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## Non-legislative activities

### Technical cooperation and assistance

### Note by the Secretariat

### Addendum

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## **I. Introduction**

1. This note addresses the main technical cooperation and assistance activities of the secretariat for the reporting period from 1 April to 31 December 2023. Most of the secretariat activities were held online or in a hybrid format, allowing participation of secretariat staff in more events, and expanding the reach of the events. While technical cooperation and assistance activities carried out by the UNCITRAL Regional Centre for Asia and the Pacific (RCAP) are reported separately ([A/CN.9/1174/Add.2](#)), those activities carried out by RCAP to which the UNCITRAL secretariat based in Vienna made substantive contributions are listed also in this note.

## **II. Key technical cooperation and assistance activities undertaken by the secretariat in the reporting period**

2. The secretariat's technical cooperation and assistance activities are grouped into three areas:

(a) Raising awareness and promoting effective understanding, adoption and use of UNCITRAL texts;

(b) Providing advice and assistance to States on adoption and use of those texts (such as through a review of draft legislation); and

(c) Building capacity to support the effective use, implementation and uniform interpretation of those texts (such as through training activities for judges and legal practitioners).

### **A. Partnerships and regional and other initiatives**

3. The secretariat has continued to deliver technical cooperation and assistance in collaboration with partners under both formal and other forms of partnerships, as follows.

#### **1. Formal partnerships with States and Governments<sup>1</sup>**

##### **Singapore**

4. Under a memorandum of understanding with the Government of Singapore dated 7 August 2019, the 2023 edition of the UNCITRAL Academy was held over three days during, and as an integral part of the Singapore Convention Week 2023, which is a series of legal and dispute-resolution events held in Singapore, from 28 to 31 August 2023.

5. The UNCITRAL Academy comprised a conference and three capacity-building workshops that were jointly organized by the UNCITRAL secretariat, the International Centre for Settlement of Investment Disputes (ICSID), the Singapore International Dispute Resolution Academy, the Singapore International Mediation Centre and the Singapore Ministry of Law.

6. In total, the 2023 edition of the Singapore Convention Week brought together participants from more than 100 countries, representing the legal, business and government sectors.<sup>2</sup>

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<sup>1</sup> The partnerships are presented in the chronological order of their conclusion. For the memorandum of understanding with the Republic of Korea, see [A/CN.9/1174/Add.2](#).

<sup>2</sup> See report of the UNCITRAL Academy 2023, an informal document available at the UNCITRAL website.

## China

7. Under a memorandum of understanding dated 17 August 2019 with the Ministry of Commerce of China (MOFCOM), three activities have been co-organized by UNCITRAL and MOFCOM in collaboration with Chinese domestic institutions, to raise awareness of UNCITRAL texts in prioritized areas:

(a) The 2023 International Colloquium on UNCITRAL Public-Private Partnerships (PPP) Legislation and Chinese Practice: Sustainable PPP, co-organized with the Tianjin University (Tianjin, China, 14 April 2023);

(b) The conference “Digital Trade, Data Flow and Dispute Resolution in the Digital Economy”, co-organized with the Wuhan University School of Law (Wuhan, China, 11–12 May 2023);

(c) The ceremony for the opening for signature of the Beijing Convention on the Judicial Sale of Ships and the related international symposium (Beijing, 5 September 2023).

8. In the framework of this partnership and further to the work accomplished on the first series of UNCITRAL e-learning programme modules,<sup>3</sup> a second series of modules was made available (see [A/CN.9/1174/Add.5](#), section II.D).<sup>4</sup>

## Hong Kong, China

9. Under a memorandum of understanding dated 4 November 2019 with the Department of Justice of the Government of Hong Kong, China, the secretariat took part in the Hong Kong Legal Week 2023 by co-organizing the UNCITRAL Asia-Pacific Judicial Summit 2023 (fifth edition) (Hong Kong, China, 6–7 November 2023).<sup>5</sup> The secretariat also contributed to the 2023 Video Project on International Law commissioned by the Department of Justice of the Government of Hong Kong, China, and the Asian Academy of International Law.

10. In the context of this partnership, the secretariat continues to seek collaboration with the Inclusive Global Legal Innovation Platform on Online Dispute Resolution (iGLIP on ODR) as part of its work on dispute resolution in the digital economy.

## Saudi Arabia

11. Under a memorandum of cooperation with the Ministry of Commerce and the National Competitiveness Center (NCC) of Saudi Arabia dated 19 May 2020, the secretariat provided support to commercial law reform in Saudi Arabia, namely, consideration of the accession to the United Nations Convention on Contracts for the International Sale of Goods (CISG).<sup>6</sup>

12. Moreover, under this partnership the following events were co-organized:

(a) Workshop on best international practices for improving legislative drafting quality (Riyadh, 25–26 October 2023);

(b) Training on UNCITRAL texts on alternative dispute resolution (Vienna, 13–16 November 2023);

(c) High-level legal retreat on international trade law issues (Vienna, 18–19 December 2023).

13. Under the same partnership, the following events also took place:

(a) Trade in Commercial Mediation (New York, 7 February 2023);

<sup>3</sup> See [A/CN.9/1058](#), paras. 10–12 and [A/CN.9/1099](#), para. 7.

<sup>4</sup> All modules are accessible through the UNCITRAL website and the ITC-ILO e-Campus distance learning platform.

<sup>5</sup> For further information about the Summit, see [A/CN.9/1174/Add.2](#), para. 14.

<sup>6</sup> Saudi Arabia acceded to the CISG on 3 August 2023.

- (b) Saudi Arabia's Competitiveness Roundtable (New York, 8 February 2023);
- (c) Legislative and Judicial Reforms in Saudi Arabia Bankruptcy Law as a Model (Vienna, 12 December 2023).

### **Viet Nam**

14. On 24 July 2023, a memorandum of understanding on coordination of technical assistance and awareness-raising activities in the field of international trade law was concluded with the Ministry of Justice of Viet Nam.

## **2. Other partnerships and joint initiatives, including activities involving regional organizations**

15. In addition to its formal partnerships with governments, the secretariat has continued to conduct joint activities and initiatives with the following organizations:<sup>7</sup>

(a) With the Asian Development Bank (ADB) and the International Chamber of Commerce (ICC) Digital Standards Initiative (ICC DSI), promoting adoption of the UNCITRAL Model Law on Electronic Transferable Records (MLETR);

(b) With the International Training Centre of the International Labour Organization (ITC-ILO), producing the UNCITRAL e-learning modules (see [A/CN.9/1174/Add.5](#), section II.D) and planning and delivering the Master of Laws in International Trade Law and the Master's in Public Procurement Management for Sustainable Development (see also below);

(c) With the Organisation for Economic Co-operation and Development (OECD), the eighth Annual OECD Investment Treaty Conference (Paris, 10–14 April 2023);

(d) With the Organization for the Harmonization of Business Law in Africa (OHADA), raising awareness of the work of UNCITRAL, promoting effective understanding, adoption and use of UNCITRAL texts in OHADA member States and promoting coordination of harmonization efforts on electronic transactions at the regional level. Among key events in this partnership, the secretariat participated in an international conference on the reform of the OHADA Uniform Act on Insolvency (Bordeaux, France, 22–23 June 2023) and invited representatives of the Permanent Secretariat of OHADA to two events at the University of Dschang (Cameroon) in November 2023 held in the framework of the UNCITRAL Africa Days to discuss OHADA's capacity-building work on dispute prevention and mitigation mechanisms and relevant UNCITRAL instruments;

(e) With the World Bank Group, on various projects, including workshops on the new "B-Ready" project of the World Bank, which aims to measure the business and investment climates in 180 economies annually.

## **B. Technical cooperation and assistance activities by subject**

### **1. Dispute settlement (arbitration and mediation)**

*Relevance to Sustainable Development Goals 8, 9, 16 and 17*

16. The secretariat jointly organized, participated in online or remotely, or otherwise contributed to the following events to promote the adoption and use of UNCITRAL texts in the field of dispute settlement:

- (a) Vietnam ADR Week 2023 (Hanoi and Ho Chi Minh City, 8 May 2023);

<sup>7</sup> The list is illustrative and does not identify all institutions with which the secretariat has conducted activities in this reporting period, some as a result of a long-standing relationship. Additional partnerships are reported under specific subjects.

- (b) Jus Mundi Academic Network Public Seminar: Code of Conduct of Arbitrators in International Investment Dispute Resolution (Washington, D.C., 11 May 2023);
- (c) Contentieux international des affaires approfondi (Créteil, France, 16 May 2023);
- (d) First World Summit of Business Mediation (Valladolid, Spain, 25 May 2023);
- (e) UNCITRAL National Coordination Committee of Australia (UNCCA) Annual May Seminar (Canberra, 26 May 2023);
- (f) “Celebrating the New York Convention at 1958 meters above the sea!” (Racha, Georgia, 9–11 June 2023);
- (g) ArbTech discussion forum on “Evolving Norms in the New Age: UNCITRAL’s Work on Dispute Resolution” (online, 13 June 2023);
- (h) Symposium of the Singapore International Arbitration Centre (SIAC) on International Arbitration (Singapore, 28 August 2023);
- (i) Increasing Business Confidence in a Globalized Economy through a State-of-the-Art International Commercial Arbitration Disputes Regime (Yerevan, 4 September 2023);
- (j) Singapore Management University’s International Mediation Law and Practice Class (Singapore, 13 September 2023);
- (k) Congress of the International Association of Lawyers (UIA) “The Singapore Convention, a Swallow Song Announcing the International Spring of Mediation?” (Tunis, 22–23 September 2023);
- (l) Istanbul Arbitration Week (Istanbul, Türkiye, 2–6 October 2023);
- (m) Inaugural San Marino Arbitration Day 2023 at the First San Marino International Arbitration Conference (San Marino, 17 October 2023);
- (n) Eighth World Investment Forum 2023 of the United Nations Conference on Trade and Development (UNCTAD) (Abu Dhabi, 18 October 2023);
- (o) UNCCA’s United Nations Day Lecture on the Singapore Convention and its continuing relevance in international trade disputes (Canberra, 23 October 2023);
- (p) ICC Panama, Commission on Arbitration’s event on “The ISDS reform and developments in international arbitration at UNCITRAL” (Panama City, 24 October 2023);
- (q) International Bar Association (IBA) Annual Conference 2023 (Paris, 31 October 2023);
- (r) Asia Pacific ADR Conference (twelfth edition) themed “New World, No Map” (Seoul, 1 November 2023);<sup>8</sup>
- (s) II Course on Post-Graduate Studies on National and Commercial Arbitration and Mediation “The Singapore Convention on Mediation and the role of UNCITRAL in the evolution of international commercial arbitration and mediation”, University of Chile – Chamber of Commerce of Santiago (Santiago de Chile, 23 November 2023);
- (t) The Future of Investment Arbitration in the Caribbean and the Path Toward Improving the Existing Framework (Bridgetown, 29 November 2023).

<sup>8</sup> For further information about this event and the UNCITRAL ADR Special Session held jointly with the Ministry of Justice of the Republic of Korea, see A/CN.9/1174/Add.2, paras. 12 and 13.

17. The secretariat also contributed to the following activities organized by Chinese domestic institutions with a focus on dispute settlement:

- (a) The FDI Moot Shenzhen 2023 (Shenzhen, China, 1 August 2023);
- (b) The 2023 China Arbitration Summit co-organized by the China International Economic and Trade Arbitration Commission (CIETAC) and All China Lawyers Association (Beijing, 6 September 2023);
- (c) The 2023 Belt and Road High-level Dialogue on International Commercial Arbitration (Xi'an, China, 7 December 2023).

18. The secretariat provided advice towards, and assisted in, the enactment of UNCITRAL texts on arbitration or mediation as follows:

- (a) Preparation of the Arbitration Law of Israel;
- (b) Review of the Arbitration Law of Malaysia with a view to its updating;
- (c) Review of the draft arbitration law of Rwanda;
- (d) Review of the draft annex on conciliation and commentaries for the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement.

## 2. Electronic commerce

*Relevance to Sustainable Development Goals 1, 5, 8, 9 and 16*

19. The secretariat continued providing support towards the adoption, implementation and uniform interpretation of UNCITRAL e-commerce texts, with focus on promoting the adoption and use of the MLETR in response to demands from stakeholders. Activities include participation in the following events:

- (a) Workshop on “MLETR Capacity Building in Georgia”, co-organized with ADB, the Central Asia Regional Economic Cooperation Program (CAREC), the Georgian Revenue Service and ICC DSI (Tbilisi, 19–21 April 2023);
- (b) European Bank for Reconstruction and Development (EBRD) workshop on “Digitalising Trade Documents: Legal and Market Considerations” (London, 25 April 2023);
- (c) Lecture at the ITC-ILO Master of Laws in International Trade Law 2022–2023 edition (Turin, Italy, 28 April 2023);
- (d) Workshop on practical and legal aspects of electronic bills of lading in light of the increasing adoption of MLETR and of the UK Electronic Trade Documents Bill organized by the University of Southampton School of Law (Southampton, United Kingdom of Great Britain and Northern Ireland, 18 May 2023);
- (e) Second Eurasian Economic Forum (Saint Petersburg, Russian Federation, 24 May 2023);
- (f) International banking seminar “The Future of Trade Finance is Digital” (Milan, Italy, 6–7 June 2023);
- (g) Seventeenth ICC Austria Global Conference on Letters of Credit (Vienna, 15 June 2023);
- (h) American Bar Association (ABA) Webinar on Electronic Bills of Lading (Washington, D.C., 21 June 2023);
- (i) Second International Conference on the Global Governance of Digital Economy (Beijing, 7 July 2023);
- (j) Conference on “United Nations Electronic Communications Convention: Impact on Contracts in the Philippines” co-organized by UP Law Center Technology, Law and Policy Program, the Department of Trade and Industry of the Philippines,

and the Harvard Law School Alumni Association of the Philippines (Manila, 28 July 2023);

(k) Capacity-building workshop on MLETR, co-organized with the ADB, CAREC and the ICC DSI (Beijing, 28 August 2023);

(l) Workshop on “The State of Blockchain and Web3 Regulation”, organized by the Observatory Blockchain & Web3 of the Polytechnic of Milan (Milan, Italy, 11 October 2023);

(m) Workshop on “MLETR implementation to set the basis for the digital transformation of the trade finance documents and process” organized by ICC Qatar (Doha, 5 December 2023);

(n) ICC Italy webinar on “The challenge of international trade digitalization: MLETR and its enactment in Italy” (Rome, 5 December 2023).

20. The secretariat also promoted awareness of the recently adopted UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services (MLIT) by participating in the following events:

(a) Beijing Normal University Law School Special Lecture (Beijing, 17 April 2023);

(b) International Data Exchange and Development Theme Forum held during the Global Data Ecosystem Conference 2023 (Shanghai, China, 26 November 2023).

21. Activities aimed at supporting the adoption and implementation of UNCITRAL texts included the following:

(a) Cooperation with UNCTAD, including in the framework of the “eTrade for all” initiative, and participation in several panels of the UNCTAD eWeek 2023 (Geneva, 4–8 December 2023);

(b) Cooperation with the Pacific Islands Forum Secretariat;

(c) Webinar on “Understanding Electronic vs. Digital Signature” organized by the Department of Trade and Industry of the Philippines (Manila, 2 May 2023);

(d) Public consultation on the Electronic Transactions Bill (Funafuti, 5 July 2023);

(e) Public hearing on the preparation to the accession to the United Nations Convention on the Use of Electronic Communications in International contracts (New York, 2005) (the Electronic Communications Convention) (Bangkok, 18 August 2023);

(f) Training on UNCITRAL texts on electronic commerce, coordinated by the Ministry of Foreign Affairs of Panama, with the participation of members of the judiciary and ministries (Panama City, 6 October 2023);

(g) Consultation on the adoption of the Electronic Communications Convention (San Salvador, 26 October 2023).

22. In cooperation with the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the secretariat delivered the following activities relating to paperless trade facilitation:

(a) Second session of the Standing Committee and of the Paperless Trade Council of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (Bangkok, 19–23 June 2023);

(b) National Workshop on Cross-Border Paperless Trade Facilitation and Emerging Technologies in Timor-Leste, co-organized with the Ministry of Tourism, Commerce and Industry (Dili, 3 May 2023).

### 3. Insolvency

#### *Relevance to Sustainable Development Goals 8, 10 and 17*

23. During the reporting period, the secretariat continued to expand the awareness and understanding of UNCITRAL insolvency texts across various regions, including by: (a) promoting interregional and cross-legal tradition dialogue on domestic and cross-border insolvency law matters; (b) building capacity of the judiciary, in particular in developing countries, to apply UNCITRAL insolvency texts; and (c) expanding the knowledge of UNCITRAL insolvency texts among insolvency practitioners.

24. To maximize impact, the secretariat relies on its partners, such as multilateral development banks and other donors, for them to use UNCITRAL texts as a benchmark for insolvency law reform in their technical assistance, capacity-building, country assessment and law reform programmes, with the involvement of the UNCITRAL secretariat's expertise, where necessary. In addition, the secretariat relies on the use of digital tools to expand the knowledge of UNCITRAL insolvency texts among all concerned and interested.

25. Together with the INSOL International and the World Bank Group,<sup>9</sup> the secretariat organized the Tokyo Judicial Roundtable in conjunction with the INSOL Annual Conference that took place from 11 to 13 September 2023.<sup>10</sup> The participants discussed issues arising from the UNCITRAL insolvency model laws; the use of alternative dispute resolution mechanisms in insolvency; pre-commencement debt restructuring negotiations; and digital aspects in insolvency. Judicial round tables supplement multinational insolvency judicial colloquiums held since 1994 biennially by UNCITRAL with INSOL International, later joined by the World Bank Group. Those colloquiums have not been held since 2019 due to COVID-19 measures, and the next colloquium is expected to be held in San Diego, United States of America, in May 2024.<sup>11</sup> During that break, a need arose to organize more targeted judicial round tables fostering a more regional and specialized dialogue among highly experienced judges in insolvency matters.

26. Since 2021,<sup>12</sup> the UNCITRAL secretariat has officially supported an academic project titled "EU International Insolvency Law and Third Countries: Which Way(s) Forward?", which is planned to run through 2024 and culminate in a book and recommendations to the European Union and possibly also to UNCITRAL. The purpose of the project is to collect inputs from judges, practitioners, academics and other interested stakeholders that would inform future work in the area of insolvency law at the regional and international levels. The focus of the project is on an appropriate cross-border insolvency framework that the European Union and its member States could use in their cross-border insolvency relations with third countries and on the relevance of the UNCITRAL cross-border insolvency framework in that context.<sup>13</sup> In the reporting period, the UNCITRAL secretariat participated at the project's stocktaking conference that allowed it to bring UNCITRAL perspectives into the discussion (Kiel, Germany, 26–28 October 2023).

27. In response to the requests made by UNCITRAL to its secretariat to intensify its capacity-building activities in support of the judiciary<sup>14</sup> and as reported to the Commission at its fifty-fifth session, in 2022,<sup>15</sup> the secretariat launched with the World Bank Group in 2021 the Judicial Capacity-Building Initiative on International Best Practices in the Area of Insolvency Law. Judicial capacity-building sessions under the Initiative are held biennially. They offer a platform for judges, in particular

<sup>9</sup> See A/CN.9/1138, para. 29 (d), for information on an earlier round table in London in June 2022.

<sup>10</sup> For further information see <https://events.insol.org/website/9388/home/>.

<sup>11</sup> See A/CN.9/1174/Add.8.

<sup>12</sup> See A/CN.9/1099, para. 46 (c); A/CN.9/1138, para. 29 (b); and A/CN.9/WG.V/WP.184.

<sup>13</sup> For further information, see [www.eastlaw.uni-kiel.de/de/Insolvency\\_project](http://www.eastlaw.uni-kiel.de/de/Insolvency_project).

<sup>14</sup> See A/74/17, para. 251; and A/76/17, para. 306.

<sup>15</sup> See A/CN.9/1099, para. 44.



from developing countries, to exchange views and experiences and to be informed about the UNCITRAL Legislative Guide on Insolvency Law and the World Bank Principles for Effective Insolvency and Creditor/Debtor Regimes. The second session, hosted by the World Bank Group with the inputs by the UNCITRAL secretariat, took place on 1 and 2 November 2023 online. It focused on the commencement standards and attracted over 150 participating judges.<sup>16</sup> The third session is expected to take place in 2025.

28. The Commission may wish to recall that, at its fifty-fifth session, it noted with interest<sup>17</sup> the institutional and substantive support provided by the secretariat to the multilingual Latin Euromerican G8 Insolvency and Restructuring Program.<sup>18</sup> In continuation of this multilingual effort on exchanges of experiences and best practices on insolvency law matters based on UNCITRAL insolvency texts and relevant case law collected in the system on Case Law on UNCITRAL texts (CLOUT), the secretariat provided institutional and substantive support to the G9 Insolvency and Restructuring Program – Lusophone Community, to which the following countries participated: Angola, Brazil, Cabo Verde, Equatorial Guinea, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe and Timor-Leste. The programme focused on part five of the UNCITRAL Legislative Guide on Insolvency Law, the three UNCITRAL insolvency model laws and the UNCITRAL Guide on Access to Credit for Micro-, Small and Medium-sized Enterprises. The programme represented a unique opportunity to disseminate information about UNCITRAL insolvency and related texts across the Portuguese-speaking insolvency community. A similar programme is planned for French-speaking and Spanish-speaking jurisdictions in the coming years, resources permitting.

29. The projects and activities listed in the preceding paragraphs as well as increased requests received by the UNCITRAL secretariat for technical assistance and capacity-building in the area of insolvency law, while proving the value of CLOUT, have also demonstrated the need for the development of a solid multilingual curriculum for judicial and other capacity-building activities on cross-border insolvency matters based on UNCITRAL insolvency model laws. This would necessitate updating the 2009 UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation, which together with the 2021 Digest of Case Law on the UNCITRAL Model Law on Cross-Border Insolvency and the 2022 version of the publication “The UNCITRAL Model Law on Cross-Border Insolvency: The Judicial Perspective”, serve as an essential reference tool in any such activity.

30. The secretariat also participated in the following events:

(a) Online, at the Conference on Insolvency and Restructuring Law and Practice of the Business Recovery & Insolvency Practitioners Association of Nigeria (BRIPAN) (Lagos, Nigeria, 28–29 September 2023);

(b) In person, at the IBA Inaugural Asset Recovery Conference (Vienna, 6–8 December 2023).

31. In addition, insolvency texts were featured at the 2023 UNCITRAL South Asia Conference (New Delhi, India)<sup>19</sup> and several UNCITRAL Days and other events (see e.g. paras. 33, 41, 49 and 52 below).

32. The secretariat regularly reviews, upon request or at its own initiative, draft laws related to UNCITRAL insolvency texts. On request, it provides assistance with aligning those drafts with the UNCITRAL insolvency framework.

<sup>16</sup> See <https://uncitral.un.org/en/content/uncitral-world-bank-group-judicial-capacity-building-initiative-international-best-practices>.

<sup>17</sup> A/77/17, para. 261.

<sup>18</sup> A/CN.9/1099, para. 43.

<sup>19</sup> See A/CN.9/1174/Add.2, para. 11.

#### **4. Micro-, small and medium-sized enterprises (MSMEs)**

*Relevance to Sustainable Development Goals 1, 2, 5, 8 and 9*

33. In the reporting period, the secretariat has continued to raise awareness and to promote understanding of key UNCITRAL texts on MSMEs. Three presentations of the secretariat in events of the UNCITRAL Africa Days referred to UNCITRAL instruments related to MSMEs. In particular, the secretariat focused on the insolvency of micro and small enterprises and access to credit for micro, small and medium-sized enterprises.

34. Moreover, the secretariat presented the UNCITRAL texts on MSMEs at the following events:

- (a) BIBAN 2023 Conference (Riyadh, 9 March 2023);
- (b) Training on the UNCITRAL texts on MSMEs coordinated by the Ministry of Foreign Affairs of Panama with the participation of members of the judiciary and ministries (Panama City, 6 October 2023);
- (c) Global Initiative on Unique Identifiers for Businesses (New York, 11 October 2023 and 7 November 2023).

#### **5. Public procurement and public-private partnerships (PPPs)**

*Relevance to Sustainable Development Goals 1, 4, 6–12, 15, 16 and 17*

35. The secretariat has raised awareness and promoted effective understanding, adoption and use of the UNCITRAL Model Law on Public Procurement (MLPP) and of the Legislative Guide and Model Legislative Provisions on PPPs through the following activities, maintaining close cooperation with relevant stakeholders in this area:

- (a) Under a memorandum of understanding with EBRD, presenting at a workshop for the Public Procurement Department of Uzbekistan on Public Procurement Review and Remedies: Opportunities and Challenges of Digitalisation (London, 12–13 June 2023);
- (b) Lecturing at the ITC-ILO Master's in Public Procurement Management for Sustainable Development (Turin, Italy, 27 April and 20 December 2023);
- (c) Online training on the MLPP for Egyptian public procurement officers (Cairo, 5 September 2023);
- (d) Providing comments on the current Tunisian legal framework for PPPs (Tunis, September 2023, ongoing);
- (e) Presenting the MLPP at the WTO-Joint Vienna Institute Regional Workshop on the 2012 Government Procurement Agreement for the Central and Eastern Europe, Central Asia, and Caucasus (CEECAC) Region (Vienna, 24–26 October 2023).

36. In addition, the secretariat presented the MLPP and the UNCITRAL instruments on PPPs at several events during the UNCITRAL Days.<sup>20</sup>

#### **6. Sale of goods**

*Relevance to Sustainable Development Goals 8, 12 and 16*

37. The secretariat has continued to promote broader adoption, use and uniform interpretation of the CISG and of the Convention on the Limitation Period in the

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<sup>20</sup> Events in Dschang and Abidjan. See unofficial reports on the UNCITRAL Days on the Commission's website, under the documents of the fifty-seventh Commission session, and section II.C below.

International Sale of Goods, and to build capacity in the use of these texts. Activities included participation in the following events:

(a) The Second Quarterly Business Law Forum organized by the Bahrain Economic Development Board (Manama, 11 May 2023);

(b) A special lecture at the Università La Sapienza on “CISG and Related Texts as Tools to Ensure Resilience and Recovery of Cross-Border Trade” (Rome, 8 June 2023);

(c) The conference “International Contracts and Dispute Resolution in the 21st Century: Something Old and Something New” (Kopaonik, Serbia, 15 December 2023).

38. The secretariat participated as an observer in the annual meeting of the CISG Advisory Council (Kopaonik, Serbia, 12–14 December 2023). Issues under discussion included the interaction between the CISG on the one hand, and UNCITRAL texts on electronic commerce and on public procurement on the other.

## 7. Security interests

*Relevance to Sustainable Development Goals 1, 8, 9 and 17*

39. The secretariat has continued to coordinate with partners to support legislative reforms based on UNCITRAL texts in the area of security interests and to monitor the enactment and use of the UNCITRAL Model Law on Secured Transactions. The Joint Network for Coordinating and Supporting Secured Transactions Reform<sup>21</sup> continues to provide a sound platform for coordinating such support.

40. Specifically, the secretariat participated in the following activities organized in the framework of the World Bank “B-Ready” project:

(a) Monitoring secured transactions reform in Singapore in the context of the B-Ready target project (Singapore, 5 September 2023);

(b) Supporting secured transactions reform in Timor-Leste including in drafting a new law (Dili, 18–19 September 2023).

41. While the secretariat’s inputs in the above events were focused mainly on financial services, they also addressed the topics of business entry, international trade, dispute resolution, market competition and business insolvency.

## 8. Transparency in treaty-based investor-State arbitration

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

42. The secretariat continued its efforts to raise awareness and promote effective understanding, adoption and use of the UNCITRAL Transparency Standards,<sup>22</sup> including through dedicated events or through presentations delivered at events covering a broader range of instruments. Among other activities, the secretariat delivered presentations on the UNCITRAL Transparency Standards at the following events:

(a) At the seminar on sectorial topics of international disputes held during the Vietnam ADR Week 2023, under “Topic 4: Investor-States Disputes Contemporary Issues” (Ho Chi Minh City, Viet Nam, 11 May 2023);

(b) At the panel on International Investment Law for young lawyers from Latin America and the Caribbean, organized by the Center for the Advancement of the Rule of Law in the Americas, Georgetown University Law Center (Washington, D.C., 12 May 2023);

<sup>21</sup> See [A/CN.9/1176](#).

<sup>22</sup> See [A/CN.9/1174/Add.4](#) describing those Standards.

- (c) During the International Arbitration Observatory of the Shenzhen Court of International Arbitration (Shenzhen, China, 28 July 2023);
- (d) At the FDI Moot Shenzhen 2023, which incorporates the UNCITRAL Transparency Rules, organized by the Shenzhen Court of International Arbitration (Shenzhen, China, 11–20 August 2023);
- (e) During the Inaugural Armenia International Arbitration Conference, organized by the ADB (Yerevan, 4 September 2023);
- (f) At a lecture for the Singapore Management University (Singapore, 13 September 2023);
- (g) As part of an address delivered at the Asian-African Legal Consultative Organization (AALCO) headquarters (New Delhi, 14 September 2023);
- (h) As part of a lecture delivered at the Indian Society of International Law (New Delhi, 14 September 2023);<sup>23</sup>
- (i) During the “Blockchain@HTW Conference goes Adama”, co-organized by the Hochschule für Technik und Wirtschaft (HTW) Berlin and the Adama Science and Technology University (ASTU) (Adama, Ethiopia, 29 September 2023);
- (j) At a webinar for Panamanian public agencies involved in the legislative work of UNCITRAL (Panama City, 6 October 2023);
- (k) During the Inaugural San Marino Arbitration Day 2023 and the First San Marino International Arbitration Conference, organized by the International Claims and Reparations Project (ICRP), Columbia Law School (San Marino, 17 October 2023);
- (l) At the UNCCA United Nations Day Lecture 2023 on the “Singapore Convention and its continuing relevance in international trade disputes” (Canberra, 24 October 2023);
- (m) At the panel session on “Mediation and the Challenges of the 21st Century”, organized by IBA at its annual Conference (Paris, 31 October 2023);
- (n) During the seminar on “Investor-State Dispute Settlement Reform (ISDS) under consideration by the Working Group III of the United Nations Commission on International Trade Law”, co-organized by the Ministry of Foreign Affairs, Thailand, Ministry of External Affairs, India, AALCO and UNCITRAL (New York, 2 November 2023);
- (o) At a training activity on UNCITRAL for government officials of Saudi Arabia (Vienna, 16 November 2023);
- (p) At an event on International Mediation and Arbitration, co-organized by the Faculty of Law, University of Chile and the Centre on Arbitration and Mediation, Chamber of Commerce of Santiago (Santiago de Chile, 23 November 2023);
- (q) At the event “Caribbean countries and investor-State Dispute Settlement”, co-organized by the Organization for the Harmonization of Business Law in the Caribbean (OHADAC) Regional Arbitration Centre, the University of the West Indies and the Shridath Ramphal Centre on International Trade Law, Policy and Services and private stakeholders (Bridgetown, 29 November 2023);
- (r) During the module on Understanding Confidentiality in ISDS with reference to the UNCITRAL Rules on Transparency, organized by the Rashtriya Raksha University (RRU) Centre for International Law, at the second RRU Investment Arbitration Academy 2023 (New Delhi, 6 December 2023);
- (s) In the framework of the UNCITRAL Africa Days: event “UNCITRAL work and use of its instruments by Zimbabwe”, organized by the University of Zimbabwe (Harare, 18 October 2023); event on arbitration and mediation,

<sup>23</sup> See also A/CN.9/1174/Add.2, para. 20 (b).

co-organized by Université de Tunis El Manar, Faculté de droit et des sciences politiques de Tunis, Laboratoire de droit des relations internationales, des marchés et des négociations (DRIMAN) (Tunis, 17 November 2023); event organized by the Université Pédagogique Nationale (Kinshasa, 23–24 November 2023); event “The use of UNCITRAL texts in Africa, trends and prospects”, organized by the Ministry of Foreign Affairs and Regional Integration of Ghana (Accra, 27 November 2023);

(t) In the framework of the UNCITRAL Days in Arab States: event organized by the Faculty of Law and Political Science, Beirut Arab University (Beirut, 16 October 2023);

(u) In the framework of the UNCITRAL Days in Asia and the Pacific: event co-organized by UNCITRAL RCAP and the Transnational Business Law Department, Faculty of Law of Padjadjaran University (UNPAD) (Jakarta, 11 May 2023); event co-organized by UNCITRAL RCAP and the Handong Institute for Arbitration and Reconciliation, hosted by the Handong Global University, School of Law and Handong International Law School (HILS) (Pohang, Republic of Korea, 22 May 2023); event co-organized by UNCITRAL RCAP and the Shanghai University of Political Science and Law (SHUPL) (Shanghai, China, 8 June 2023); as part of the ADR Roadshow in the National Capital Region for Schools and the UNCITRAL Days in Asia and the Pacific co-organized by UNCITRAL RCAP and the Office for Alternative Dispute Resolution, Department of Justice, Philippines (Manila, 13 November 2023); event co-organized by UNCITRAL RCAP and the Peking University School of Transnational Law (Shenzhen, China, 18 November 2023); event co-organized by UNCITRAL RCAP and the Faculty of Law, University of Macau (Macao, China, 1 December 2023); event co-organized by UNCITRAL RCAP and the School of Law, Far Eastern Federal University (Vladivostok, Russian Federation, 20 December 2023);<sup>24</sup>

(v) In the framework of the UNCITRAL Latin American and Caribbean (LAC) Days: event organized by the Faculty of Law and Political Science, University of Panama (Panama City, 23 October 2023).

## 9. Transport of goods

43. The secretariat continued its efforts to raise awareness and promote effective understanding, adoption and use of UNCITRAL texts on international transport of goods, including through dedicated events or through presentations delivered at events covering a broader range of instruments. Among other events, the secretariat took part in the following key activities:

(a) Online briefing on the Beijing Convention on Judicial Sale of Ships for various agencies of the Government of the Bahamas (Nassau, 21 June 2023);

(b) Online briefing on the Beijing Convention on Judicial Sale of Ships for various agencies of the Government of Ecuador (Quito, 9 August 2023);

(c) Conference “Next and Forward: the Beijing Convention on Judicial Sale of Ships and its Impact” (Shanghai, China, 2 September 2023);

(d) International symposium held on the occasion of the ceremony for the opening to signature of the Beijing Convention on the Judicial Sale of Ships (Beijing, 5 September 2023);

(e) Workshop on the Beijing Convention on the Judicial Sale of Ships (Madrid, 23 October 2023);

(f) Webinar “The Beijing Convention on the Judicial Sales of Ships”, organized by the Maritime Authority of Panama, the Association of Maritime Law of Panama and the Maritime Chamber of Panama (Panama City, 23 October 2023);

<sup>24</sup> For further information about those events and other events held under the UNCITRAL Asia Pacific Days (tenth edition) in 2023, see A/CN.9/1174/Add.2, paras. 15–18.

(g) Presentation on “The Beijing Convention on the Judicial Sales of Ships” delivered at the Ministry of National Defence of El Salvador (San Salvador, 27 October 2023).

## 10. Other events

*Relevance to Sustainable Development Goals 1, 4, 8, 9, 10, 12 and 16*

44. The secretariat participated at the following events discussing UNCITRAL instruments from specific perspectives:

(a) Conference “The Law of Treaties as Applied to Private International Law” (Milan, Italy, 5–6 May 2023);

(b) Workshop on “The Impact of International Health Crisis on Legal Infrastructure for Trade” (Yerevan, 12–13 June 2023).

## C. UNCITRAL Days 2023

*Relevance to Sustainable Development Goals 1, 2, 5, 8, 9 and 17*

45. The UNCITRAL Days are an annual series of regional events that the secretariat co-hosts with partner institutions of higher learning to promote the mandate and the work of UNCITRAL and to raise awareness of UNCITRAL texts in academic circles. Held typically in the last quarter of the year, they are aimed at the future and new generations of legal practitioners, academics and policymakers, who might become essential participants in and proponents of the work of UNCITRAL.

46. The preparation of the events by the host institutions is coordinated with and supported by the UNCITRAL secretariat, which delivers presentations and provides keynote speakers.

47. Originally conceived as an annual celebration of the establishment of UNCITRAL specifically for the Asia-Pacific region (first edition, 2014), the series were in 2020 extended to the Latin American and Caribbean region (LAC), and in 2022 to Africa, where they were met with similar interest and success.<sup>25</sup> In 2023, three events under the pilot UNCITRAL Days in Arab States were held (Beirut Arab University, Beirut, 16 October 2023; Qatar University College of Law, Doha, 1 November 2023; and University of Jordan, Amman, 30 November 2023).

48. The UNCITRAL Days 2023 adopted an inclusive and comprehensive approach in raising awareness of the ongoing work of UNCITRAL and its texts, stressing the importance of harmonizing national or regional legislative frameworks and practices with international standards.

49. The following are brief highlights of the 2023 series of UNCITRAL Days in Africa and in LAC:<sup>26</sup>

(a) The second edition of the “UNCITRAL Africa Days” comprised 14 events in 12 States.<sup>27</sup> Under the overarching theme “The use of UNCITRAL texts in Africa:

<sup>25</sup> A/78/17, para. 237.

<sup>26</sup> See document A/CN.9/1174/Add.2, paras. 15–18, for the report on the UNCITRAL Asia Pacific Days (tenth edition). Informal reports on the UNCITRAL Days held in 2023 are also available at <https://uncitral.un.org/en/commission> (under the fifty-seventh Commission session). They include the schedule and agenda of each series of events, lists of host and partner institutions, a summary of each event, and statistics. The pilot UNCITRAL Days in Arab States are not covered in those reports.

<sup>27</sup> Benin (Civic Academy for Africa’s Future (CiAAF)), Cameroon (Université de Dschang), Côte d’Ivoire (Facultés Universitaires Privés d’Abidjan (FUPA)), Democratic Republic of the Congo (Université Nouveaux Horizons, Université Pédagogique Nationale), Egypt (Ain Shams Law School, Cairo), Ghana (Foreign Service Institute), Nigeria (University of Nigeria), Sierra Leone (Njala University), South Africa (University of Limpopo, Mandela University), Tanzania (Mzumbe University), Tunisia (Tunis El Manar University) and Zimbabwe (University of Zimbabwe).

trends and prospects”, the series of events discussed the current work of UNCITRAL and the implementation of UNCITRAL texts by African States in various areas such as insolvency, e-commerce, micro- and small enterprises, arbitration and mediation, public procurement and PPPs;

(b) The fourth edition of the “UNCITRAL LAC Days” involved 22 hosting ministries, universities, and training schools for government representatives in 20 countries.<sup>28</sup> This series also featured 14 participating institutions, including international and regional organizations, chambers of commerce, business and entrepreneurial associations, thinktanks, bar associations and legal departments of technological companies. Among others, 22 academic events were held either remotely or in a hybrid format under the theme “Exploring the digital frontiers of cross-border trade”, which included also presentations of insolvency aspects in the digital economy. The suite of UNCITRAL texts on electronic commerce and insolvency was at the centre of all activities, demonstrating how existing UNCITRAL texts can assist in addressing legal obstacles and facilitating the creation of an enabling legal environment for the digital economy.

50. A diverse audience across and beyond the regions attended the UNCITRAL Days series. Whilst most of the events were directed towards law students, some were delivered to other stakeholders, such as public and private experts and researchers. The success of the UNCITRAL Days, as shown in the below statistics for 2023 (table under para. 51 below), is largely attributable to the continuous support received from all the partner institutions.

51. The wide participation in the UNCITRAL Days series is also attributable to the availability and use of online platforms, which enable remote participation. The UNCITRAL Days events will continue to be held in a hybrid or online format so long as the host institution has the technical means and resources.

<i>Participation to the UNCITRAL Days in 2023<sup>29</sup></i>		
<i>Region</i>	<i>No.</i>	<i>Gender ratio</i>
Africa	1,500 (est.)	45% women
Asia and the Pacific	1,366	57% women
Latin America and the Caribbean	2,077	55% women
<b>Total</b>	<b>4,943</b>	<b>53% women</b>

<sup>28</sup> Argentina (Universidad del Salvador, Universidad Nacional del Litoral, Universidad Austral y Universidad de Buenos Aires), Brazil (Universidade de São Paulo), Chile (Universidad de los Andes, Pontificia Universidad Católica and Universidad de Chile), Colombia (Universidad Santo Tomás Punja and Universidad Externado de Colombia), Cuba (Universidad de La Habana), Dominican Republic (Pontificia Universidad Católica y Maestra), Ecuador (Universidad San Francisco de Quito), El Salvador (Institute for Diplomatic Studies Dr. Jose Gustavo Guerrero), Guatemala (Secretary of Economic Integration of Central America), Mexico (Universidad Autónoma de Ciudad Juárez), Panama (Universidad de Panamá), Paraguay (CEDEP), Peru (Pontificia Universidad Católica and Universidad de Ciencias Aplicadas), Trinidad and Tobago (University of the West Indies, St. Augustine Campus, attended also by Barbados, Belize, Jamaica and Suriname), Uruguay (Universidad de Montevideo) and Venezuela (Bolivarian Republic of) (Universidad Central de Venezuela). This edition reached out to the member States of the Organisation of Eastern Caribbean States (OECS) (Antigua and Barbuda, Commonwealth of Dominica, Grenada, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines) and associate members of OECS (Anguilla, the British Virgin Islands, Martinique and Guadeloupe).

<sup>29</sup> All statistics are based on data provided by the organizers and comprise in-person and remote participation. All figures are approximate.

52. The Secretary of UNCITRAL provided opening remarks at most events, and on occasion presented on some of the topics. In total, **127** presentations were delivered by the UNCITRAL secretariat on, respectively:

<i>Topics</i>	<i>Presentations delivered</i>				<i>Total</i>
	<i>Africa Days</i>	<i>Arab Days</i>	<i>Asia-Pacific Days</i>	<i>Latin America and the Caribbean Days</i>	
Access to credit (including secured transactions)	1	-	2	1	4
Business Registry	1	-	-	-	1
Dispute settlement and arbitration (including mediation and transparency standards)	4	3	16	-	23
Electronic commerce	3	-	8	20	31
General presentations on UNCITRAL	12	-	17	20	49
Insolvency for MSEs	1	-	-	-	1
Insolvency (General)	4	-	-	2	6
International Sale of Goods	-	-	3	-	3
Investor-State Dispute Settlement	3	-	-	-	3
Limited Liability Enterprise	1	-	-	-	1
MSMEs	1	-	2	-	3
Public procurement rules and public-private partnership	2	-	-	-	2