



General Assembly

Distr.: General
8 June 2005

Original: English

**United Nations Commission
on International Trade Law**
Thirty-eighth session
Vienna, 4-15 July 2005

Draft Convention on the Use of Electronic Communications in International Contracts

Compilation of comments by Governments and international organizations

Addendum

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II. Compilation of comments

A. States

11. Macedonia

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We consider that this matter should be regulated at the international level. Taking into consideration the expansion of the international trade this Convention would mainly enable improvement of the efficiency of the trade activities among subjects from different countries. We point out that this Convention includes trade agreements that are concluded among economic entities headquartered in different countries.

Regarding the open issues that still are not harmonized at the Working Group level, we propose the following:

1. Article 1: proposal to add “or agreement”. It would be preferable that the Commission explains, in its comments on the Draft Convention, the meaning of the “contract”. We propose this because if the expression “contract or agreement” is added in article 1, then the words “or agreement” should be added to the word “contract” throughout in the text, starting from the title.

2. Article 16 bis: this proposal is acceptable since it is a common provision in the multilateral agreements.

3. Article 19 bis: regarding paragraph 1, we consider that it is better to use the formulation “relevant conventions, treaties or agreements” in order not to be confined only to the UNCITRAL conventions.

4. Article 24: transitional provisions. We consider that the proposal by the United States is appropriate since the new paragraphs regulate, in more details, the different possible situations regarding the obligations of the States.