



**United Nations Commission on
International Trade Law**
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Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, including report on CLOUT and Digests

Note by the Secretariat

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I. Introduction

1. This Note provides information on Secretariat activities designed to raise awareness of UNCITRAL, its mandate and its texts (globally termed non-legislative activities, or NLA),¹ from 1 April 2022 until 31 March 2023 (the reporting period).
2. This Note covers awareness-raising of UNCITRAL and its activities through UNCITRAL's online and social media presence comprising the UNCITRAL website, other outreach activities, including international commercial law moot competitions, developments related to the CLOUT database and its Network, an indication of activities to look forward to in next reporting period, budgetary matters and resource needs, and the UNCITRAL internship programme.
3. This Note therefore complements the information provided in the Notes on Technical cooperation and assistance, [A/CN.9/1138](#), on UNCITRAL regional presence – Activities of the UNCITRAL Regional Centre for Asia and the Pacific (RCAP), [A/CN.9/1137](#), and on the Status of conventions, model laws and operation of the Transparency Registry, [A/CN.9/1136](#).

II. UNCITRAL's online and social media presence

A. Background

4. Responding to the Commission's call on the Secretariat to be innovative in its approach to dissemination of information concerning UNCITRAL texts made at its fiftieth session,² the Secretariat has continued to develop and implement additional tools to provide information on the mandate of UNCITRAL, its activities and texts, including through an increased presence online.
5. The increase in the use of Secretariat-produced online materials and social media information attests to the growing reach of UNCITRAL generally, and the fact that the initiatives of the Secretariat in this area are welcome by users of UNCITRAL instruments and resources.
6. An online approach to awareness-raising also enhances efficiency in delivery, and, by reducing the need for travel, it provides a positive contribution to sustainability. From the substantive perspective, it allows the Secretariat to devote more time and resources to preparation for and delivery of in-person activities and targeted capacity-building, thus enhancing outcomes.

B. UNCITRAL website

7. The UNCITRAL website (uncitral.un.org) is available in the six official languages of the organization and provides access to full-text UNCITRAL documentation and other materials relating to the work of UNCITRAL, such as publications, treaty status information, press releases, events and news. In line with the organizational policy for document distribution, official documents are provided, when available, via linking to the United Nations Official Document System (ODS).
8. In conjunction with the Office of Information and Communications Technology (OICT), the Secretariat has access to a statistic gathering tool for the UNCITRAL

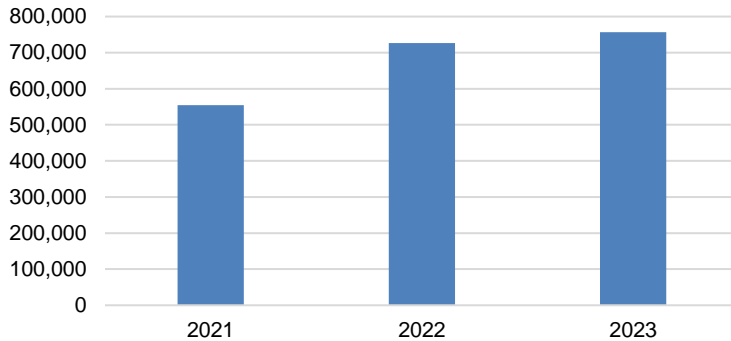
¹ The activities have the same overall objective as the Secretariat's technical cooperation and assistance activities described in the Technical cooperation and assistance, [A/CN.9/1138](#), but are generally addressed to a wide audience and users of the UNCITRAL website and social media platforms, and/or cover multiple areas and facets of UNCITRAL's mandate and activities.

² Also noting that the dissemination of information concerning international trade law was one of the mandated functions of UNCITRAL and envisaged as a permanent aspect of the work of the Commission. See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 17*, Report of the United Nations Commission on International Trade Law Fiftieth session, 2017, [A/72/17](#), paras. 435–436.

website. Statistical information about the website is included for the past three years in order to demonstrate trends over time.

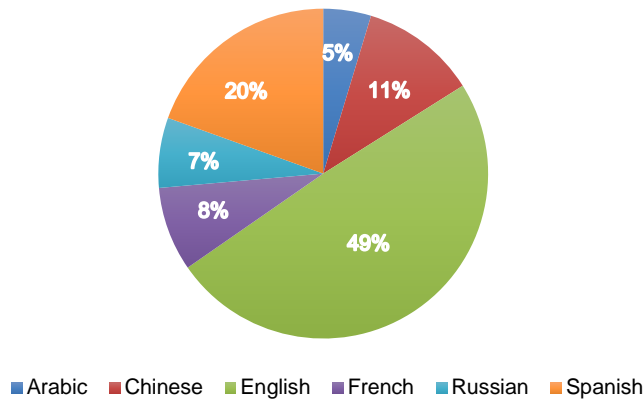
9. The number of visitors to the website continues to grow from year to year: from 554,463 unique visitors in 2021, to 726,765 unique visitors in 2022 and 756,520 unique visitors in this reporting period.³ The trend is shown in the chart below.

Website visitors, 2021–2023

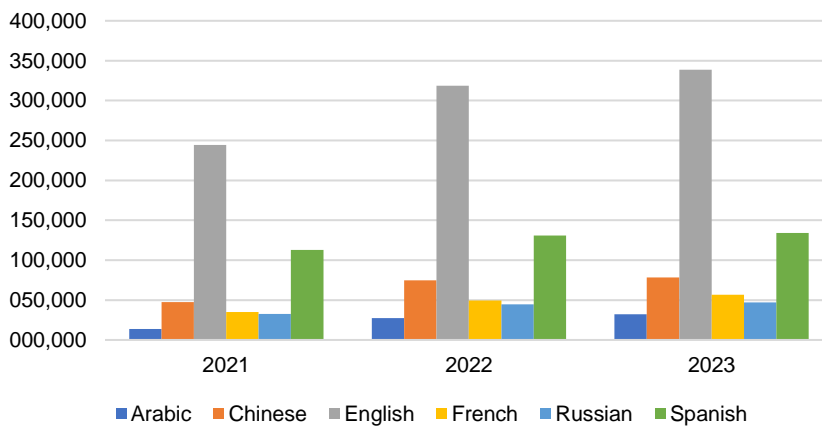


10. Forty-nine per cent of the visitors in this reporting period were directed to pages in English. Fifty-one per cent were directed to pages in Arabic, Chinese, French, Russian and Spanish. For ease of understanding, these statistics and a presentation of visitors per regional group are reproduced in the graphics below.

Website visitors by United Nations language, 2023

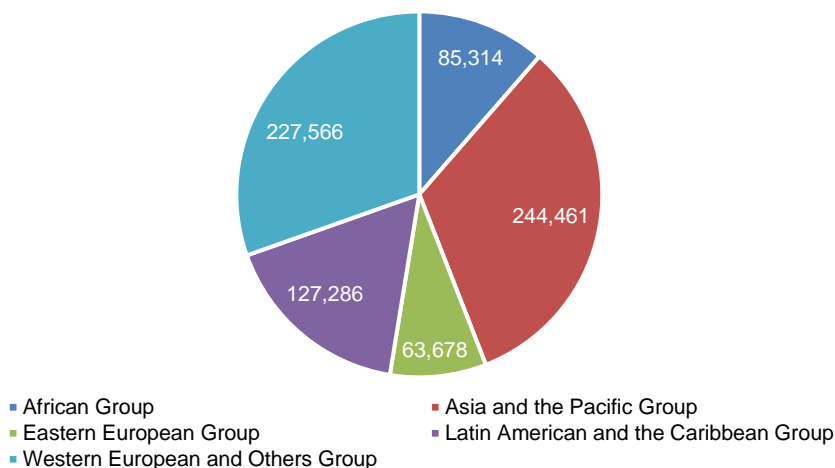


Website visitors by United Nations language, 2021–2023



³ Ibid.

Website visitors by regional group, 2023



11. The statistics show a substantial interest in non-English sources, reinforcing the significance of the UNCITRAL website as a multilingual source of information on international trade law. Some of these statistics may reflect new audiences reached through the UNCITRAL Days series in different regions.⁴

C. Social media channels⁵

12. During the reporting period, the Secretariat has issued and posted materials on social media channels and the UNCITRAL website to explain implementation issues, common issues of interpretation and UNCITRAL practice guidelines for government officials, judges and legal practitioners.⁶

13. The Secretariat continues to make use of UNCITRAL social media channels as a means of raising awareness. The number of subscribers and views of social media channels has increased since the last reporting cycle.

14. The YouTube platform in particular has been used for disseminating recordings of events, activities and the work of UNCITRAL, including:

(a) The Introductory remarks for the 55th Commission Session by Under-Secretary-General for Legal Affairs and United Nations Legal Counsel Mr. Miguel de Serpa Soares;

(b) A side event held during the Commission's fifty-fifth session of the Commission in July 2022 on "UNCITRAL and the Law of Digital Trade";

(c) The Launch event of the UNCITRAL Days in Africa;

(d) A discussion session moderated by UNCITRAL on "MSE Debtors and Creditors in Trouble: Is a Simplified Insolvency Regime the Solution?";

(e) A webinar in the French language on: *La numérisation des documents commerciaux au Bénin et au Togo* (Digitisation of commercial documents in Benin and Togo);

⁴ On the UNCITRAL Days, see the unofficial reports on these series on the Commission website, under the documents of the 56th Session, and *Note on Technical Assistance and Cooperation*, A/CN.9/1138, Section II.C.

⁵ [uncitral.un.org](https://www.uncitral.un.org). For a recent description of the website and its modernization in 2018, see Technical cooperation and assistance, A/CN.9/980/Rev.1, paras. 52–54.

⁶ For background information on the development of these approaches, see Dissemination of information and related activities to support UNCITRAL's work and the use of its texts, A/CN.9/1033, para. 27.

(f) The 2022 Tokyo Forum on Dispute Resolution.⁷

15. The recordings are made available in the language in which they are delivered and are available in all six official languages when translation services have been provided.

16. During the reporting period, 78 new videos were posted, which garnered 2,818 views, approximately the same as the last reporting period. The YouTube channel subscribers increased from 1,115 to 1,618 during the reporting period, an increase of 45 per cent. The first lecture in the CISG@40 Lectures on Transnational Commercial Law received over 15,600 views.

17. UNCITRAL also maintains LinkedIn, Facebook and Twitter social media accounts. The following may be noted:

(a) The UNCITRAL LinkedIn account currently has 44,724 followers, an increase of 9,724 from the previous reporting period. The LinkedIn community is very engaged, and LinkedIn posts regularly receive substantial interest from the community.

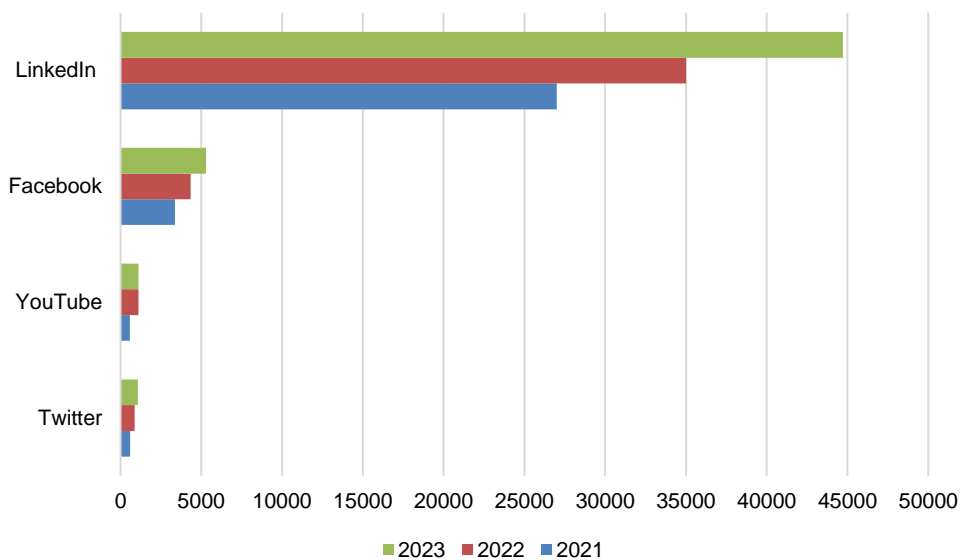
Highlights from this reporting period include a post on the Digest of Case Law on the UNCITRAL Model Law on Cross-Border Insolvency, receiving nearly 24,000 views, a post on the accession of Suriname to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, almost 20,000 views, and a post on the opening of the 76th session of Working Group II, receiving over 16,000 views.

(b) The Secretary of UNCITRAL has a Twitter account to disseminate information about events and the work of UNCITRAL. The Twitter account has 1,077 followers and generates numerous retweets.

(c) The UNCITRAL Facebook account has 5,313 followers.

18. The increasing use of social media is shown in the below diagram:

Social Media Statistics, 2021–2023



19. The social media channels are accessible from the UNCITRAL website. They offer an additional entry point into the work of the Commission and have continued to generate significant interest in the work of UNCITRAL. The Secretariat will continue to develop its presence on social media channels.

⁷ www.youtube.com/channel/UCvbVLBJfD94n0H_oFpS7csA/.

D. E-learning programme

20. The UNCITRAL e-learning programme was conceived as a tool to raise awareness of UNCITRAL, its mandate and its work for all audiences, and for capacity-building purposes. It is, in particular, intended:

(a) For prospective UNCITRAL delegates, representatives of permanent missions, government officials and policy makers dealing with UNCITRAL matters who may request technical assistance and capacity-building support from the Secretariat;

(b) To complement UNCITRAL capacity-building and awareness-raising activities by allowing deeper levels of discussion of UNCITRAL subjects and texts between participants and those leading these activities;

(c) For those desirous to discover international commercial law and UNCITRAL's achievements in this field, or to deepen a broad overall understanding of international commercial law, comprising law students and the new generations of legal practitioners.

21. The programme therefore sits squarely within the secretariat's objective for its non-legislative activities: to explain UNCITRAL texts, their benefits and usefulness to the attention of both those already engaged with UNCITRAL and those interested in commercial law reform in the broader context.

22. The UNCITRAL e-learning portal⁸ was significantly expanded since the last report. In its English version, the portal now provides access to four self-paced modules of e-learning programmes, three of which were introduced in the reporting period. The e-learning modules are entitled, respectively:

(a) "Introduction to the United Nations Commission on International Trade Law" (first launched July 2021);⁹

(b) "UNCITRAL Texts on Public Procurement and Public-Private Partnerships" (online since the fourth quarter of 2022);

(c) "UNCITRAL International Commercial Arbitration" (online since the fourth quarter of 2022); and

(d) "UNCITRAL Mediation Framework" (online since the first quarter of 2023).

23. Their contents were developed in cooperation with the International Labour Organization's International Training Centre (ITC ILO)¹⁰ and with financial and other forms of support from the Ministry of Commerce of China.¹¹ The Secretariat wishes to thank both for their support in the development of the UNCITRAL e-learning programme.

24. The e-learning modules can be accessed both through the homepage of the UNCITRAL website and through the ITC ILO e-Campus website (www.ecampus.itcilo.org/login/index.php). The dual access enables the Secretariat to reach an expanded audience, such as technical contributors, researchers and

⁸ <https://uncitral.un.org/en/onlinecourses>.

⁹ This e-module comprises three modules: (i) on an introduction to harmonized commercial law and its relevance for economic development; (ii) the origin, organization and methods of work of UNCITRAL; and (iii) UNCITRAL's contribution to sustainable development. A glossary is included in each module, which can be updated as appropriate. For more information on the first e-learning modules that were made accessible online, see [A/CN.9/1059](#), Section II.C, paras. 11–14.

¹⁰ On the partnership with ITC ILO, see [A/CN.9/1138](#), Section II A 1, para. 18(g).

¹¹ Under a memorandum of understanding with the Ministry of Commerce of China (MOFCOM) concluded on 7 August 2019. See, [A/CN.9/1138](#) Section II A 1 (Formal Partnerships with States and Governments), paras. 8 and 9; and regarding other training e-modules related activities under the MOFCOM MOU, *ibid.* paras. 10 and 11.

practitioners with a general interest in UNCITRAL, and potential users of UNCITRAL texts that might otherwise remain invisible to the Secretariat. Registration for the courses and access to the contents of the courses are on the ITC ILO e-Campus website.

25. The intention of the secretariat is to provide all e-learning modules in the six official languages of the Organization. Due to limited resources, outsourcing of the translation is necessary, which requires the identification of potential donors. Chinese translations of the modules made available in this reporting period are forthcoming, thanks to the partnership with the Ministry of Commerce of China, and should be available by the end of 2023.¹²

26. The success of the three series of UNCITRAL Days has continued to generate significant interest from a young demographic for the e-learning modules, including students and early practitioners of the Asia-Pacific, Latin American and Caribbean, and African regions.¹³

27. Below, are statistics that evidence the reach of the UNCITRAL e-learning programme since the first module was launched in July 2021:

<i>e-learning modules</i>	<i>No. of participants</i>	<i>No. of certificates issued</i>
Introduction to UNCITRAL	6 098	1 918
UNCITRAL mediation framework	703	379
UNCITRAL international commercial arbitration	384	117
UNCITRAL texts on PP & PPP	313	82
Total	7 098	2 496

III. CLOUT, Digests of case law and additional capacity-building materials

A. Case Law on UNCITRAL Texts (CLOUT)

Status and cases reported

28. CLOUT is a database of worldwide court decisions and arbitral awards in the field of international commercial law relating to UNCITRAL texts. The database was created in 1998 at the request of the Commission, as a tool intended to facilitate the uniform interpretation and application of UNCITRAL texts in the jurisdictions of Member States. The CLOUT database is maintained by the Secretariat, relying mainly on contributions of national correspondents designated by Member States to participate in the CLOUT Network. The secretariat receives summaries of cases and reviews them before issuing them as UN official documents (CLOUT issues). The CLOUT issues are translated in the six official languages of the organization and added to the CLOUT database, which is free for all to access.¹⁴

29. Since 1998, 221 CLOUT issues have been published by the Secretariat, comprising 2,021 cases originating in 78 jurisdictions relevant to 14 UNCITRAL instruments.¹⁵

30. The texts most covered in the cases reported in the CLOUT database remain, respectively:

¹² On this point, see also: [A/CN.9/1138](#), para. 32(a).

¹³ On the UNCITRAL Days 2022, comprising the inaugural session on the African continent, see [A/CN.9/1138](#), Section II C, and the three unofficial reports of the UNCITRAL secretariat on the UNCITRAL Days which can be accessed on the Commission website, under the documents of the 56th Session.

¹⁴ CLOUT Database website: <https://www.uncitral.org/clout/>.

¹⁵ A full list of these instruments is available on the website of the CLOUT Database.

(a) The 1980 United Nations Convention on Contracts for the International Sale of Goods (CISG, 985 cases);

(b) The UNCITRAL Model Law on International Commercial Arbitration (523 cases);

(c) The 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention, 297 cases); and

(d) The UNCITRAL Model Law on Cross-Border Insolvency (168 cases).

31. Seven CLOUT issues were published in this reporting period, comprising a total of 71 cases from 26 jurisdictions, with the following distribution:

<i>Region</i>	<i>No. of cases</i>	<i>%</i>
African group	7	10
Asia and the Pacific group	11	15
Eastern European group	8	11
Latin America and Caribbean group (GRULAC)	21	30
Western European and other countries (WEOG)	24	34
Total:	71	100

Rejuvenation

32. Further to the Commission's request at its fifty-second session, in 2019,¹⁶ the Secretariat has previously reported on the efforts it has engaged in to rejuvenate the CLOUT database and its associated network. These efforts have been further pursued in the reporting period. They were, in particular, discussed in detail at the first meeting of the CLOUT Network since the initiation of the rejuvenation, which was held on 31 March in Vienna and online.¹⁷

33. These efforts have included:

(a) Mobilizing the members of the CLOUT Network through ad hoc in addition to regular, biennial, meetings;

(b) Reaching out to new contributors and potential contributors and providing individualized advice on how to best contribute to the database;

(c) Extending participation in the CLOUT Network to voluntary contributors in addition to national correspondents designated by Member States;

(d) Reaching out to contributors and potential contributors from regions that remain underrepresented in the CLOUT database;

(e) Releasing the first two issues of a quarterly CLOUT Network newsletter;¹⁸

(f) Announcing the publication of new CLOUT issues on social media platforms with an acknowledgement of contributors;

(g) Creating a CLOUT Network logo to enhance the visual identification of the Network, and issuing a policy for its use; and

(h) Adding two webpages to the UNCITRAL website presenting the CLOUT system and the CLOUT Network respectively.¹⁹

34. As a result of these efforts, cases from Costa Rica, Saudi Arabia, the Bahamas and Armenia were added to the CLOUT database for the first time.

¹⁶ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 247.

¹⁷ On this meeting, see para. 38 and footnote 24 below.

¹⁸ First issue: October 2022; second issue: January 2023.

¹⁹ https://uncitral.un.org/en/case_law and <https://uncitral.un.org/en/cloutnetwork>.

35. The Secretariat has also led efforts to obtain new designations by Member States of CLOUT national correspondents and CLOUT Steering Committee members for the period of June 2022 through May 2027.²⁰ As of 31 March 2023, the Secretariat had received 126 designations of national correspondents from 53 Member States.²¹ The Secretariat is further pleased to confirm that the CLOUT Steering Committee now comprises 13 national correspondents.²² Efforts are continuing to obtain more designations of national correspondents, including from countries which are currently underrepresented in the CLOUT system.²³

36. Efforts to identify and reach out to potential CLOUT institutional partners also progressed. In addition to long-standing relationships with various organizations and institutions active in the field of international commercial law, the Secretariat is pleased to announce the signing of two CLOUT institutional partnerships: with the CISG-online Database at Basel University (September 2022); and with the School of Global Governance at the Beijing Institute of Technology (March 2023).

Technical aspects

37. An important component of the CLOUT rejuvenation strategy involves improving the electronic dissemination of CLOUT and/or the current structure and features of the online database, with a particular focus on increasing searchability.

38. As discussed with the participants of the CLOUT Network meeting, which included members of the CLOUT Steering Committee, held on 31 March 2023 in Vienna and online,²⁴ the Secretariat is considering the following courses of action, should resources be available:

(a) An upgrade of the CLOUT database to an up-to-date system modelled on recent databases developed by the Information Technology Service (ITS) and/or the Office of Information and Communications Technology (OICT).²⁵

This solution, while allowing the secretariat to keep complete control over the database, would come at a cost, both for the development of the new searchable database software and the annual maintenance costs that are not currently budgeted. The investment in an upgrade would reduce yearly maintenance costs.

(b) In addition to the above noted upgrade of the CLOUT database, the secretariat is considering implementing a mechanism to share the CLOUT data with third party legal service providers.

The secretariat would retain control of the database and its contents but would share the data with these third parties to maximize the accessibility, availability and searchability of CLOUT information through their platforms. In addition to allowing users to access CLOUT information on the CLOUT database, this would allow users to find CLOUT information in legal databases they already use on a regular basis, thus significantly expanding the reach of CLOUT.

By leveraging the user interfaces of legal service providers, this course of action would allow maximizing the accessibility, availability and searchability of CLOUT information with minimal budget and human resource implications.

²⁰ The Commission decided to establish the Steering Committee at its 52nd session in 2019 (See [A/74/17](#), paras. 243 and 244).

²¹ The list of national correspondents during the past mandate, which ended in June 2022, comprised 110 names appointed by 45 Member States.

²² The member States represented in the CLOUT Steering Committee are: Armenia, Austria, Belarus, India, Indonesia, Israel, Mauritius, Panama, Republic of Korea, Saudi Arabia, Switzerland, Thailand and Türkiye.

²³ The list of CLOUT Network members further comprised 13 active voluntary contributors as of 31 March 2023.

²⁴ The annual CLOUT Network Meeting was held in the margins of the 30th Willem C. Vis International Commercial Arbitration Moot and proved one of the most fruitful in recent years.

²⁵ The SHERLOC Case Law Database on UNODC's website is one example. See, <https://sherloc.unodc.org/cld/v3/sherloc/cldb/index.html?lng=en>.

Data-sharing should take place in a non-exclusive manner and in accordance with pre-established rules that favour multilingualism and access for users in developing countries. In any case, access to CLOUT information on third-party platforms should be at no cost for the user, and the Secretariat will retain exclusive control of the CLOUT data. Further, the third party would need to assume any costs incurred to transfer CLOUT data.

39. The Secretariat will report orally at the forthcoming session of the Commission on the possible courses of action.

Takeaways and requests to the Commission

40. In respect of the CLOUT system, its membership and Steering Committee and the rejuvenation of the CLOUT Network and database, the Commission may wish:

(a) To thank those Member States who have designated a CLOUT national correspondent and where relevant a CLOUT Steering Committee Member for the period from June 2022 to May 2027;

(b) To call for those Member States who have not yet designated a national correspondent for the CLOUT system to do so at the earliest opportunity;

(c) To call on all Member States who have designated National Correspondents to facilitate their role and to continue to encourage their regular submissions of cases for the CLOUT Database to the Secretariat;

(d) To take note of the progress achieved by the Secretariat in its efforts to rejuvenate and increase the dissemination and awareness of the CLOUT system, its network and database;

(e) To invite the Secretariat to continue in these efforts and keep it informed of the results;

(f) To invite the Secretariat to further advance the technical rejuvenation taking into account the parameters set forth at paragraph 38 above on the courses of action being considered towards the technical rejuvenation and improvement of the CLOUT Database and the sharing of its contents, as applicable, with interested partners.

B. Digests of Case law and additional capacity-building materials

41. The Secretariat is in the process of preparing a new edition of the 2012 Digest of Case law on the UNCITRAL Model Law on International Commercial Arbitration and will report to the Commission on the progress made at its fifty-seventh session in 2024.²⁶

42. Preparation of the updated version of the UNCITRAL Model Law on Cross-Border Insolvency: The Judicial Perspective, was completed towards the end of 2022, further to the approval of the revised text by the Commission at its fifty-fifth session in 2022. The English text is available on the UNCITRAL website as an advance copy.²⁷ Other language versions of the text will be published online as they are completed.

43. The Digest of Case Law on the UNCITRAL Model Law on Cross-Border Insolvency is being used in all technical cooperation and assistance activities to

²⁶ Digest available at <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/mal-digest-2012-e.pdf>. For additional context on the Digests of Case law, see, A/CN.9/1017, paras. 30–32 and the dedicated page on the website of the Commission, at https://uncitral.un.org/en/case_law/digests.

²⁷ See, https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/mlcbi_judicial_perspective_2021_advance_copy.pdf.

inform the public of this useful guidance in the six official languages of the organization.²⁸

C. Promotion of uniform interpretation of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958, through UNCITRAL’s collaboration with the contributors to the website, www.newyorkconvention1958.org

44. In 2016, the UNCITRAL secretariat, with the assistance of experts in the field of arbitration, published a Guide on the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958 (New York Convention).²⁹ As noted in the Preface to the Guide, a website dedicated to the New York Convention, www.newyorkconvention1958.org was established with the support of UNCITRAL, in order to make the information gathered in preparation of the Guide publicly available (“New York Convention Website” and “Convention Guide Web Platform”).³⁰

45. The New York Convention Website has continued to grow as an online platform gathering publications, caselaw, and other information related to the New York Convention, including UNCITRAL’s own initiatives in the area.

46. Thanks to the ongoing efforts of its contributors, the website today makes publicly available information from 70 countries, including more than 3,900 decisions spanning both the civil and Common law traditions. Over the past few months, new jurisdictions were added to the website, including Seychelles and Cyprus. For each jurisdiction, the website provides direct links to specific national legal databases accessible to all users.

47. More specifically, as at the date of this Note, the New York Convention Website database included concise background notes on 60 contracting States, 3,904 original-language decisions, 132 English-language translations, 1,148 summaries of cases, the *Travaux préparatoires* and a bibliography on the New York Convention which consists of the most comprehensive directory of publications relating to the application and interpretation of such text (listing more than 1,000 books and articles from more than 83 countries in 12 different languages). More than 230 of such publications are directly accessible through hyperlinks.

48. The *Case Law* collection is being updated and is about to contain more than 4,000 decisions. The Convention Guide Web Platform thus continues to significantly increase the volume and the reach of case law published on the application of the Convention.

49. As in previous years, close coordination between the website and the CLOUT system was maintained. Several cases on the application of the New York Convention were published in both systems, which allowed for such cases to be available in the six official languages of the United Nations, when published in CLOUT. As an example, CLOUT Issue No. 216, published in May 2022, featured cases reported initially in the New York Convention Website.

²⁸ The MLCBI Digest is available at https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/20-06293_uncitral_mlebi_digest_e.pdf.

²⁹ “UNCITRAL Secretariat Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958)”, available on the UNCITRAL website at https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/2016_guide_on_the_convention.pdf.

³⁰ To extend the comparison, see the previous Note, A/CN.9/1100, which included the following number of unique visitors for 2020, at para. 38: 372,375.

IV. Other outreach activities

A. Press releases³¹

50. The Secretariat issued 19 press releases during the reporting period, to mark treaty actions relating to UNCITRAL; when advised of the adoption of an UNCITRAL model law or other relevant text; and to communicate other information of particular importance and direct relevance to UNCITRAL. The Commission may wish to repeat its regular request to States to advise the Secretariat when enacting legislation implementing an UNCITRAL model law or other relevant texts.

B. International commercial law moot competitions

1. Willem C. Vis International Commercial Arbitration Moot

51. The Secretariat supported the organization of the 30th Willem C. Vis International Commercial Arbitration Moot (Vis Moot). The oral arguments took place in Vienna from 31 March until 6 April 2023.³² The best team in the oral arguments was the University of Vienna. As in previous years, the Moot was co-sponsored by the Commission. Legal issues addressed by the teams in this edition of the Vis Moot were based, as always, on the United Nations Convention on Contracts for the International Sale of Goods.

52. A total of 396 teams submitted memoranda and 373 teams from 88 countries participated in the oral hearings during the Vis Moot in Vienna, comprising more than 2,400 students, 1,150 arbitrators and 1,200 coaches. More than 50 per cent of participating students were female, which constitutes a deep pool of talented women for counsel and future arbitrators. The Moot thereby responds to the need to promote cultural and gender diversity to increase the credibility and acceptance of international arbitration generally. After three years of virtual hearings, a higher number of arbitrators and a similar number of teams participated, compared to the last in-person moot in 2019.

53. The 20th Willem C. Vis (East) International Commercial Arbitration Moot, which is the sister competition to the Vis Moot, took place fully in person in Hong Kong, China, from 19 to 26 March 2023 with 111 teams competing. The best team was the Royal Institute of Colombo, a first-time entry.

2. Additional moot competitions

IBA-VIAC Consensual Dispute Resolution Competition (CDRC)

54. From 16–20 July 2022, the International Bar Association (IBA) and the Vienna International Arbitral Centre (VIAC) organised the 7th edition of the Mediation and Negotiation Competition (CDRC). The CDRC was held online for the second time.

55. The CDRC is based on the problem elaborated for the Willem C. Vis International Commercial Arbitration Moot. Its aim is to raise awareness and understanding of the broader spectrum of ADR tools, especially in the field of mediation and negotiation. In 2022, the CDRC brought together a diverse mix of nearly 60 students from 17 universities (from Asia, America, Australia, and Europe) participating in 20 teams. The teams were evaluated and received feedback from approximately 100 international experts who also used the opportunity of the event for discussions on the development of ADR among peers.

³¹ For a description of the Secretariat's approach to press releases, see, Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 64–65.

³² Although the dates of the oral arguments fall outside the reporting period, the Secretariat's participation in the Moot preparations takes place from the autumn of the previous year until those dates. The Secretariat therefore reports all Moot-related activities together.

Madrid Moot – XV Competición Internacional de Arbitraje y Derecho Mercantil

56. The Carlos III University of Madrid organized the XVth International Commercial Arbitration Competition, with the oral arguments taking place in Madrid from 17 to 21 April 2023. The event was again co-sponsored by the Commission. Legal issues addressed by the teams related to an international sale of goods, where the United Nations Sales Convention, the New York Convention, the UNCITRAL Arbitration Rules and the UNCITRAL Model Law were applicable. A total of 25 teams from 9 jurisdictions participated in the Madrid Moot 2023, which was held in Spanish. The best team in the oral arguments was *Universidad Complutense de Madrid*.

Frankfurt Investment Arbitration Moot

57. The 14th edition of the Frankfurt Investment Arbitration Moot took place virtually from 28 February to 4 March 2022. 103 teams participated in pre-moots and in the national rounds, leading to the participation of 37 teams from 20 countries in the oral arguments. The Singapore Management University prevailed.

The X International Investment Moot

58. The X International Investment Moot co-organized by the American University College of Law (AUWCL), the Research Group on Contracts and International Dispute Settlement (CYRCI) and the Universidad Externado de Colombia and co-sponsored by the Commission, included the Rules on Transparency in the moot case. The X International Investment Moot took place online from 27 to 31 March 2023, with teams from 22 universities from nine Latin-American and European countries. The winning team was the University Piura from Peru.

The International Investment Moot (CIARB)

59. The International Investment Moot (CIARB) is an annual competition organized by the University of Buenos Aires in Argentina and the University of Rosario in Colombia. The UNCITRAL Arbitration Model Law (2006) was part of the 2022 Moot case. The CIARB took place from 21 September to 3 October 2022 and was hosted by the Faculty of Law, Universidad Panamericana, Guadalajara, Mexico. 46 teams comprising 401 students from 10 countries from Latin America and Europe participated in this edition. The winning team was the Universidad Panamericana from Mexico.

The Foreign Direct Investment International Arbitration Moot (FDI Moot)

60. The 2022 FDI moot organized by the Center for International Legal Studies (CILS), took place virtually from 28 to 30 October 2022 and in person at King's College, London, from 3 to 6 November 2022. Legal issues addressed by the teams related to the loss of a cannabis cultivation investment due to a civil conflict in the host State.

61. A total of 133 teams from all around the world participated, of which 72 advanced to the global rounds. More specifically, 28 teams participated in the virtual group phase and 42 participated in the in-person group phase. The highest ranked team (determined on the total of each team's four oral scores from the group phase combined with its claimant and respondent memorial scores) was Universitas Indonesia. The winner of the oral rounds was the University of Warsaw.

Fourth Annual Arabic Moot Competition

62. The SCCA (Saudi Center for Commercial Arbitration) Arabic Moot, held in cooperation with UNCITRAL and the Commercial Law Development Program of the United States Department of Commerce (CLDP), brought together 110 participating teams representing 88 universities from 20 countries, from 13–18 May 2023. Legal issues addressed by the teams related to an international sale of goods, where the

United Nations Sales Convention and the UNCITRAL Arbitration Model Law were applicable. The Moot was held online, in Arabic.

Ian Fletcher International Insolvency Law Moot Competition

63. The Insolvency Moot, also known as Fletcher Moot, was held in 2023, culminating in final oral rounds held online from 18 to 26 February. Twenty-seven teams participated. The winner was the team from the University College London. The Moot provides an opportunity to students to learn about UNCITRAL insolvency texts.

C. UNCITRAL Publications³³

64. The following publications were released, primarily in electronic form, in the reporting period:

(a) UNCITRAL Legislative Guide on Insolvency Law for Micro- and Small Enterprises (also published as the UNCITRAL Legislative Guide on Insolvency Law: Part 5: Insolvency Law for Micro- and Small Enterprises);

(b) UNCITRAL Legislative Guide on Limited Liability Enterprises;

(c) United Nations Convention on the International Effects of Judicial Sales of Ships with Explanatory Note; and

(d) UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services.³⁴

D. Contribution to periodicals, reports and other writings relevant to the work of UNCITRAL

65. During the reporting period, the Secretariat has contributed to the following writings relevant to the work of UNCITRAL:

(a) On the work of UNCITRAL, a contribution to the book “Convergence and divergence of private law in Asia” entitled “Uniform law and the production and circulation of legal models”;

(b) On the UNCITRAL Legislative Guide on Insolvency Law for Micro- and Small Enterprises, an article entitled “The UNCITRAL Legislative Guide on Insolvency Law for Micro- and Small Enterprises – a simplified insolvency regime”, for the International Insolvency and Restructuring Report 2022/23;

(c) Contribution to the Asian Principles of Business Restructuring Project on a “Guide on Conducting an Out-of-Court Workout in Asia”, jointly undertaken by the Asian Business Law Institute and the International Insolvency Institute;

(d) Contribution to the Business Reorganisation Assessment of the European Bank for Reconstruction and Development (EBRD), as regards cross-border insolvency and simplified insolvency regime indicators, by expanding the original 2020 version to align its contents with UNCITRAL standards);³⁵

³³ For more context on the publications issued by the Secretariat, including UNCITRAL texts and its *Yearbook*, see *Note by the Secretariat on Technical cooperation and assistance*, A/CN.9/980/Rev.1, paras. 61 and 63.

³⁴ Regarding items (c) and (d), see *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 17 (A/77/17)*, annexes I and II.

³⁵ The EBRD Business Reorganisation Assessment is an assessment of business reorganization tools in all 38 emerging economies where the EBRD is active. Its goal is to help governments and legislators to identify where longer-term legal reforms are needed to encourage the use of insolvency tools for business continuity and turnaround. See, www.ebrd-restructuring.com/.

(e) On the work of Working Group II (Dispute Settlement), an article entitled “Comprehensive international mediation framework with three newly adopted texts by UNCITRAL”, for the Austrian Yearbook on International Arbitration, 2022;

(f) On UNCITRAL texts on electronic commerce, a joint publication with the World Trade Organization and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) entitled “Cross-border paperless trade toolkit”;³⁶

(g) On the work of Working Group IV (Electronic Commerce), a contribution to the joint publication by the World Economic Forum and the World Trade Organization entitled “The promise of TradeTech: Policy approaches to harness trade digitalization”;

(h) On the work of Working Group IV (Electronic Commerce), a contribution to the book, “Major legal trends in the digital economy: the approach of the EU, the US and China” entitled “UNCITRAL’s response to current challenges posed by the new technologies and the pandemic”;

(i) On the work of Working Group V (Insolvency Law), an article entitled “The current work by UNCITRAL in the area of insolvency law”, for the International Insolvency and Restructuring Report 2022/23; and

(j) On the UNCITRAL Commission session, an article entitled “News from the United Nations Commission on International Trade Law (UNCITRAL): the work of the fifty-fifth Commission session”, for the Uniform Law Review, Issue 1, 2023.

E. Information lectures in Vienna

66. Upon request, the secretariat provides in-house lectures on the work of UNCITRAL to visiting university students and academics, members of the bar and Government officials, including judges. As a result of the COVID-19 restrictions, no such lectures were offered during the past two reporting cycles. During this reporting cycle the secretariat offered five lectures to a total of 110 students. Online courses are also now available to those who are interested in learning more about the work of the Commission but are unable to visit the Vienna International Centre.³⁷

V. UNCITRAL Law Library³⁸

67. In the reporting period, Library staff responded to approximately 445 reference requests originating from 52 countries. Since the COVID-19 pandemic measures have been lifted, the number of visitors to the UNCITRAL Law Library has continued to increase. The Library received 83 visitors other than meeting participants, staff and interns, including researchers from 19 countries.

68. The Library continues to maintain its online public access catalogue (OPAC) jointly with the other United Nations libraries in Vienna.

69. The “Bibliography of recent writings related to the work of UNCITRAL” is available to the Commission (A/CN.9/1135), and monthly updates from the date of the latest annual bibliography and a consolidated bibliography remain available on the UNCITRAL website. As at the date of submission of this Note, the consolidated Bibliography contains 12,109 entries, reproduced in English and in the original language versions.

³⁶ This publication is reported in more detail in *Note by the Secretariat on Coordination activities*, A/CN.9/1143, para. 22.

³⁷ <https://uncitral.un.org/en/onlinecourses>, and Section II.D above (E-learning programme).

³⁸ A general description of the Library and its functions is found in Note by the Secretariat on Technical cooperation and assistance, A/CN.9/980/Rev.1, paras. 55–60.

70. In 2022, donations of books were received from the following publishers: Beck, Bruylant/Larcier, Edward Elgar, LexisNexis UK, Oxford University Press, Routledge, Thomson Reuters, West Academic, and Wolters Kluwer.

VI. Activities to look forward to

71. The following are activities to look forward to which involve the UNCITRAL secretariat in Vienna and Incheon, for the reporting period commencing 1 April 2023:

- (a) Ceremony for the opening for signature of the United Nations Convention on the International Effects of Judicial Sales of Ships, Beijing (date to be announced);
- (b) UNCITRAL-International Insolvency Institute Conference dedicated to the 5th Anniversary of the Model Law on Recognition and Enforcement of Insolvency-Related Judgments (MLIJ), New York (21 April 2023);
- (c) International Workshop on Strengthening National Capacities for Enhancing the Resilience of Micro-, Small, and Medium-Sized Enterprises (MSMEs) and Building Forward Better to Accelerate the Implementation of the 2030 Agenda in Developing Countries Participating in the Belt and Road Initiative, Addis Ababa (10–12 May 2023);
- (d) International Conference on Digital Economy, co-organized by UNCITRAL, the Chinese Ministry of Commerce (MOFCOM) and Wuhan University, Wuhan (11–12 May 2023);
- (e) Vienna Arbitration Days (12–13 May 2023);
- (f) Tashkent Law Spring (17–18 May 2023);
- (g) MERCOSUR Mediation and Arbitration Week: Webinar for MERCOSUR legal practitioners hosted by the Secretariat of the MERCOSUR Permanent Tribunal, Asunción (23 May 2023);
- (h) Public Procurement event for Uzbekistan, London (13–14 June 2023);
- (i) OHADA Conference on Insolvency, Bordeaux, France (22–23 June 2023);
- (j) The UNCITRAL Academy during the Singapore Convention Week (28 August–1 September 2023);
- (k) Third Incheon Law & Business Forum, Incheon, Republic of Korea (September 2023);
- (l) Digital Trade Law Event at the Singapore Management University (September 2023);
- (m) INSOL International – UNCITRAL – World Bank Group Insolvency Judicial Roundtable, Tokyo (September 2023);
- (n) Second UNCITRAL South Asia Seminar, Delhi, India (14–16 September 2023);
- (o) UNCITRAL Days in the Asia Pacific region, UNCITRAL Days in the Latin American and Caribbean region, UNCITRAL Days in Africa, and Arab UNCITRAL Days (third quarter 2023);
- (p) Conference on “EU International Insolvency Law and Third Countries: Which Way(s) Forward?”, Kiel, Germany (26–28 October 2023);
- (q) Twelfth Asia-Pacific ADR Conference, Seoul (1 November 2023);
- (r) UNCITRAL-World Bank Joint Judicial Training (1–2 November 2023);
- (s) UNCITRAL ADR Special Session, Seoul (2 November 2023);

(t) Fifth UNCITRAL Asia Pacific Judicial Summit, Hong Kong, China (6–7 November 2023); UNCTAD e-commerce Week, “Shaping the future of the digital economy”, Geneva (4–8 December 2023);

(u) International Bar Association (IBA), International Conference on Asset Tracing and Recovery, Vienna (7–9 December 2023);

(v) Tokyo Forum on Dispute Resolution, co-organized by UNCITRAL, the International Centre for Settlement of Investment Disputes and the Ministry of Justice of Japan (December 2023).

VII. Resources and funding

A. Background

72. All activities to raise awareness of, and to support the adoption, use and uniform interpretation of UNCITRAL texts, are resource intensive. Meeting the demand for them, including the increasing demands for technical assistance and capacity-building activities, exceeds the financial and human resources available through the organization’s regular budget.

73. Some activities, such as those undertaken by the Secretariat to operate the Transparency Registry (Section B below), are conducted solely on the basis of voluntary contributions, as directed by the General Assembly.

74. The efforts of the Secretariat to enhance the online presence of UNCITRAL, as described in this Note, have also generated additional costs, while the need to upgrade existing delivery tools becomes more pressing, as evidenced in the consideration of technical upgrades to rejuvenate the CLOUT database.³⁹

75. While seeking to maximize efficiency in the delivery of its awareness-raising, technical assistance and capacity-building activities, the Secretariat is accordingly continuously engaged in raising extrabudgetary funds and securing additional financial and in-kind resources to provide for the delivery of support activities.⁴⁰ Despite these efforts, the balance of the UNCITRAL Trust Fund remains insufficient to meet the anticipated demand for all activities; even more so, now that COVID-19 travel restrictions have eased and in-person events and invitations have resumed.

76. The Commission may therefore wish to renew its regular appeals for extrabudgetary funding,⁴¹ in particular for multi-year and specific-purpose contributions that would enable effective strategic planning and enhance the ability of the UNCITRAL secretariat to meet the increasing demands for technical assistance and capacity-building on the use of UNCITRAL texts, particularly requests from developing countries and countries whose economy is in transition.

B. Operation of the Transparency Registry

77. As noted in [A/CN.9/1136](#), Section IV, paras. 18–27, the operation of the repository of published information in accordance with article 8 of the Rules on Transparency in Treaty-based Investor-State Arbitration has been entrusted by the General Assembly to the Secretary-General, through the secretariat of the Commission, on the basis of the availability of voluntary contributions. The current

³⁹ Regarding the rejuvenation of the CLOUT system, see Section III.A. above.

⁴⁰ For a discussion of the need for such funding, and approaches to secure it, see Technical cooperation and assistance, [A/CN.9/980/Rev.1](#), paras. 74–87. Examples of contributions in kind are the provision of travel and sustenance by hosting institutions, Member States and others, allowing in-person participation of the Secretariat in specific events and the provision of Junior Professional Officers (JPO) by Member States to support Secretariat staff, while expanding the JPOs’ knowledge of international trade law.

⁴¹ See, for example, [A/74/17](#), *supra*, para. 260.

mandate of the Secretariat for the operation of the Transparency Registry runs until the end of the year 2023.

78. The voluntary contributions that have been provided since the creation of the Transparency Registry, by the European Commission, the OPEC Fund for International development (OFID) and the German Federal Ministry for Economic Cooperation and Development (BMZ) respectively, will have run their course by the end of February 2024.⁴² The Secretariat is actively seeking new contributions to continue the project beyond that period. A special call from the Commission may go a long way towards facilitating those efforts.

C. Trust Fund for UNCITRAL Symposia

79. The Trust Fund for UNCITRAL Symposia finances the participation of UNCITRAL staff members or other experts at seminars and other events that consider commercial law reform needs and the adoption and use of UNCITRAL texts. Its objective is to support members of the legal community in developing countries, including through fact-finding missions for law reform assessments in the commercial field.

80. The total expenditures under the Trust Fund for UNCITRAL Symposia in 2022 were US\$ 498,313, comprising US\$ 25,660 for staff travel under the project referenced at paragraph 81(a) below, and US\$ 7,288 for other staff travel in connection with non-legislative activities.

81. During this reporting period, the following additional funds were received, and earmarked for the following activities:

(a) US\$ 377,537 from the Government of Japan under a Memorandum of Understanding dated 22 December 2021, in support of stocktaking of developments in dispute resolution in the digital economy (DRDE Stocktaking project);

(b) US\$ 172,000 from the Government of China, for the implementation of activities under the Memorandum of Understanding identified in [A/CN.9/1138](#), Section I.A.1., paras. 8–12;

(c) US\$ 100,000 from the Government of Saudi Arabia, for the implementation of activities under the Memorandum of Understanding identified in [A/CN.9/1138](#), Section I.A.1., paras. 16–17; and

(d) US\$ 49,795 under a Grant agreement with the Government of France signed in November 2021, to support research on investor-State dispute settlement (ISDS) reform, as well as interpretation and travel for events in this area.

D. Trust Fund to grant travel assistance to developing countries that are members of UNCITRAL⁴³

82. A general Trust Fund to grant travel assistance to developing countries that are members of UNCITRAL is open to voluntary financial contributions from States, intergovernmental organizations, regional economic integration organizations, national institutions and non-governmental organizations, as well as to natural and juridical persons.

83. During this reporting period, a sole contribution of US\$ 2,051 was received for this Trust Fund, from the Government of Austria. An amount of US\$ 1,354 was used

⁴² The contribution of OFID to the Transparency Registry commenced in 2016 and ended in 2021. The German BMZ has contributed since 2021. The European Union (the main donor currently for this project) has provided continued support since 2016, however those funds are expected to be depleted by the end of February 2024.

⁴³ For a fuller description and history of the Trust Fund, see [A/CN.9/1033](#), paras. 43–44.

to facilitate the participation of one delegate from Armenia in the fifty-fifth session of UNCITRAL in New York.

84. Financial support earmarked specifically for the participation of delegates of developing countries at UNCITRAL Working Group III on ISDS Reform was received from the European Union and the Swiss Agency for Development and Cooperation (SDC) prior to this reporting period. The European Union contribution covers the period 2020–2024. The SDC contribution covers the period from June 2021 through December 2023.

85. Funds remaining from the European Union and the SDC contributions which could not be used in the previous reporting period due to the COVID-19 pandemic have been used in this reporting period to finance the participation of delegates from Algeria, Argentina, Armenia, Benin, Burkina Faso, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Ecuador, Gabon, Haiti, Iran (Islamic Republic of), Jamaica, Lesotho, Mauritius, Pakistan, Panama, Sierra Leone, Tunisia, Uganda, Zimbabwe in Working Group III sessions.⁴⁴ The total amount spent during the reporting period was US\$ 63,900.

VIII. UNCITRAL Internship programme

86. The internship programme is designed to give law students the opportunity to become familiar with the work of UNCITRAL and to increase their knowledge of specific areas in the field of international trade law. Internships are unpaid; interns are expected to cover their travel, accommodation and other expenses. Interns are assigned a variety of tasks such as legal research, collection and systematization of information and materials in particular for status pages of UNCITRAL texts on the UNCITRAL website, assistance to the secretariat with preparing comparative studies and background papers, abstracts for CLOUT and materials for technical cooperation and assistance activities.

87. Interns are selected by the UNCITRAL secretariat from among candidates who applied to a job opening posted at the United Nations career portal (careers.un.org). This attracts numerous eligible and qualified candidates, including from underrepresented countries, regions and language groups.

88. The secretariat, in selecting interns, keeps in mind the needs of UNCITRAL and its secretariat at any given period of time, in particular the need to maintain the UNCITRAL website in the six official languages of the United Nations. The Secretariat aims to balance gender and geographical representation, paying particular attention to the needs of developing countries.

89. The experience of the UNCITRAL secretariat with the internship programme has been very positive, and interns have highlighted the usefulness of their experience in feedback provided.

90. During the reporting cycle, 31 interns (16 female and 15 male) from 21 jurisdictions undertook an internship with the UNCITRAL secretariat in Vienna (13 in person and 18 remotely). As noted in [A/CN.9/1137](#), a total of 21 interns from 12 jurisdictions (15 female and 6 male) took up internships in the Regional Centre during the same period (7 in person and 14 remotely).⁴⁵

91. While the internship programme's demographic pattern still shows a slight underrepresentation of candidates from African and Latin American States, and of candidates with fluent Arabic language skills, remote internships improved the geographical diversity and allowed interns from traditionally underrepresented regions to join the internship programme.

⁴⁴ The UNCITRAL secretariat provides partial funding, either in the form of per diem or an air ticket.

⁴⁵ See, Note by the Secretariat on UNCITRAL Regional Presence, [A/CN.9/1137](#), para. 14.

92. The Commission may wish to repeat its earlier calls for States and observer organizations to raise awareness of UNCITRAL's internship programme, and for States and observer organizations to consider granting scholarships to support those most qualified for an internship at UNCITRAL, particularly from underrepresented regions.⁴⁶

⁴⁶ As the Commission did in its Report to the General Assembly last year ([A/77/17](#), Section XV, Subsection E 2, para. 278).