



General Assembly

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**United Nations Commission on
International Trade Law
Working Group IV (Electronic Commerce)
Sixty-eighth session
New York, 24–28 March 2025**

Annotated provisional agenda

I. Provisional agenda

1. Opening of the session and scheduling of meetings.
2. Election of officers.
3. Adoption of the agenda.
4. Data provision contracts.
5. Other business.
6. Adoption of the report.

II. Composition of the Working Group

1. The Working Group is composed of all States members of the Commission, which are the following: Afghanistan (2028), Algeria (2025), Argentina (2028), Armenia (2028), Australia (2028), Austria (2028), Belarus (2028), Belgium (2025), Brazil (2028), Bulgaria (2028), Cameroon (2025), Canada (2025), Chile (2028), China (2025), Colombia (2028), Côte d'Ivoire (2025), Croatia (2025), Czechia (2028), Democratic Republic of the Congo (2028), Dominican Republic (2025), Ecuador (2025), Finland (2025), France (2025), Germany (2025), Ghana (2025), Greece (2028), Honduras (2025), Hungary (2025), India (2028), Indonesia (2025), Iran (Islamic Republic of) (2028), Iraq (2028), Israel (2028), Italy (2028), Japan (2025), Kenya (2028), Kuwait (2028), Malawi (2028), Malaysia (2025), Mali (2025), Mauritius (2028), Mexico (2025), Morocco (2028), Nigeria (2028), Panama (2028), Peru (2025), Poland (2028), Republic of Korea (2025), Russian Federation (2025), Saudi Arabia (2028), Singapore (2025), Somalia (2028), South Africa (2025), Spain (2028), Switzerland (2025), Thailand (2028), Türkiye (2028), Turkmenistan (2028), Uganda (2028), Ukraine (2025), United Kingdom of Great Britain and Northern Ireland (2025), United States of America (2028), Venezuela (Bolivarian Republic of) (2028), Viet Nam (2025) and Zimbabwe (2025).

2. States not members of the Commission and international governmental organizations may attend the session as observers and participate in the deliberations. In addition, invited international non-governmental organizations may attend the



session as observers and represent the views of their organizations on matters where the organization concerned has expertise or international experience so as to facilitate the deliberations at the session.

III. Annotations to agenda items

Item 1. Opening of the session and scheduling of meetings

3. The sixty-eighth session of the Working Group will be held at the United Nations Headquarters in New York from 24 to 28 March 2025.

4. Meeting hours will be from 10 a.m. to 1 p.m. and from 3 to 6 p.m., except on Monday, 24 March 2025, when the session will be opened at 10.30 a.m.

5. The Working Group is expected to hold substantive deliberations during the first nine half-day meetings (i.e. from Monday to Friday morning) and to adopt a report for the session during the tenth and final meeting (i.e. on Friday afternoon). Other arrangements for the session will be announced on the Working Group page of the UNCITRAL website in due course. Documentation for the session will also be posted on the web page upon issuance in all official languages of the United Nations.

Item 2. Election of officers

6. In accordance with its practice, the Working Group may wish to elect a Chairperson and a Rapporteur.

Item 4. Data provision contracts

7. Under this agenda item, the Working Group is expected to continue working on the formulation of default rules on data provision contracts. Following completion of work on the topic of the use of artificial intelligence (AI) and automation in contracting at its sixty-seventh session, data provision contracts is the sole substantive item on the agenda of the Working Group at its sixty-eighth session.

(a) Background information

8. At its sixty-third session (New York, 4–8 April 2022), the Working Group held a preliminary discussion on the nature and scope of possible future work on the topic of data transactions (see [A/CN.9/1093](#), paras. 77–95). A proposal for future work on the topic, which synthesized and incorporated the deliberations at that session, was subsequently presented to the Commission in a note by the secretariat ([A/CN.9/1117](#)).

9. At its fifty-fifth session, in 2022, the Commission agreed with the proposal to mandate the Working Group to proceed with work on data provision contracts.¹ No decision was taken as to the form of work, although it was recalled that several options had been canvassed at the sixty-third session of the Working Group, including the development of “default” rules to be included in a legislative text, a guide to good practice for parties and a legislative guide (*ibid.*, para. 164).

10. The Working Group has considered the topic of data provision contracts at three sessions in tandem with the topic of the use of AI and automation in contracting:

(a) At its sixty-fifth session (New York, 10–14 April 2023), the Working Group commenced its work on the basis of a set of draft default rules prepared by the secretariat ([A/CN.9/WG.IV/WP.180](#)). The Working Group considered key concepts and draft rules on the mode of provision of data, data conformity, use of data, and remedies ([A/CN.9/1132](#), paras. 9–51);

(b) At its sixty-sixth session (Vienna, 16–20 October 2023), the Working Group progressed its work on the basis of a first revision of the draft rules prepared

¹ *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 17 (A/77/17)*, para. 163.

by the secretariat (A/CN.9/WG.IV/WP.180). The Working Group considered new draft rules on scope of application and derived data, as well as revisions to the draft rules previously considered (A/CN.9/1162, paras. 59–89);

(c) At its sixty-seventh session (Vienna, 18–22 November 2024), the Working Group had before it a second revision of the draft default rules prepared by the secretariat (A/CN.9/WG.IV/WP.186) and proceeded with a complete read-through of the text. Among other things, the Working Group considered how the draft rules could accommodate the “passive” provision of data and how different draft rules could be applied to different types of data provision contracts, depending on the mode of provision (A/CN.9/1197, paras. 29–72).

(b) Documentation

11. The Working Group will have before it a note by the secretariat containing a third revision of the draft default rules on data provision contracts reflecting the deliberations and decisions of the Working Group at its sixty-seventh session (A/CN.9/WG.IV/WP.188).

12. The Working Group may also wish to refer to the following documents to inform its deliberations under this agenda item:

(a) Earlier drafts of the default rules prepared by the secretariat and considered by the Working Group (as mentioned in para. 10 above), namely the “initial draft” (A/CN.9/WG.IV/WP.180), the “first revision” (A/CN.9/WG.IV/WP.183) and the “second revision” (A/CN.9/WG.IV/WP.186);

(b) Earlier notes by the secretariat submitted to the Commission on data transactions, namely:

(i) A progress report on exploratory work on data transactions (A/CN.9/1012), submitted to the Commission for its fifty-third session;²

(ii) A progress report on preparatory work on data transactions (A/CN.9/1064), submitted to the Commission for its fifty-fourth session;³ and

(iii) A proposal for future work on data transactions (A/CN.9/1117), submitted to the Commission for its fifty-fifth session;⁴ and

(c) *Taxonomy of Legal Issues Related to the Digital Economy* (United Nations publication, Sales No. E.12.V.11), prepared by the secretariat and available on the UNCITRAL website (<https://uncitral.un.org/texts/ecommerce>), which documents exploratory work by the secretariat on the topics of artificial intelligence, data, online platforms, digital assets, and decentralized systems.

Item 6. Adoption of the report

13. The Working Group may wish to adopt, at the close of the session, a report on the work of the session for submission to the Commission.

² Ibid., *Seventy-fifth Session, Supplement No. 17* (A/75/17), paras. 67–76.

³ Ibid., *Seventy-sixth Session, Supplement No. 17* (A/76/17), para. 237.

⁴ Ibid., *Seventy-seventh Session, Supplement No. 17* (A/77/17), paras. 150–155 and 161–164.