



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

231 EAST 51ST STREET, NEW YORK, NY 10022
TEL: (212) 826 0840 FAX: (212) 826 2964

**STATEMENT BY MR. MARCUS SONG,
DELEGATE TO THE 67TH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY
ON AGENDA ITEM 77,
ON THE REPORT OF THE UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW ON THE WORK
OF ITS FORTY-FIFTH SESSION,
SIXTH COMMITTEE,
15 OCTOBER 2012**

1 Mr Chairman, I would first like to congratulate Your Excellency on your election as Chairperson of the Sixth Committee. On a similar note, I would also like to congratulate the other members of the Bureau on their election. The delegation of Singapore wishes you and the members of your Bureau every success and assures you of Singapore's unqualified support and cooperation during the deliberations of this Committee.

2 Singapore would like to thank the Chairman of the United Nations Commission on International Trade Law (UNCITRAL) for his report on the 45th Session of the Commission, and to congratulate him and the UNCITRAL Secretariat for the successful completion of this session. We are pleased to note the completion and adoption of a "Guide to Enactment of the UNCITRAL Model Law on Public Procurement" and the "Recommendations to assist arbitral institutions and other interested bodies with regard to arbitration under the UNCITRAL Arbitration Rules (as revised in 2010)". Both of these would help to promote the objectives of UNCITRAL. In particular, the Guide to enactment of the model law on public procurement would be of valuable assistance not only to states that have decided to implement the Model Law but also to those who are considering it for adoption.

3 At the 45th session of UNCITRAL, the issue of limited resources repeatedly arose in the discussions on the future work of the Commission. The work of the Commission over the years since it was formed has resulted in the production and adoption of a valuable set of texts that help to facilitate and promote international trade. The increasing output of the Commission

generates a corresponding increase in the work required to promote and support the use of the texts. Such work includes the production of guides, the collation of information on the texts and making better known the work completed by UNCITRAL, including the benefits these bring to international trade. All these call for more resources to be applied to this aspect of the work of the United Nations. But resources will always be limited. It is therefore necessary for UNCITRAL to optimize its work and working modalities to ensure that the limited resources are applied in the best possible manner. This would include working only on areas where there is a clear need for harmonisation of the legal rules that apply to a transaction in that area when it crosses national boundaries. It also means that UNCITRAL should ensure that the outcomes of its work would result in such harmonization. UNCITRAL should apply its scarce resources to produce outcomes which address real commercial needs and which remove legal obstacles to international trade. UNCITRAL should also avoid duplicating work which can be better undertaken at other international forums.

4 Thus, UNCITRAL's core work should be to produce texts that would not or are unlikely to be generated without the Commission; with priority being given to the production of binding international Conventions and model laws. These are, in that order, the most effective means of ensuring harmonization of trade laws. These should be accorded priority over other work that may be less effective in leading to the harmonization of trade laws.

5 One modality to optimize scarce resources which the UNCITRAL Secretariat can utilize more frequently is collaboration with member states, experts and other organizations (including academic institutions) in disseminating UNCITRAL texts and making them more useful to potential users. The UNCITRAL Secretariat has done this for many years and should be commended for doing so. This can be further enhanced.

6 A recent product of such collaboration is the first Digest of Case Law on the UNCITRAL Model Law on International Commercial Arbitration. This Digest was produced by Singapore with the assistance of UNCITRAL's national correspondents, and was launched in the middle of this year in Singapore. It would be extremely useful to arbitration practitioners as well as users of arbitration under UNCITRAL's arbitration texts. It also promotes greater awareness of UNCITRAL's work in arbitration. Further, by making applications and clarifications of the texts

accessible to all, this would promote arbitration under the UNCITRAL Rules as a preferred mode of resolving international commercial disputes.

7 Singapore is happy to be able to support this project and we stand ready to do more to further the objectives of UNCITRAL. To this end, Singapore has offered to host an UNCITRAL Centre in Singapore and has proposed a level of funding and administrative support. This offer was made at the last session of UNCITRAL. It was warmly received and the Secretariat was requested by the Commission to further pursue administrative arrangements for the establishment of this centre. In line with the Commission's directions, this centre will maintain close co-ordination and co-operation with other regional offices of UNCITRAL.

8 Singapore has been a member of UNCITRAL since 1971. We reiterate our support for UNCITRAL and will continue to strongly support the work of UNCITRAL and participate actively in its work. In August this year, the Asia-Pacific Group endorsed the candidature of 6 states in the Asia-Pacific region, including Singapore, for election to UNCITRAL. Singapore looks forward to continuing to contribute to UNCITRAL as an active participant in UNCITRAL's deliberations and in supporting the many initiatives of UNCITRAL to promote international trade by removing the legal obstacles that presently exist in this area. We therefore look forward to continuing our UNCITRAL membership, and hope to enjoy the support of the international community to do so.

9 Thank you Mr Chairman.

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