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COMMITTEE FOR TRADE, INDUSTRY AND
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Sixth session, 28 and 31 May 2002
Item 13 of the provisional agenda

**Report by the
Advisory Group on International Commercial Arbitration**

Note by the secretariat

The Advisory Group does not have any decisions that it needs to request of the Committee at this session. Therefore, this document has been prepared **for information only**.

Work on the 1961 European Convention

In June 2001 a report was made by the Advisory Group on the revision of the 1961 European Convention on International Commercial Arbitration (TRADE/2001/16) to the Committee for Trade, Industry and Enterprise Development. At that time, the Committee approved the organization of a formal preparatory meeting, with nominated country representatives, to finalize the text and final act for an optional protocol revising that Convention.

Once this preparatory meeting has been held, the results will be submitted to the Bureau of the Committee who, if they approve of them, will then request the Economic Commission for Europe to call a meeting of plenipotentiaries for approval of the optional protocol.

Current plans are to finalize the text of the optional protocol at a meeting of the Bureau of the Advisory Group in April or early May and to then organize the formal preparatory meeting for the autumn of 2002.

With regard to the existing Convention, the secretariat is assisting the International Chamber of Commerce with the organization of the elections for the Special Committee which will take place in the first half of 2002.

Other Work on International Commercial Arbitration

The secretariat is undertaking two studies in support of the work on international commercial arbitration:

- (a) A survey of practices in member States with regard to how problems with the delivery of notice of arbitration are handled. So far, responses have been gathered from 20 member States and a preliminary report on these responses is available from the secretariat. We expect to have a final report available by September 2002.
- (b) A survey of practical problems in international arbitration undertaken among arbitration professionals, in particular lawyers and arbitrators, who work in transition economies. We have received approximately 26 replies to the questionnaire for this survey; however, we expect it to take another year to complete, because it is more complicated than the first survey and there are still many countries for which no data is available.

The results of this work will be made available to the Advisory Group as well as to the United Nations Commission on International Trade Law (UNCITRAL), with whom we have consulted during the construction of the questionnaires.

In addition, during the past year the secretariat has provided substantive, policy oriented supported to the Southeast European Cooperative Initiative (SECI) Expert Group on International Commercial Arbitration and Mediation and it is expected that this work will continue during 2002-2003.

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