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**67<sup>TH</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY**

**Sixth Committee**

**Agenda Item 77**

**Report of the United Nations Commission on International Trade Law  
on the work of its forty-fifth session**

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**Statement by  
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Deputy Legal Advisor  
Ministry of Foreign Affairs**

**NEW YORK  
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*Revised*

Mr. Chairman,

At the outset, Greece would like to join other delegations in thanking the Chairman of the forty-fifth session of UNCITRAL, Mr. Sikiric, for his presentation.

Greece would also like to thank the United Nations Commission on International Trade Law for its Report. It sets out an accurate account on the developments of its work on the topic of international trade law. Indeed, throughout its creation in 1966 the Commission contributed to the advancement and uniform application of international trade law in a number of fields.

With respect to the present Report, we would like to focus on two issues, namely the Guide to Enactment of the UNCITRAL Model Law on Public Procurement and the progress made within its Working Group II on the draft legal standards regarding the transparency in treaty-based investor-State arbitrations.

As regards the Guide, we would like to stress that this Guide would facilitate the interpretation and effective application of the Model Law on Public Procurement. The Commission is rightly tackling in this respect the problem of collusion which may occur where two or more suppliers or contractors and the procuring authority work in tandem to manipulate the market. Such manipulation might involve an agreement to distort fair competition and, as the Commission observes, the problem of collusion is not only relevant to competition but also to the integrity of the procurement.

In this respect Greece welcomes the inclusion in the text of the Guide of a paragraph explaining the reasons why there is a need to tackle the problem of collusion in public procurement. Such inclusion in our view would enable domestic legislators to address effectively this question.

Regarding the progress achieved within Working Group II on the draft legal standards on transparency in treaty-based investor-State arbitration, Greece would like to subscribe to the view that the question of transparency under existing and, to a lesser degree, future investment treaties is extremely complex and delicate, demanding a thorough approach of the law governing international treaties, that is the 1969 Vienna Convention on the Law of Treaties.

Finally, Mr. Chairman, Greece would like to underline the importance of uniform interpretation and application of UNCITRAL texts. Greece shares the view of the Commission that the CLOUT system and the digests constitute an important tool for the promotion of awareness and uniform interpretation of such texts.

The renewed appointment of CLOUT correspondents is a significant step in this direction and will certainly add new impetus to the system, providing a wider dissemination of case law on key international trade law texts.

Thank you, Mr. Chairman.