

## **Report on the 54<sup>th</sup> Session of the UNCITRAL**

*by*

*Mariam Ololade Omotosho*

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On 28 June to 16 July 2021, UNCITRAL held its 54<sup>th</sup> Session in Vienna

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### Executive Summary

The Moot Alumni Association (the “**MAA**”) was represented during the United Nations Commission on International Trade Law’s (the “**UNCITRAL**” or the “**Commission**”) fifty-fourth (54<sup>th</sup>) Session (the “**Session**”) which was held in a hybrid form, both in person at the Vienna International Centre and virtually, from 28 June to 16 July 2021.

The agenda of the Commission’s 54<sup>th</sup> Session comprised of the following: (a) consideration of the Commission’s legal texts; (b) side events to raise awareness and receive comments from stakeholders on the Commission’s legal texts; (c) consideration of progress report of the Commission’s working groups; (d) report on non-legislative activities; (e) work programme of the Commission; and (f) other matters ancillary to facilitating the work of the Commission.

### Report

#### **Attendance**

Of the Commission’s sixty Member States, fifty-eight Member States were represented at the Session. The Session was also observed by representatives of non-member-states, international organizations, intergovernmental organizations and invited non-governmental organizations.

#### **Adoption of the Commission’s Legal Texts**

The Commission adopted the following legal texts: (a) UNCITRAL Legislative Guide on Limited Liability Enterprises presented by the Working Group I; (b) Legislative Recommendations on Insolvency of Micro and Small Enterprises presented by the Working Group V; (c) UNCITRAL Mediation Rules presented by Working Group II; and (d) UNCITRAL Expedited Arbitration Rules presented by Working Group II. The Commission also approved - in principle - the Explanatory Note to the UNCITRAL Expedited Arbitration Rules and authorized the finalization of the text.

#### **Progress Report of Working Groups**

The Commission considered the progress reports of Working Group III (Investor-State Dispute Settlement Reform), Working Group IV (Electronic Commerce) and Working Group VI (Judicial Sale of Ships). The Commission expressed its satisfaction with the progress made by these Working Groups.

## **Side Events**

The Session also comprised of six side events on topics related to the Commission's work. These events included: (a) the Africa Forum, where permanent representatives from African States shared their thoughts on emerging areas of commerce within Africa; (b) a round-table on Investor-State Dispute Mediation; (c) discussion on the Net Zero Legislative Project including the role of UNCITRAL and private international law; (d) Launch of the online course titled "Introduction to the United Nations Commission on International Trade Law"; and (e) Virtual panel discussion on technical assistance activities.

## **Update on Work programme of the Commission**

Furthermore, the Commission: (a) verified the programme of current legislative activities carried out by its working groups; (b) considered certain legal issues related to the impact of the COVID-19 pandemic on international trade law; and (c) requested that options for establishing an online platform for information exchange by States be considered. In relation to the effect of the COVID-19 pandemic on the Commission's work, it was agreed that it was premature to decide on possible adjustments to the work methods of the Commission on a permanent basis. This issue is to be revisited at its fifty-fifth session, which will be held in 2022.

## **Conclusion**

At the closing of the Session, the Commission provisionally approved the holding of its fifty-fifth session in New York, from 27 June to 15 July 2022. Moreover, it agreed upon the schedule for working group sessions to be held in the second half of 2021 and 2022. With regard to the Commission's Session which is to be held in New York in the first half of 2022, it was decided that, if the global situation concerning the COVID-19 pandemic has not significantly improved by then and if conference services in New York will not be able to accommodate the Commission's decision to hold meetings both in-person and online at hours which make it feasible for all delegates to participate, the in-person component of the Session could be facilitated by the Vienna International Centre.