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UNITED NATIONS COMMISSION ON  
INTERNATIONAL TRADE LAW  
Fifth session  
New York, 10 April 1972  
Item 9 of the provisional agenda

TIMING AND CONTENTS OF THE UNCITRAL YEARBOOK

Report of the Secretary-General

I. THE COMMISSION'S DECISION AND ACTION IN THE GENERAL ASSEMBLY

1. At its fourth session, held in Geneva from 29 March to 20 April 1971, the United Nations Commission on International Trade Law adopted the following decision: 1/

"1. Requests the Secretary-General to include in the second volume of the Yearbook of the United Nations Commission on International Trade Law the material on the work of the fourth session of the Commission;

"2. Further requests the Secretary-General to publish the second volume as soon as practicable in English, French, Russian and Spanish, following in general the outline set forth in annex I to the report of the Secretary-General on the timing and content of the Yearbook 44/ and taking due account of the suggestions made during the discussion of this subject;

"3. Approves the guidelines for the contents of future volumes of the Yearbook, as set forth in the Secretary-General's report;

"4. Decides to take its final decision at its fifth session concerning the timing of the publication of future volumes of the Yearbook."

"44/ A/CN.9/57."

1/ Report of the United Nations Commission on International Trade Law (UNCITRAL) on the work of its fourth session (1971), Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 17 (A/8417), para. 125.

2. The Sixth Committee, after considering the Commission's report on the work of its fourth session, reported the following to the General Assembly: 2/

"31. Many representatives welcomed the publication of the first volume of the Yearbook of the United Nations Commission on International Trade Law...

"32. Some representatives, while recognizing the value of the Yearbook and the Register of Texts suggested that every effort should be made to minimize the cost of these publications."

3. Upon the recommendation of the Sixth Committee, the General Assembly adopted resolution 2766 (XXVI) with respect to the report of the Commission on the work of its fourth session. In this resolution the General Assembly noted with satisfaction the publication of the first volume of the Yearbook of the United Nations Commission on International Trade Law.

## II. PUBLICATION OF THE SECOND VOLUME OF THE YEARBOOK

4. Pursuant to the Commission's decision, the manuscript of the second volume of the Yearbook has been prepared for publication. This volume contains documents relating to the fourth session of the Commission and in general follows the arrangement set out in annex I to the report of the Secretary-General on the timing and contents of the Yearbook, which was considered by the Commission at its fourth session. 3/ Copies of the English version of this volume are expected to be available for distribution at the fifth session of the Commission.

## III. PROPOSED OUTLINE OF CONTENTS OF THE THIRD VOLUME OF THE YEARBOOK AND THE FINANCIAL IMPLICATIONS THEREOF

5. The proposed outline of the contents of the third volume of the Yearbook is set forth in annex I to this report. The third volume of the Yearbook will contain materials relating to the fifth session of the Commission and, in addition, certain materials relating to the fourth session that were not available when the manuscript for the second volume was prepared. 4/

6. The outline follows the arrangement established for the contents of the first and second volumes and takes into account the guidelines for the contents of

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2/ A/8506, paras. 31-32.

3/ A/CN.9/57, annex I.

4/ These materials include comments and action with respect to the Commission's report on the work of the fourth session (see part one, section I, of the outline in annex I below).

future volumes that were approved by the Commission at its fourth session (paragraph 9 below). It will be noticed that the annex proposes inclusion of summary records of the Commission's meetings relating to the draft Convention on Prescription (Limitation) in the Field of the International Sale of Goods. This item was included in the proposed outline of the third volume of the Yearbook in accordance with the directives mentioned above. As it is expected that the Commission at its fifth session may finalize and approve the final draft Convention, the summary records of those meetings would serve as travaux préparatoires of the draft text of the Convention in question. (See subparagraph (c) (iii) of the guidelines in paragraph 9 below, as approved in the decision quoted in paragraph 1 above.)

7. The financial implications of the publication of the third volume of the Yearbook, as outlined in annex I, are set forth in annex II to this report.

#### IV. FREQUENCY OF PUBLICATION OF FUTURE VOLUMES OF THE YEARBOOK

8. It will be recalled that the General Assembly in resolution 2502 (XXIV) approved in principle the establishment of the Yearbook and requested the Commission to consider the timing and content of the Yearbook. In the same resolution the General Assembly authorized the Secretary-General to establish the Yearbook in accordance with the decisions and recommendations of the Commission.

9. At the Commission's fourth session, the Secretary-General submitted a report in which he recommended, in the light of the experience gained in connexion with the first and second volumes of the Yearbook, the following guidelines for the timing and contents of future volumes: 5/

"(a) The Yearbook should be published on a yearly basis and should appear as soon as practicable following the Commission's session to which the particular volume relates.

"(b) The contents of future volumes should, in general, follow the arrangement that has been established for the first and second volumes.

"(c) In selecting the materials for each future volume, the Secretary-General is requested to take into account the considerations of efficiency and economy that have emerged from the Commission's discussions on the item. In particular, the following should not be reproduced in the Yearbook:

"(i) Documents of a preliminary nature or not of a continuing interest;

"(ii) Studies and suggestions by Governments, organizations or individual representatives where they are conveniently summarized in a separate report or analysis;

"(iii) Summary records of the Commission's meetings unless they would serve as the travaux préparatoires of a legal text."

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5/ A/CN.9/57, para. 10.

10. As is noted in paragraph 1 above, the Commission approved the suggested guidelines for the contents of future volumes and deferred final action on the proposed frequency of publication of future volumes until its fifth session.

11. In deciding on the Secretary-General's recommendation for an annual publication of future volumes of the Yearbook (guideline (a) in paragraph 9 above), the Commission might wish to consider the following:

(a) It was possible to include the documents of the first three sessions of the Commission in one volume only because the work at the first and second sessions was mostly of a preliminary nature and many of the documents were not of continuing interest and could therefore be excluded.

(b) The work of the Commission has considerably increased since the fourth session of the Commission. The second volume of the Yearbook, which covers only materials of the fourth session, will consist of 200 printed pages. The third volume, which will include the materials of the fifth session, is expected to consist of 300 printed pages. The fourth volume is estimated to be 250 printed pages.

(c) If the materials of the fifth and the sixth sessions of the Commission were to be published in one volume, the size of that volume would be 550 printed pages. It is doubtful whether a volume of that size would be practicable without a stronger binding, which would add to the expense.

(d) An annual publication of the Commission's documents would enable legal and business circles to follow the work of the Commission more closely and thus provide the means for the timely examination and evaluation of the Commission's work.

(e) From the financial and administrative points of view, an annual publication seems more desirable than a biennial or triennial publication. The major expense in connexion with the publication of the Yearbook is the cost of setting the material into type. This cost, as well as the cost of printing, for the most part would not be saved if the materials for two or three years were published together. From the administrative point of view, it is preferable, for reasons of efficiency, that the work of editing should be carried out on a fairly regular basis.

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Annex I

OUTLINE OF CONTENTS OF THE UNCITRAL YEARBOOK, VOLUME III (1972)

Number of pages  
(typewritten)

INTRODUCTION

1

PART ONE. REPORTS OF THE COMMISSION ON ANNUAL SESSIONS;  
COMMENTS AND ACTION THEREON

I. Comments and action with respect to the Commission's  
report on the work of its fourth session

A. Extract from the report of the Trade and  
Development Board of UNCTAD

2

B. Report of the Sixth Committee (A/8506)

12

C. General Assembly resolution 2766 (XXVI)

1

II. The fifth session (1972)

A. Report of the Commission

75

B. List of documents not reproduced in this volume

1

PART TWO. STUDIES AND REPORTS ON SPECIFIC SUBJECTS

I. International sale of goods

A. Uniform rules on substantive law

1. Analysis of comments and proposals relating  
to articles 1-17 of the Uniform Law on the  
International Sale of Goods (ULIS): note by  
the Secretary-General (A/CN.9/WG.2/WP.11)

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2. Analysis of comments and proposals relating  
to articles 18-55 of the Uniform Law on the  
International Sale of Goods (ULIS): note by  
the Secretary-General (A/CN.9/WG.2/WP.10)

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3. Report of the Working Group on the  
International Sale of Goods, third session,  
January 1971 (A/CN.9/62 and Add.1 and 2)

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4. List of documents not reproduced in this  
volume

1

B. Time-limits and limitations (prescription)

1. Analysis of comments and proposals relating  
to the length of the prescriptive period and  
related matters: report of the Secretary-  
General (A/CN.9/WG.1/WP.24)

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	<u>Number of pages</u> <u>(typewritten)</u>
2. Report of the Working Group on Time-limits and Limitations, third session, August 1971 (A/CN.9/70 and Add.1)	100
3. Summary records of the Commission's meetings on the item	125
4. List of documents not reproduced in this volume	2
II. International payments	
Negotiable instruments	
1. Preliminary draft of a uniform law on international bills of exchange: report of the Secretary-General (A/CN.9/67)	100
2. List of documents not reproduced in this volume	1
III. International commercial arbitration	
Report of the Special Rapporteur	200
IV. International legislation on shipping	
Report of the Working Group on International Legislation in Shipping, third session, February 1972 (A/CN.9/63 and Add.1)	120
DESCRIPTIVE TABLE OF DOCUMENTS	5
BIBLIOGRAPHIES	2
Total number of typewritten pages	<u>890</u>
Number of printed pages: approximately <u>300</u>	

Annex II

FINANCIAL IMPLICATIONS OF THE PUBLICATION OF THE THIRD  
VOLUME OF THE UNCITRAL YEARBOOK

Estimates of size and costs

	<u>Typed</u>	<u>Printed</u>	<u>English</u>	<u>French</u>	<u>Spanish</u>	<u>Russian</u>
Number of pages	890	300				
Number of copies			1,800	850	400	300
Cost of printing			<u>\$9,400</u>	<u>\$9,100</u>	<u>\$8,700</u>	<u>\$5,800</u>
Total cost of printing						<u><u>\$33,000</u></u>