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REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL
TRADE LAW ON THE WORK OF ITS TWENTY-FIRST SESSION

Argentina, Australia, Austria, Brazil, Canada, Cyprus,
Czechoslovakia, Denmark, Egypt, Finland, France, German
Democratic Republic, Germany, Federal Republic of, Greece,
Guyana, Hungary, India, Italy, Japan, Libyan Arab Jamahiriya,
Netherlands, Sierra Leone, Sweden, Turkey, United Kingdom of
Great Britain and Northern Ireland and Yugoslavia:
draft resolution

Report of the United Nations Commission on International
Trade Law on the work of its twenty-first session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created 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 resolutions 3201 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having regard for the need to take into account the different social and legal systems in harmonizing and unifying international trade law,

Stressing the value of participation by States at all levels of economic development, including developing countries, in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-first session, 1/

Appreciating the success of the seminar on international trade law held in Lesotho in co-operation with the Preferential Trade Area of Eastern and Southern African States,

Recognizing the need for the Commission to have adequate sources of funding for its programme of training and assistance in international trade law,

Noting that the Convention on the Limitation Period in the International Sale of Goods, of 14 June 1974, 2/ came into force on 1 August 1988,

Being aware that the United Nations Convention on the Carriage of Goods by Sea, of 31 March 1978, 3/ was prepared at the request of developing countries and is likely to come into force in the near future,

Being convinced that widespread adherence to the conventions emanating from the work of the Commission would benefit the peoples of all States,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-first session;

2. Commends the Commission for the progress made in its work and for having reached decisions by consensus;

1/ Official Records of the General Assembly, Forty-third Session, Supplement No. 17 (A/43/17).

2/ Official Records of the United Nations Conference on Prescription (Limitation) in the International Sale of Goods, New York, 20 May-14 June 1974 (United Nations publication, Sales No. E.74.V.8), p. 101.

3/ Official Records of the United Nations Conference on the Carriage of Goods by Sea, Hamburg, 6-31 March 1978 (United Nations publication, Sales No. E.80.VIII.1), document A/CONF.89/13, annex I.

3. Calls upon the Commission to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth 4/ and seventh 5/ special sessions;

4. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to co-ordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law, and, in this connection, recommends that the Commission, through its secretariat, should continue to maintain close co-operation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

5. Reaffirms also 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 and the desirability for it to sponsor seminars and symposia, in particular those organized on a regional basis, to promote such training and assistance, and, in this connection:

(a) Expresses its appreciation to the Kingdom of Lesotho and the Preferential Trade Area of Eastern and Southern African States for their collaboration with the secretariat of the Commission in organizing the seminar on international trade law held at Maseru and to the Governments whose contributions enabled the seminar to take place;

(b) Welcomes the initiatives being undertaken by the Commission and its secretariat to collaborate with other organizations and institutions in the organization of regional seminars;

(c) Invites Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the Trust Fund for UNCITRAL Symposia on International Trade Law or, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and for the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

6. Repeats its invitation to those States which have not yet done so to consider ratifying or acceding to the following conventions:

(a) Convention on the Limitation Period in the International Sale of Goods, of 14 June 1974;

4/ Resolutions 3201 (S-VI) and 3202 (S-VI).

5/ Resolution 3362 (S-VII).

(b) Protocol amending the Convention on the Limitation Period in the International Sale of Goods, of 11 April 1980; 6/

(c) United Nations Convention on the Carriage of Goods by Sea, of 31 March 1978;

(d) United Nations Convention on Contracts for the International Sale of Goods, of 11 April 1980; 7/

7. Welcomes the decision of the Commission to collect and disseminate court decisions and arbitral awards relating to legal texts emanating from its work so as to further the uniformity of their application in practice;

8. Reaffirms its request to the Secretary-General to make increased efforts to promote the adoption and use of the texts emanating from the work of the Commission;

9. Recommends that the Commission should continue its work on the topics included in its programme of work;

10. Expresses its appreciation for the important role played by the International Trade Law Branch of the Office of Legal Affairs of the Secretariat, as the substantive secretariat of the Commission, in assisting in the structuring and implementation of the work programme of the Commission, and invites the Secretary-General to consider taking whatever measures may be necessary, within existing resources, to provide the Commission with adequate substantive secretariat support.

6/ Official Records of the United Nations Conference on Contracts for the International Sale of Goods, Vienna, 10 March-11 April 1980 (United Nations publication, Sales No. E.82.V.5), p. 191.

7/ Ibid., p. 178.