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Regional and International Activities

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ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN JURIDICAL COMMITTEE

The Inter-American Juridical Committee held a regular meeting August 16 to September 13, 1971 at its permanent seat in Rio de Janeiro. During the course of the sessions, the following documents, opinions, reports and resolutions were approved: opinion on the revision, updating, and evaluation of several inter-American conventions; report on the conflicts of treaties; preliminary report on the legal means for the protection and conservation of the historic and artistic property of the American countries; opinion on the strengthening of the Inter-American system for the maintenance of peace; resolutions on the treatment of foreign investments, the law of the sea, legal status of the so-called foreign guerrillas in the Member States, as well as a Final Act.

Revision, Updating and Evaluation of Inter-American Conventions

The Committee made several suggestions and expressed its views on twenty-six inter-American conventions, most of which were adopted many years ago and have been scantily ratified.

The Committee requested the General Secretariat to submit its opinion to the Governments of the Member States for such observations as they cared to make up to July 1, 1972. It also requested that the opinion be transmitted to the Inter-American Economic and Social Council and the Inter-American Council for Education, Science and Culture, so that they too could make whatever comments they considered pertinent on inter-American conventions dealing with economic and cultural matters.

*The opinions expressed in this report are those of the author in his personal capacity.
Protection and Conservation of the Historic and Artistic Property of the American Countries

The Committee approved a preliminary report containing an analysis of international conventions on this subject. In its conclusions, the Committee recommended the revision and updating of the inter-American conventions on the protection of historic and artistic property. In particular, it mentioned the treaty on the protection of artistic and scientific institutions and historic monuments (Roerich Pact), and the treaty on the protection of movable property of historic value, both opened for signature at the General Secretariat of the OAS on April 15, 1935.

Since the Inter-American Council for Education, Science and Culture (CIECC) is also studying certain aspects of the matter, the Inter-American Juridical Committee suggests that both bodies coordinate their activities in this field.

Treatment of Foreign Investments

In its resolution on the subject, the Committee requested the General Secretariat of the OAS to send to the governments of the Member States the background document prepared by the Secretariat entitled Tratamiento a las Inversiones Extranjeras. The Committee also requested that the General Secretariat forward the document to the governments of the Member States with the request that they return it prior to June 30, 1972, together with the texts of pertinent laws, documents, and precedents of international law, in order to complete and update the information contained in the background document.

The 281-page document on foreign investments prepared by the General Secretariat, was published in July 1971 and contains the texts of national legislation of the American countries on the subject, as well as the text of some international instruments.

Strengthening of the Inter-American System for the Maintenance of Peace

In a resolution adopted at its first regular session held in San José, Costa Rica, in April 1971, the General Assembly of the OAS instructed the Inter-American Juridical Committee to study, in the light of the provisions of Article 26 of the OAS Charter, the treaties and conventions that comprise the inter-American system for the maintenance of peace, taking into account the experience gained through their application, with
a view to strengthening the aforementioned system. It requested the Committee to present its report to the governments of the Member States as soon as possible, and, bearing in mind the observations made by the various governments, to submit its conclusions to the General Assembly through the Permanent Council.

At its August-September 1971 meeting, the Committee approved an opinion on the subject, in which the different inter-American conventions on the peaceful settlement of controversies were analyzed. In its conclusions, the Committee stated that the best means for consolidating and improving the inter-American system for the maintenance of peace is through the American Treaty on Peaceful Settlement, known as the Pact of Bogotá, adopted at Bogotá in 1948. Therefore, the States which so far have not ratified that Pact, should proceed to do so. The Committee requested the General Secretariat of the Organization to transmit its opinion to the governments of the Member States so that they could submit whatever observations they deemed pertinent by January 15, 1972.

The Committee proposed a time limit for the receipt of the governments’ observations, so that, on the basis thereof, it could submit its conclusions to the General Assembly of the OAS before its next session, scheduled to start on April 11, 1972.

The Law of the Sea

After a general discussion of the subject, the Committee adopted a resolution to continue studying the matter, with a view to preparing a declaration embodying the principles supported by most of the American States on the most relevant aspects of international maritime law, which can serve as a guide to the international community in its work of codification.

In its resolution, the Committee stated that its declaration must be as comprehensive and as complete as possible, bearing in mind that since the topics currently being discussed in the United Nations are closely related, they must be considered as a whole and not individually.

The Committee, therefore, requested the rapporteurs, and also any of its other members who wished to do so, to present pertinent papers at the next meeting of the Committee, especially draft resolutions on the following subjects: territorial sea, zones of special jurisdiction, guarantees for international communication, continental shelf, international zone of the ocean and marine depths, regional agreements, straits, peaceful uses of the oceans.
Thus, the Committee divided the topic of the law of the sea into eight different chapters. Each chapter was divided into sections as follows:

1. Territorial sea:
   a) Nature and characteristics. The question of more than one system governing the territorial sea;
   b) Delimitation and breadth. Applicable criteria. Open oceans and seas, semiclosed seas, and closed seas.

2. Zones of special jurisdiction:
   a) Rights of coastal states in relation to national security, tax and customs control, health regulations and immigration;
   b) Rights of coastal states in relation to conservation, maintenance, reservation, and exclusive or preferential exploitation of resources; establishment of economic zones and fishing zones, or both; administration of resources; protection of the marine environment; and scientific research. Applicable criteria, including the need for economic and social development;
   c) Rights of the coastal states with regard to preventing contamination and other dangerous and harmful effects resulting from the use of the seas;
   d) Delimitation and breadth of these zones of special jurisdiction. Applicable criteria. Regional criteria. Open oceans, semiclosed seas, and closed seas.

3. Guarantees for international communication:
   a) Freedom of navigation. Innocent passage;
   b) Flight in air space over the territorial sea in open oceans and seas and zones of special jurisdiction.

4. Continental shelf:
   a) Nature and scope of the rights of coastal states;
   b) Outer limit. Applicable criteria.

5. International zone of ocean and marine depths:
   a) International system, including an authority for marine and ocean depths and their subsoil beyond the limits of national jurisdiction;
b) Delimitation of the international zone submitted to national jurisdiction.

6. Regional agreements: Regional agreements on the administration of the living and other resources in the zones located beyond national jurisdiction.

7. Straits: Navigation through international straits.

3. Peaceful uses of the oceans:
   a) Principles and purposes of the peaceful uses of the oceans;
   b) Nuclear explosions in the oceans;
   c) Denuclearization of ocean space;
   d) Possibilities of demilitarization of ocean space beyond national jurisdictions;
   e) Inspection and verification by international agencies.

In the final part of its resolution, the Committee stated that it considers that the principles on the law of the sea in the declarations of Montevideo and Lima of May and August 1970, respectively, and particularly the ones mentioned below, should be included in the aforementioned declaration:

   a) By virtue of their sovereignty over the natural resources of contiguous marine spaces, the right of coastal states to avail themselves of these resources, in order to make full use of them for the economic, social and cultural development of their peoples;

   b) Without affecting the principle of freedom of international communication, the right of coastal states, for the purpose of protecting the interests of their peoples and in accordance with international law, to establish zones over which they shall exercise their maritime sovereignty or jurisdiction, in keeping with reasonable criteria and their geographic and ecological characteristics, and also with the need to make use of their resources.

The Committee appointed six of its members to act as rapporteurs of the eight chapters of the law of the sea.

The General Secretariat of the OAS has published a document containing all opinions, reports, resolutions and papers approved by the Inter-American Juridical Committee during its August-September 1971
meeting. The document has been sent to the missions and delegations of the Member States, for their information and comments, as requested by the Committee in several of its opinions and reports.

GENERAL ASSEMBLY

SECOND REGULAR SESSION

The second regular session of the OAS General Assembly will be held at the headquarters of the General Secretariat in Washington, D. C., beginning April 11, 1972.

Preliminary Draft Agenda

On October 20, 1971, the Preparatory Committee of the General Assembly considered the report on the preliminary draft agenda for the second regular session of the General Assembly, submitted by the Subcommittee on Agenda of the Preparatory Committee of the Assembly, and approved a preliminary draft agenda.

As stated in the report of the Subcommittee on Agenda, the Preparatory Committee, in accordance with Article 28 of the Rules of Procedure of the General Assembly, should prepare a preliminary draft agenda, which, together with a report by that Committee, will be sent to the governments of the Member States for their comments and possible inclusion of additional topics, within the time period established by the Committee. In preparing the preliminary draft agenda the Committee shall take into account the provisions of the OAS Charter, the topics proposed by the Governments of the Member States, those agreed upon at previous sessions of the Assembly, and those cases agreed upon by the Meeting of Consultation of Ministers of Foreign Affairs and those recommended by other organs of the Organization, if any.

The above report of the Subcommittee on Agenda is divided into the following chapters, with annotations:

I. Matters having their basis in the Charter or in Article 29 of the Rules of Procedure of the General Assembly.

II. Matters arising from agreements adopted by the General Assembly at previous sessions.

III. Matters that the Permanent Council acting as Preparatory Committee of the General Assembly, at the request of one or more
of the Member States or other organs, considers should be included in the agenda.

As approved by the Preparatory Committee, the preliminary draft agenda for the second regular session of the General Assembly contains twenty-nine topics, among which are the following: annual reports of the three Councils of the OAS, of the Inter-American Juridical Committee and of the Inter-American Commission on Human Rights; annual report of the Secretary General on the activities and financial condition of the Organization; annual reports of the Inter-American specialized organizations on the progress of their activities and on their annual budgets and accounts; election of members of the Inter-American Juridical Committee and statutes of that Committee; approval of the Program Budget of the Organization for the biennium 1972-1974; strengthening of the Inter-American system for the maintenance of peace; draft standards for inter-American specialized conferences, and draft standards for the implementation and coordination of the provisions of the OAS Charter relating to the inter-American specialized organizations; evaluation of the organization plan of the Inter-American Telecommunications Conference; consideration of a draft instrument for defining cases of violation of the principle of nonintervention; consideration of a draft convention on extradition; consideration of a draft resolution on the juridical effects of reservations to multilateral treaties. The last three items were included on the preliminary draft agenda at the suggestion of the Inter-American Juridical Committee.

In the final part of the October 20 resolution mentioned above, it is stated that the preliminary draft agenda of the Preparatory Committee of the General Assembly be transmitted to the governments of the Member States, together with the report of the Subcommittee on Agenda, so that the latter may have the opportunity to make any observations which they may consider pertinent or to propose the inclusion of additional topics by December 15, 1971, at the latest. The Preparatory Committee also decided to hold a meeting on December 17, 1971, to take cognizance of the observations and proposals made by the governments in order to transmit them to the Subcommittee on Agenda for consideration when preparing the draft agenda discussed by the General Assembly.

C I E S

The Inter-American Economic and Social Council (CIES) held its VII Annual Meeting in the city of Panamá from 10 to 20 September, 1971. The first resolution approved during the meeting dealt with the
August 1971 economic measures adopted by the United States. In the resolution, CIES recommended that the Latin American nations and other developing countries participate fully in present and future decision-making mechanisms dealing with the reform of the international monetary system and in the restatement of the bases for world trade. Moreover, that arrangements be made so that in the future monetary and world trade rules, established jointly by all countries, be respected on an equality basis by all the members of the international community. It recommended further that the United States proceed immediately to abolish the 10% surcharge on imports from developing countries, beginning with the repeal of the surcharge on the products appearing on the list included in the United States scheme for the General System of Preferences.

Furthermore, CIES recommended that CECON be entrusted with the responsibility of following the development of the economic problems stemming from the monetary and commercial measures adopted on August 15, 1971, and, if appropriate, of convoking a special meeting of the Special Committee on Consultation and Negotiation at the Ministerial level to permit an up-to-date evaluation of the situation and its implications on the Latin American economies.

CIES urged the developed countries to refrain from taking reprisals against each other, but, should these occur, to take measures so that the developing countries, among them those of Latin America, will not suffer the detrimental effects resulting from such reprisals.

In its preamble, the resolution takes note of the position expressed in the Manifesto of Latin America, approved by CECLA in Buenos Aires on September 5, 1971, and the views advanced during the CIES meeting by the representative of the United States. It is also noted in the resolution, that the 10% reduction in foreign aid called for by the new economic program should not be applicable to the United States aid program in Latin America, thereby making a positive contribution toward harmonizing the interests of all Member States.

In another resolution, CIES adopted the following programs for the fiscal period July 1, 1972 to June 30, 1974: country reviews, sectorial studies; promotion of external cooperation; public finances; development administration; manpower and employment; social security and welfare; urban development; rural development; statistics; regional development; tourism development; export promotion.

A Special Travel Congress was convoked by CIES to be held in Brazil in October, 1972. CIES also recommended to the next regular
session of the OAS General Assembly that it convene the Fourth Inter-American Conference of Ministers of Labor.

CECLA

The Special Commission for Latin American Coordination (CECLA) held a meeting in Buenos Aires, early in September 1971, and on the 5th of that month, approved the Manifesto of Latin America dealing with monetary and trade issues, and external development financing.

The document states, among other things, that as a result of the suspension of convertibility of the dollar into gold, one of the operating tenets of the present international monetary system has been altered affecting basic principles for development of international trade, movement of capital, and determination of the value of international monetary reserves. Further, that the current uncertainty with regards to the world monetary system derives in part from the fact that the International Monetary Fund, in its decision-making process, has been unable to enforce the adoption by all its members of policies designed to correct fundamental imbalances. As a result, developed countries with greater voting power in the IMF have followed policies that have led to the present crisis of the system which have, in fact, reinforced discriminatory treatment between developed and developing countries. In addition, it stated that the imposition of a 10% surcharge by the United States and the freezing of domestic prices pose an additional obstacle to access to the United States market by Latin American exports.

CECLA recommended that during its meeting at Panamá, CIES request the immediate elimination of the 10% surcharge established by the United States on imports from developing countries, and endeavor to obtain a firm commitment from the country to implement its plan for a general system of preferences by January 1, 1972.

CECLA held another meeting in Lima, Perú, in late October 1971, and approved a document entitled Agreement of Lima. This document contains nine principles and twelve provisions concerning common action. In its preamble, CECLA states that the developing countries reaffirm the importance of the principles adopted by UNCTAD.

The Agreement of Lima incorporates the following principles: the right to development; sovereignty over natural resources; generalized preferential treatment; right to technological information; participation in decisions that affect the economic and social development; exploitation of marine resources within and beyond national jurisdictions; human
environment and development; effects on the developing countries of the problems of balance of payments of the developed countries.

In another part of the document, CECLA insisted on the establishment of a new international monetary system, with the participation of the developing countries, and requested the cooperation and support of the developed countries in the formulation and implementation of programs for financing and technical assistance in maritime transportation. The document gives the highest priority to the formulation and prompt execution, on the part of the developed and developing countries, of concrete measures to promote the transfer of technology to the developing countries, under adequate economic and financial conditions. It urged the United Nations Conference on Human Environment to adopt a positive approach to environmental problems. Moreover, it reaffirmed the responsibility of the developing countries to mobilize their domestic resources for development which, together with an international plan of action, would eliminate any external obstacles which could create difficulties for this process.

ECONOMIC TIES WITH EUROPE

In a statement made on November 9, 1971, in Paris, at the meeting of the Development Assistance Committee (DAC) of the OECD on Latin America, the Secretary General of the OAS remarked that the “Organization of American States is utilizing its technical and administrative services to promote the mutual and converging interests of the developing nations of the Americas and the donors of international development assistance brought together in DAC. In mobilizing resources for development within the Western Hemisphere, the OAS looks outward in an effort to intensify the cooperation of non-Member States.”

Mr. Plaza also pointed out that “Latin America is undergoing fast and sweeping changes. . . . Latin America is inextricably linked with the Western World and it is only a matter of enlightened self-interest for the developed countries of Western Europe, as well as for the United States, Canada and Japan, to view it as a partner in a swiftly changing pattern of international economic and political relations. . . . The Latin American countries note with satisfaction that the European Community, Switzerland, Japan and Norway and most of the OECD countries have adopted the scheme of generalized trade preferences that was agreed upon in UNCTAD. It is to be hoped that the United States, Canada, and others will do so soon.”

Mr. Plaza further declared that “A number of DAC member countries and others such as Spain and Israel, are providing technical cooperation
services to Latin America in collaboration with the OAS. These services, currently worth about $3.5 million per year, support projects and training activities in the priority fields recommended by the CIAP and by the parallel body in the educational and scientific field, the Permanent Executive Committee of the Inter-American Council for Education, Science, and Culture (CEPCIECC).”

Speaking on the programs of the Alliance for Progress, the OAS Secretary General said that “There is a widespread but erroneous notion that the grand multilateral undertaking known as the Alliance for Progress has been a failure. The over-all picture is not negative. It compares favorably with development performance elsewhere in the world, as you may have noted in one of the documents before you, which is an objective assessment of the achievements and deficiencies of the Alliance over the past decade. Latin America is responsible for over 93% of the total investment undertaken in the region since 1961, about $142 billion. This is a tremendous self-help effort, one that rivals the miraculous European and Japanese recoveries after World War II. But even the maximum of self-help is not sufficient to pull Latin America out of its state of underdevelopment and generate growth rates of 8% to 9% required to absorb the growing labor force.”

GROUP OF 77

The Group of 77 met in Lima from October 28 to November 8, 1971, and in its final document expressed, among other things, that the participants in the Group reaffirmed the principles and objectives of the Charter of Argel; recognized the fundamental identity of the interests and problems of the developing countries of the different regions of the world, and the importance of maintaining their unity and solidarity to defend their common interests and achieving prompt and fair solutions of their problems. They also reaffirmed their faith in international cooperation for development, and stressed that the principal responsibility for the economic development of the developing countries rests with them. To this end they pledged to make every effort to solve their problems in order to make the necessary reforms in their economic and social structure, to mobilize their basic resources and to assure the participation of their peoples in the process and in the benefits of development. They also stressed the need to promote mutual cooperation among the developing countries, in order to contribute to their mutual economic and social progress.
The international community was urged to utilize the international organizations or mechanisms to achieve a rapid transformation of the world’s economic system, especially in the field of trade, finances and technology.

UNITED NATIONS

INTERNATIONAL LAW COMMISSION

A very important and useful document has been prepared by the United Nations Secretariat in connection with the work of the International Law Commission. The document is entitled "Survey of International Law" (A/CN.4/245, 23 April 1971, 231 p.).

The working paper is divided into seventeen main chapters, as follows:

I. The position of States in international law.
II. The law relating to international peace and security.
III. The law relating to economic development.
IV. State responsibility.
V. Succession of States and governments.
VI. Diplomatic and consular law.
VII. The law of treaties.
VIII. Unilateral acts.
IX. The law relating to international watercourses.
X. The law of the sea.
XI. The law of the air.
XII. The law of outer space.
XIII. The law relating to the environment.
XIV. The law relating to international organizations.
XV. International law relating to individuals.
XVI. The law relating to armed conflicts.
XVII. International criminal law.
In the preface, it is explained that the working paper has been prepared in response to a request made by the International Law Commission at its twenty-second session (1970) in connection with the revision of its long-term program of work. The following is a quote of the relevant passage in the Commission’s report: “Confirming its intention of bringing up to date in 1971 its long-term program of work, taking into account the General Assembly’s recommendations and the international community’s current needs, and discarding those topics on the 1949 list which were no longer suitable for treatment, the Commission asked the Secretary General to submit at its next session a new working paper as a basis for the Commission to select a list of topics which may be included in its long-term program of work.”

INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL) held its fourth session in Geneva from March 29 to April 20, 1971. A report on this session has been published in the U. N. General Assembly’s official records.

International Legislation on shipping

On this topic, UNCITRAL resolved: a) that under the priority topic of international legislation on shipping, bills of lading should be considered at this time; b) that on the subject of bills of lading, the topics for consideration should include those indicated in paragraphs 1 and 2 of the resolution adopted by the Working Group on International Shipping Legislation of the United Nations Conference on Trade and Development at its second session, which reads as follows:

1. Considers that the rules and practices concerning bills of lading, including those rules contained in the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading (the Brussels Convention of 1924) and in the Protocol to amend that convention (the Brussels Protocol of 1968), should be examined with a view to revising and amplifying the rules as appropriate, and that a new international convention may if appropriate be prepared for adoption under the auspices of the United Nations.

2. Further considers that the examination in paragraph 1 should mainly aim at the removal of such uncertainties and ambiguities as exist and at establishing a balanced allocation of risks be-
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between the cargo owner and the carrier, with appropriate provisions concerning the burden of proof. . . .

Certain matters were indicated for consideration in the work of revision and application of such rules. The Commission further resolved to establish a new and enlarged Working Group on International Legislation on Shipping consisting of twenty-one Member States of the Commission.

International Payments — Negotiable Instruments

The above mentioned report states that UNCITRAL “gave further consideration to the approach it had approved at its third session, that is, the preparation of uniform rules applicable to a special negotiable instrument to be used optionally in international transactions; there was general agreement that this approach would provide the most feasible solution to the problems and difficulties in the field of international payments. The essential feature of that approach was that unification would be confined to payment transactions that were international in character and that, consequently, the proposed uniform rules would not supersede national laws and practices insofar as those laws and practices related to domestic transactions. Moreover, the uniform rules would apply only to international transactions where the drawer of a negotiable instrument had opted for the application of the uniform rules by the use of an international instrument bearing an appropriate label or designation.”

Furthermore, it is stated that many representatives stressed the importance of carrying out the work with due regard to the requirements of present-day payment methods and practices. It was recommended that the proposed rules take into account the fact that new electronic data processing techniques were being developed in several countries.

The Commission decided to proceed with work directed towards the preparation of uniform rules applicable to a special negotiable instrument for optional use in international transactions. It requested the U.N. Secretary General: a) to prepare a draft of such rules accompanied by a commentary and to present the draft and commentary to the Commission at its fifth session; b) to carry out the work after consultation with interested international organizations, including banking and trade organizations and, where special circumstances so require, with the assistance of consultants, and for these purposes to convene meetings as required. It also resolved to establish at its fifth session a small working group which would be entrusted with the preparation of a final draft to be submitted to the Commission.
Bank Guarantees

The report notes that the Commission, at its third session, was informed that the International Chamber of Commerce (ICC) had initiated work on certain types of bank guarantees and had sent a questionnaire to the national committees, regarding performance, tender and repayment of guarantees. At the fifth session, the Commission was informed by the Secretariat that the replies received in response to ICC's questionnaire had been transmitted to ICC. The Commission decided to continue studying the matter.

International Sale of Goods

At its second session, UNCITRAL established a Working Group on the International Sale of Goods. One of the tasks assigned to the Working Group was to ascertain which modifications of the text of the Uniform Law on International Sale of Goods (ULIS), annexed to the 1964 Hague Convention, might render that Convention capable of wider acceptance, or whether it would be necessary to elaborate a new text.

At its fourth session, UNCITRAL considered, among other documents, a report of the Working Group, covering its second session held from December 7 to 18, 1970. In this report, the Working Group concluded that Articles 15 and 17 of ULIS posed questions of principle that should be referred to the Commission for consideration. In the Secretariat's note, it was stated that the Working Group on Time Limits and Limitations (Prescription) had recommended that rules on the scope of the uniform law on prescription should be the same as in the uniform law on sales and that, to make this possible, the Working Group on Sales and the Commission should give priority to this issue. For this reason, it was suggested that the Commission should also consider those questions of principle presented by the application of the law (Articles 1 to 7 of ULIS). The Commission decided to consider these questions and those under Articles 15 and 17 of ULIS, and also to consider the recommendations of the Working Group concerning its future work.

The report deals next with the following topics: sphere of application of the law; international character of the transaction; required contact between the sales transaction and a State that had adopted the Convention; forms of contracts; principles of interpretation; future work.

The Commission resolved that: a) the Working Group on the International Sale of Goods should proceed with its work; b) the Working Group should determine and improve, where necessary, its own working methods and plan of work; c) until the new text of a uniform law or
the revised text of the Uniform Law on the International Sale of Goods (ULIS) has been completed, the Working Group should submit a progress report on its work at each session of the Commission, and, any comments or recommendations made by representatives at the sessions on issues mentioned in the progress reports, shall be considered by the Working Group when preparing the final draft; the Commission will take its decisions on the substantive issues which may arise in connection with provisions of a new uniform law or the revised text of ULIS when it has before it, for approval, the final text and accompanying commentary prepared by the Working Group; d) in accordance with 'c' above, the Working Group, when preparing its final draft, should take into consideration the comments and opinions voiced by representatives in connection with the items considered at the fourth session of the Commission.

The Commission further authorized the Working Group to request the Secretary General to prepare studies and other documents which are necessary for the continuation of its work.

General Conditions of Sale and Standard Contracts

On this matter, UNCITRAL requested the Secretary General: a) to continue with the program of implementation of the decision taken by the Commission at its second session, concerning the promotion of the general conditions prepared under the auspices of the Economic Commission for Europe and to address inquiries, designed to obtain information on the questions set forth in the Commission's decision, directly to the governments, national chambers of commerce, trade associations and other trade organizations, and to submit a report on the replies received at the Commission's fifth session; b) to continue its study on the feasibility of developing general conditions embracing a wider scope of commodities and to submit the study, if possible, to the Commission at its fifth session.

Time Limits and Limitations (Prescription) in International Sale of Goods

At its second session, UNCITRAL established a Working Group on Time Limits and Limitations (Prescription). At its fourth session, the Commission considered the report of this Working Group covering its second session held in August 1970, during which it prepared a preliminary draft of a Uniform Law on Prescription in the International Sale of Goods.

The Commission decided to invite members of the Commission to submit to the Secretary General, by June 30, 1971, in writing, any proposals or observations they might wish to make with respect to the
preliminary draft. It also requested the Secretary General to analyze the replies received to the questionnaire which was circulated among the Governments and interested international organizations in September 1970, and to transmit this analysis to the members of the Working Group prior to its third session. Furthermore, the Commission requested the Working Group to prepare a final draft of the Uniform Law on Prescription for submission to the Commission at its fifth session taking due note of the views expressed during the discussion of the subject at the fourth session of the Commission, the analysis by the Secretariat of the replies to the questionnaire and any proposals or observations transmitted to the Working Group prior to its next session.

Training and Assistance in the Field of International Trade Law

After consideration of this topic, the Commission decided to request the Secretary General to continue consultations with other interested organizations with a view to developing programs of training and assistance in matters related to international trade law and, in particular, to consider means whereby practical experience in international trade law could be made available through the cooperation of trading institutions and similar bodies.

Registers of Texts

At its first session held in 1968, UNCITRAL decided to establish a compilation of texts of conventions and similar instruments dealing with certain areas of the international trade law. At its second session held in 1969, the Commission indicated the areas to be covered by the Register, and requested the Secretary General to publish the relevant texts of conventions and similar instruments on the international sale of goods, negotiable instruments, banker’s commercial credits, guarantees and securities, international commercial arbitration, and international shipping legislation.

Volume I of the “Register of texts of conventions and other instruments concerning international trade law” was published by the United Nations in 1971.

UNCITRAL Membership

UNCITRAL consists of twenty-nine Member States of the United Nations, elected by the General Assembly. Five of these are also Member States of the OAS. The five countries and their representatives are: Argentina: Mr. Gervasio Ramón Carlos Colombres, Professor at the Faculty
of Law of the University of Buenos Aires; Brazil: Mr. Nehemias Gueiros, Professor at the Recife Law School, former President of the Inter-American Bar Association; Chile: Mr. Rafael Lasalvia, Professor of Commercial Law and Director of the Department of Private Law of the University of Chile, Santiago; Mexico: Mr. Jorge Barrera Graf, Legislative Commission of the Secretariat of Industry and Trade; United States of America: Mr. E. Allan Farnsworth, Professor of Law, Harvard Law School. The Secretary of UNCITRAL is Mr. John Honnold, Chief of the International Trade Branch of the General Legal Division, Office of Legal Affairs, United Nations.

Fifth Session of UNCITRAL

The fifth session of UNCITRAL will be held at the United Nations headquarters in New York, from April 10 to May 3, 1972.