regulatory and enabling environment for business, trade and investment, and notes the contributions from France, Germany, the European Union and the Swiss Agency for Development and Cooperation to the trust fund, which would facilitate the participation of representatives of developing countries in the deliberations of Working Group III;²⁴

V

Transparency repository

14. *Requests* the Secretary-General to continue to operate, through the secretariat of the Commission, the repository of published information in accordance with article 8 of the Rules on Transparency in Treaty-based Investor-State Arbitration,²⁵ as a continuation of the project until the end of 2027, to be funded entirely by voluntary contributions, notes with satisfaction the contributions by the

²¹ Ibid., chap. XV.

²² See the summary of conclusions as reproduced in annex III to the report on the work of the forty-third session of the Commission (*Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 17 (A/65/17)*), para. 305, and annex III).

²³ See *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 17 (A/78/17)*, chap. XII, sect. C.

²⁴ Ibid., *Eightieth Session, Supplement No. 17 (A/80/17)*, chap. XI.

²⁵ Ibid., *Sixty-eighth Session, Supplement No. 17 (A/68/17)*, annex I.

European Union and Germany in this regard,²⁶ and also requests the Secretary-General to keep the General Assembly informed of developments regarding the funding and budgetary situation of the transparency repository;

VI

Coordination and cooperation

15. *Endorses* the efforts and initiatives of the Commission, in line with its mandate,²⁷ aimed at increasing coordination of and cooperation on work of all international and regional organizations active in the field of international trade law, including on legal issues relating to the digital economy as reaffirmed by the Commission at its fifty-third session,²⁸ and at promoting the rule of law at the national and international levels in this field, and in this regard appeals to relevant international and regional organizations to coordinate their activities with those of the Commission, to avoid duplication of efforts and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law;

VII

Technical assistance and capacity-building

16. *Stresses* the importance of promoting the use of texts emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to conventions, enacting model laws and encouraging the use of other relevant texts;

17. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with technical cooperation and assistance in the field of international trade law reform and development, and in this connection:

(a) Welcomes the initiatives of the Commission towards expanding, through its secretariat, its technical cooperation and assistance programme, and in that respect encourages the Secretary-General to seek partnerships with State and non-State actors to increase awareness about the work of the Commission and facilitate the effective implementation of legal standards resulting from its work, and notes with appreciation the organization by the secretariat of the United Nations Commission on International Trade Law Day events in partnership with Governments and regional universities in Africa, Arab States, Asia and the Pacific and Latin America and the Caribbean, aimed at promoting awareness and encouraging the study and discussion of Commission texts;²⁹

(b) Draws the attention of the Secretary-General to the limited resources that are made available for carrying out technical cooperation and assistance activities of the Commission, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law trust fund for symposiums and, where appropriate, for the financing of special projects and otherwise to assist the secretariat of the Commission in carrying out technical cooperation and assistance activities, in particular in developing countries;

(c) Reiterates its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and

²⁶ Ibid., *Eightieth Session, Supplement No. 17 (A/80/17)*, chap. XVIII, sect. A.

²⁷ Resolution 2205 (XXI), para. 8 (a).

²⁸ *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 17 (A/75/17)*, part two, chap. X, sect. C.4.

²⁹ Ibid., *Eightieth Session, Supplement No. 17 (A/80/17)*, chap. XVIII, sect. A.

regional development banks, as well as to Governments in their bilateral aid programmes, to support the technical cooperation and assistance programme of the Commission and to cooperate with the Commission and coordinate their activities with those of the Commission, which contributes to the implementation of the international development agenda, including the achievement of the 2030 Agenda for Sustainable Development;³⁰

(d) Recalls its resolutions stressing the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building, and welcomes the efforts of the Secretary-General to ensure greater coordination and coherence among United Nations entities and with donors and recipients;

18. *Welcomes* the activities of the United Nations Commission on International Trade Law Regional Centre for Asia and the Pacific, in the Republic of Korea, towards providing capacity-building and technical assistance services to States in the Asia-Pacific region, including to international and regional organizations, expresses its appreciation to the Republic of Korea and China, whose contributions enabled continuing operation of the Regional Centre, notes that the continuation of the regional presence relies entirely on extrabudgetary resources, including but not limited to voluntary contributions from States, and requests the Secretary-General to keep the General Assembly informed of developments regarding the establishment of regional centres, in particular their funding and budgetary situation;

VIII

Uniform interpretation and application of Commission texts

19. *Notes with appreciation* the work of the Secretariat on the system for the collection and dissemination of case law on Commission texts (the CLOUT system) in the six official languages of the United Nations, as well as the preparation and dissemination of digests of case law related to Commission texts, notes the resource-intensive nature of the system, acknowledges the need for further resources to sustain and expand it, notes with interest the progress towards a rejuvenation of the CLOUT system, and its focus on developing a more active and productive network of CLOUT system contributors and covering an expanded range of Commission texts, and in this respect, appeals to all relevant parties to support these efforts, including by raising awareness as to the availability and usefulness of the CLOUT system in professional, academic and judiciary circles and in securing the funding required for the coordination and expansion of the system;

20. *Notes* the satisfaction of the Commission with the performance of the New York Convention website³¹ and the successful coordination between that website and the CLOUT system;

IX

Documentation, publication and dissemination

21. *Recalls* that Arabic, Chinese, English, French, Russian and Spanish are both the official and the working languages of the General Assembly, including its committees and subcommittees, and also recalls paragraph 64 of its resolution [78/330](#) of 6 September 2024 on multilingualism as applicable also to the documentation,

³⁰ Resolution 70/1.

³¹ <https://newyorkconvention1958.org/>.

publications and meetings of the United Nations Commission on International Trade Law;

22. *Reiterates its request* to the Secretary-General, in conformity with resolutions of the General Assembly on documentation-related matters,³² which, in particular, emphasize that any invitation to limit, where appropriate, the length of documents should not adversely affect either the quality of the presentation or the substance of the documents, to bear in mind the particular characteristics of the mandate and functions of the Commission in the progressive development and codification of international trade law when implementing page limits with respect to the documentation of the Commission;³³

23. *Requests* the Secretary-General to continue the publication of Commission standards and the provision of summary records of the meetings of the Commission, including committees of the whole established by the Commission for the duration of its annual session, relating to the formulation of normative texts;

24. *Recalls* its resolutions affirming the importance of high-quality, user-friendly and cost-effective United Nations websites and the need for their multilingual development, maintenance and enrichment,³⁴ commends the fact that the website of the Commission continues to be published simultaneously in the six official languages of the United Nations, and welcomes the continuous efforts of the Commission to maintain and improve its website, and to enhance the visibility of its work by utilizing social media features in accordance with the applicable guidelines;³⁵

X

Role of the Commission in achieving the broader agenda of the United Nations

25. *Endorses* the conviction of the Commission that the implementation and effective use of modern private law standards in international trade are essential for advancing good governance, sustained economic development and the eradication of poverty and hunger and 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, including through the Rule of Law Coordination and Resource Group, supported by the Rule of Law Unit in the Executive Office of the Secretary-General;

26. *Notes* the respective discussions in the Commission at its fifty-eighth session, and the comments transmitted by the Commission, pursuant to paragraph 21 of General Assembly resolution 79/126 of 4 December 2024, highlighting the relevance of its current work to the promotion of the rule of law and the implementation of the Sustainable Development Goals;³⁶

27. *Recalls with satisfaction* the important role of the Commission in assisting States with establishing fair, stable and predictable legal frameworks for generating inclusive, sustainable and equitable development, economic growth and employment,

³² Resolutions 52/214, sect. B, 57/283 B, sect. III, and 58/250, sect. III.

³³ Resolutions 59/39, para. 9, and 65/21, para. 18; see also *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 17 (A/59/17)*, paras. 124–128.

³⁴ Resolutions 52/214, sect. C, para. 3; 55/222, sect. III, para. 12; 56/64 B, sect. X; 57/130 B, sect. X; 58/101 B, sect. V, paras. 61–76; 59/126 B, sect. V, paras. 76–95; 60/109 B, sect. IV, paras. 66–80; and 61/121 B, sect. IV, paras. 65–77.

³⁵ Resolution 63/120, para. 20.

³⁶ See *Official Records of the General Assembly, Eightieth Session, Supplement No. 17 (A/80/17)*, chap. XX.

generating investment and facilitating entrepreneurship for the promotion of the rule of law, as acknowledged and appreciated by Member States;³⁷

28. *Also recalls with satisfaction* that, in the Sevilla Commitment of the Fourth International Conference on Financing for Development,³⁸ States expressed their resolve to support efforts to reform the mechanisms for investor-State dispute settlements in trade and investment agreements, including through a multilateral approach towards the establishment of an advisory centre on international investment dispute resolution, and building on the ongoing work of the Commission.

³⁷ Resolution [67/1](#), para. 8, and resolution [69/313](#), annex, para. 89.

³⁸ Resolution [79/323](#), annex, para. 43 (l).