

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/CN.9/256
8 May 1984

ORIGINAL: ENGLISH



UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Seventeenth session
New York, 25 June - 11 July 1984

TRAINING AND ASSISTANCE

Report of the Secretary-General

1. At its sixteenth session, ^{1/} the Commission decided that it would be desirable to continue the sponsorship of symposia and seminars on international trade law in collaboration with other organizations. It also affirmed the importance of regional symposia and seminars, both for the purpose of promoting the work of the Commission, and for the purpose of making participants, particularly from developing countries, aware of current legal problems of international trade. The Commission approved the approach taken by the Secretariat in organizing symposia and seminars.
2. By its resolution 38/134 of 19 December 1983 on the report of the Commission on the work of its sixteenth session, the General Assembly reaffirmed the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law. It also reaffirmed the desirability for the Commission to sponsor symposia and seminars, in particular those organized on a regional basis, to promote training and assistance in the field of international trade law. The General Assembly also expressed its appreciation to Governments and institutions for arranging symposia and seminars, and invited Governments, relevant United Nations organs, organizations, institutions and individuals to assist the Secretariat in financing and organizing symposia and seminars. The main activities undertaken in this field by the UNCITRAL Secretariat since the sixteenth session of the Commission are set forth below. ^{2/}

^{1/} Report of the United Nations Commission on International Trade Law on the work of its sixteenth session, Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 17 (A/38/17), para. 130.

^{2/} See also, Co-ordination of work: in general (A/CN.9/255).

3. The UNCITRAL Secretariat for the second time co-operated with the Organization of American States (OAS) in its annual international law seminar (Rio de Janeiro, Brazil, 18-19 August 1983). The subjects discussed at this seminar included, *inter alia*, the activities of the Commission, the United Nations Convention on the Carriage of Goods by Sea, 1978 (hereinafter referred to as the Hamburg Rules), and the draft legal guide on drawing up international contracts for the construction of industrial works. The seminar was attended by lawyers from several Latin American countries.

4. An international conference on the techniques of international commerce was organized (Abidjan, Ivory Coast, 21-23 November 1983) by the International Chamber of Commerce and the Chamber of Industry of the Ivory Coast, with the collaboration of the UNCITRAL Secretariat and the Economic Community of West Africa. The subjects considered included, *inter alia*, the work of the Commission, the unification of international trade law and international commercial arbitration. The Conference was attended by lawyers, businessmen and government officials from several countries of West Africa.

5. A regional symposium on arbitration was organized (New Delhi, India, 12-14 March 1984) by the Asian-African Legal Consultative Committee (AALCC) and the UNCITRAL Secretariat, and was hosted by the Indian Council of Arbitration. The symposium was attended by government officials and practising lawyers from many countries in the Asian-African region. The focus of the symposium was the work of UNCITRAL in the field of international commercial arbitration. The symposium also considered the activities of the regional arbitration centres at Kuala Lumpur and Cairo organized under the auspices of the AALCC, and problems currently encountered in the practice of arbitration. These regional arbitration centres use the UNCITRAL Arbitration Rules as their own.

6. A regional symposium on the activities of UNCITRAL is planned to be held in June 1984 in Bogota, Colombia. The symposium will be organized by the Chamber of Commerce of Bogota, in collaboration with the UNCITRAL Secretariat. The symposium has the support of the OAS Secretariat, and lawyers, businessmen and government officials from the Andean region will be invited to participate. The symposium will discuss, in particular, the United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980) (hereinafter referred to as the Vienna Sales Convention), the model law on international commercial arbitration, the Hamburg Rules, the draft legal guide on drawing up international contracts for the construction of industrial works, and the relevance of the work of UNCITRAL for the countries of the Andean region.

7. An Asian Pacific Regional Trade Law Seminar will be conducted (Canberra, Australia, 22-27 November 1984) by the Attorney-General's Department of Australia, in association with the UNCITRAL Secretariat and the Asian-African Legal Consultative Committee (AALCC). The International Institute for the Unification of Private Law (UNIDROIT) and the Hague Conference on Private International Law will also participate. The UNCITRAL Secretariat has co-operated in mobilizing the expertise of these organizations as well as of the AALCC. The Seminar has at its theme the unification and harmonization of international trade law and practices with particular reference to the work and role of the Commission as the core international legal body in the field. The Seminar is specially designed to contribute to the Commission's programme in training and assistance, and the Government of Australia will provide fellowships for participants from the region.

8. A workshop on the Vienna Sales Convention was held at the biennial LAWASIA Conference (Manila, Philippines, 9-13 September 1983). The Conference was very widely attended by lawyers from the Asian and Pacific region. The UNCITRAL Secretariat presented the Vienna Sales Convention to the workshop, and interest was created in adhering to the Convention by States of the Asian and Pacific region. A resolution was adopted urging Governments in the Asian-Pacific region to disseminate appropriate information about the Convention with the end in view of ensuring its ratification within the shortest possible time.

9. A workshop on the legal aspects of foreign trade was organized by the UNCTAD/GATT International Trade Centre (Geneva, 21-25 November 1983), with the collaboration of the UNCITRAL Secretariat and of the International Chamber of Commerce. The purpose of the workshop was to produce a guide on the legal aspects of foreign trade to assist chambers of commerce and governmental trade promotion agencies. The guide is being prepared by consultants under the auspices of the UNCTAD/GATT International Trade Centre. The workshop was attended by lawyers and officials representing chambers of commerce and trade promotion agencies in Africa, Asia and Latin America.

10. The UNCITRAL Secretariat was invited to a symposium organized by the American Bar Association (Atlanta, United States of America, 1-2 August 1983) on the Vienna Sales Convention. The symposium considered the value of the Vienna Sales Convention as an instrument for harmonizing the law of international sales. The general conclusion of the symposium was that the Vienna Sales Convention was an acceptable compromise between the different approaches of national law towards international sales contracts. An international conference was also organized (New York, 21-22 October 1983) by the Parker School of Foreign and Comparative Law, Columbia University, New York, on the Vienna Sales Convention. The Conference examined the solutions adopted in the Convention to certain key problems in international sales contracts in relation to solutions adopted in various national systems. The UNCITRAL Secretariat was invited to the Conference and explained the approaches adopted in the Vienna Sales Convention to those problems. An international trade law seminar, at which the UNCITRAL Secretariat was also invited to participate, was organized (Ottawa, Canada, 20 October 1983) by the Department of Justice of Canada. The Secretariat described the recent achievements of UNCITRAL, and discussed with participants at the seminar the on-going work programme of UNCITRAL. Interest in the activities of UNCITRAL was exhibited by active participation from all provinces of Canada.

11. The UNCITRAL Secretariat was invited to take part in an international conference of experts (Bielefeld, Federal Republic of Germany, 20-22 June 1983) on the theme of the adaptation and renegotiation of international commercial contracts. The Secretariat made a presentation on the UNCITRAL Conciliation Rules, and the conference discussed the Rules in the context of the adaptation and renegotiation of contracts. The UNCITRAL Secretariat also participated in an international arbitration symposium (London, 5-6 July 1983) organized by the Chartered Institute of Arbitrators. The symposium extensively discussed the UNCITRAL model law project on international commercial arbitration. The Secretariat explained the main features of the UNCITRAL model law, in particular with reference to the common law rules on arbitration.

12. The UNCITRAL Secretariat participated in a conference of scholars of international private law and international trade law (Ludwigsburg, Federal Republic of Germany, 25-30 September 1983). A presentation was made explaining some significant features of the Hamburg Rules, and also the work of the Commission on a universal unit of account for international conventions.

13. On several occasions other than those mentioned in the preceding paragraphs, the UNCITRAL Secretariat has addressed gatherings of lawyers and government officials in order to promote the work of the Commission. The Secretariat intends to keep in touch with organizations and Governments with a view to collaborating with them in organizing symposia and seminars.

14. During the past year, three interns received training with the UNCITRAL Secretariat, and were associated with on-going projects of the Commission.