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Agenda item 80

Report of the United Nations Commission on International Trade Law on the work of its fifty-fourth session

Resolution adopted by the General Assembly on 9 December 2021

[on the report of the Sixth Committee ([A/76/471](#), para. 13)]

76/109. Enlargement of the membership of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution [2205 \(XXI\)](#) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Recalling also its resolution [3108 \(XXVIII\)](#) of 12 December 1973, by which it increased the membership of the Commission from 29 to 36 States, and its resolution [57/20](#) of 19 November 2002, by which it increased the membership of the Commission from 36 to 60 States,

Being satisfied with the practice of the Commission of inviting States not members of the Commission and relevant intergovernmental and international non-governmental organizations to participate as observers in the sessions of the Commission and its working groups and to take part in the formulation of texts by the Commission, as well as with the practice of reaching decisions by consensus without a formal vote,

Observing that the considerable number of States that have participated as observers and made valuable contributions to the work of the Commission indicates that there exists an interest in active participation in the Commission beyond the current 60 member States, and noting that there is an interest by a significant number of current member States of the Commission to continue their roles as members and from other States to become new members,



Convinced that wider participation of States in the work of the Commission would further the progress of its work and that an increase in the membership of the Commission would stimulate interest in its work,

Recognizing that the Commission should continue to strive towards the achievement of increased and active participation, and that increased membership could be a contributing factor in this regard,

Recognizing also the importance of the promotion of equitable geographical distribution in the membership of the Commission,

Acknowledging that member States of the Commission consulted with each other and other interested States on the proposal to enlarge the membership of the Commission,

1. *Takes note* of the fact that the impact of an increase in the membership of the United Nations Commission on International Trade Law on the secretariat services required to properly facilitate the work of the Commission would not be material enough to quantify and that the increase would therefore have no financial implications;

2. *Decides* to increase the membership of the Commission from 60 to 70 States, bearing in mind that the Commission is a technical body; the regional representation resulting from this increase in membership shall not be a precedent for the enlargement of other bodies in the United Nations system;

3. *Also decides* that the 10 additional members of the Commission shall be elected by the General Assembly for a term of six years in accordance with the following rules:

(a) In electing the additional members, the General Assembly shall observe the following distribution of seats:

- (i) Two from African States;
- (ii) Two from Asia-Pacific States;
- (iii) Two from Eastern European States;
- (iv) Two from Latin American and Caribbean States;
- (v) Two from Western European and other States;

(b) Of the 10 additional members, five, that is, one from each regional group, shall be elected at the election to be held during the seventy-sixth session of the General Assembly;

(c) The additional members elected in accordance with subparagraph (b) shall take office from the first day of the fifty-fifth session of the Commission in 2022;

(d) The remaining five additional members, that is, one from each regional group, shall be elected at the election to be held during the seventy-ninth session of the General Assembly;

(e) The additional members elected in accordance with subparagraph (d) shall take office from the first day of the fifty-eighth session of the Commission in 2025;

(f) The provisions of section II, paragraphs 4 and 5, of General Assembly resolution [2205 \(XXI\)](#) shall also apply to the additional members;

4. *Further decides* that, when electing members of the Commission, Member States shall take into account the voluntary pledges of the candidates which outline the concrete commitments of the candidates to the work of the Commission;

5. *Appeals* to Member States, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by the Member States in the sessions of the Commission and its working groups, to consider making voluntary contributions to the trust funds established to provide travel assistance to developing countries that are members of the Commission, as well as technical assistance, capacity-building and other forms of support as appropriate, at their request and in consultation with the secretariat;

6. *Calls upon* member States of the Commission to make efforts to achieve increased and active participation in the sessions of the Commission and its working groups, which serve as an important forum for strategy and decision-making of the work of the United Nations in the field of international trade law, while giving due regard to the need to facilitate the participation of developing countries, and stresses the need to explore all appropriate means to achieve that objective;

7. *Requests* the Secretariat to periodically provide to the Commission data on the attendance of member States of the Commission and observer States at the sessions of the Commission and its working groups;

8. *Requests* the Commission to discuss and consider at its session in 2030, and subsequent sessions if necessary, issues in relation to the present resolution, including ways to promote equitable geographical representation of regional groups as well as to increase the effective participation of representatives of all Member States, while giving due regard to the adequate representation of the principal economic and legal systems of the world, and of developed and developing countries, with a view to taking further actions as necessary, including on the basis of the above-mentioned criteria.

*49th plenary meeting
9 December 2021*