



# General Assembly

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**United Nations Commission on  
International Trade Law  
Working Group IV (Electronic Commerce)  
Sixty-ninth session  
Vienna, 20–24 October 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), Argentina (2028), Armenia (2028), Australia (2028), Austria (2028), Belarus (2028), Belgium (2031), Bolivia (Plurinational State of) (2031), Brazil (2028), Bulgaria (2028), Burundi (2031), Canada (2031), Chile (2028), China (2031), Colombia (2028), Congo (2031), Côte d'Ivoire (2031), Czechia (2028), Democratic Republic of the Congo (2028), Dominican Republic (2031), El Salvador (2031), France (2031), Germany (2031), Ghana (2031), Greece (2028), Hungary (2031), India (2028), Iran (Islamic Republic of) (2028), Iraq (2028), Israel (2028), Italy (2028), Japan (2031), Kenya (2028), Kuwait (2028), Malawi (2028), Malaysia (2031), Mauritania (2031), Mauritius (2028), Mexico (2031), Morocco (2028), Netherlands (Kingdom of the) (2031), Nigeria (2028), Panama (2028), Peru (2031), Philippines (2031), Poland (2028), Republic of Korea (2031), Russian Federation (2031), Saudi Arabia (2028), Sierra Leone (2031), Singapore (2031), Somalia (2028), South Africa (2031), Spain (2028), Sri Lanka (2031), Sweden (2031), Switzerland (2031), Thailand (2028), Türkiye (2028), Turkmenistan (2028), Uganda (2028), Ukraine (2031), United Kingdom of Great Britain and Northern Ireland (2031), United States of America (2028), Uruguay (2031), Venezuela (Bolivarian Republic of) (2028), Viet Nam (2031) and Zambia (2031).



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-ninth session of the Working Group will be held at the Vienna International Centre from 20 to 24 October 2025.

4. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m., except on Monday, 20 October 2025, when the session will be opened at 10 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). The session coincides with Diwali, and the secretariat has been requested to make efforts to avoid meetings taking place during a holiday of the United Nations.<sup>1</sup> Details of any changes to the scheduling of meetings, as well as 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.

8. The Working Group may wish to focus its deliberations on issues identified in the note by the secretariat ([A/CN.9/WG.IV/WP.190](#), paras. 3–16), as well as on outstanding issues from the sixty-seventh session regarding definitions, scope of application and rules on remedies that were not considered by the Working Group at its sixty-eighth session due to time constraints (see in particular [A/CN.9/WG.IV/WP.188](#), para. 18 and the notes accompanying articles 1 and 2 of the draft default rules annexed thereto).

9. Given the progress made, the Working Group may also wish to hold a discussion on the possible form of the default rules ([A/CN.9/WG.IV/WP.190](#), paras. 17–18), as well as on a possible timetable for submitting the text to the Commission at its fifty-ninth session, in 2026.

#### (a) Background information

10. 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](#)).

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<sup>1</sup> *Official Records of the General Assembly, Eightieth Session, Supplement No. 17 (A/80/17)*, para. 346.

11. 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.<sup>2</sup> 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).

12. 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 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); and

(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).

13. At its sixty-eighth session (New York, 24–28 March 2025), the Working Group considered the topic for the first time as the sole item on its agenda on the basis of a third revision of the draft default rules prepared by the secretariat (A/CN.9/WG.IV/WP.188). The Working Group focused its deliberations on rules on the mode of provision, data conformity, use of the provided data and derived data (A/CN.9/1202, paras. 10–79).

## **(b) Documentation**

14. The Working Group will have before it a note by the secretariat containing a fourth revision of the draft default rules on data provision contracts reflecting the deliberations and decisions of the Working Group at its sixty-eighth session (A/CN.9/WG.IV/WP.190).

15. 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 paras. 10 and 11 above), namely the “initial draft” (A/CN.9/WG.IV/WP.180), the “first revision” (A/CN.9/WG.IV/WP.183), the “second revision” (A/CN.9/WG.IV/WP.186) and the “third revision” (A/CN.9/WG.IV/WP.188);

(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;<sup>3</sup>

<sup>2</sup> *Ibid.*, *Seventy-seventh Session, Supplement No. 17 (A/77/17)*, para. 163.

<sup>3</sup> *Ibid.*, *Seventy-fifth Session, Supplement No. 17 (A/75/17)*, paras. 67–76.

(ii) A progress report on preparatory work on data transactions (A/CN.9/1064), submitted to the Commission for its fifty-fourth session;<sup>4</sup> and

(iii) A proposal for future work on data transactions (A/CN.9/1117), submitted to the Commission for its fifty-fifth session;<sup>5</sup> 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 5. Other business**

16. Under this agenda item, the Working Group may wish to consider an update from the secretariat on ongoing exploratory and preparatory work on topics related to electronic commerce and digital trade that was requested by the Commission at its fifty-eighth session, in 2025,<sup>6</sup> as well as other non-legislative activities being carried out in the field.

**Item 6. Adoption of the report**

17. 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.

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<sup>4</sup> Ibid., *Seventy-sixth Session, Supplement No. 17 (A/76/17)*, para. 237.

<sup>5</sup> Ibid., *Seventy-seventh Session, Supplement No. 17 (A/77/17)*, paras. 150–155 and 161–164.

<sup>6</sup> Ibid., *Eightieth Session, Supplement No. 17 (A/80/17)*, paras. 245, 261, 266 and 270.