

STATEMENT OF THE PHILIPPINES

Item 76 – Report of the United Nations Commission on International Trade Law on the work of its 47th session

Sixth Committee, 69th session of the United Nations General Assembly
13 October 2014

Thank you, Mr. Chairman.

We wish to thank UNCITRAL for its report on its 47th session.

The Philippines supports fair, stable and predictable legal frameworks for generating inclusive, sustainable and equitable development, as well as economic growth and employment. Thus, we are committed to supporting UNCITRAL, which can contribute to the post-2015 development agenda in the areas of international trade, financing and investments. UNCITRAL, through its guides, model laws and other instruments, and its continuing work in the harmonization and modernization of trade law, can assist countries in developing a rules-based environment for commercial activities to flourish and for people to reap its benefits.

The past year has been a very productive year for UNCITRAL. It adopted, *inter alia*, the Rules on Transparency in Treaty-based Investor-State Arbitration, the Arbitration Rules, the Guide on the Implementation of a Security Rights Registry, the Guide to Enactment and Interpretation of the Model Law on Cross-Border Insolvency, the Guide on the Implementation of a Security Rights Registry, and the guidance on procurement regulations.

At its 47th session last July, UNCITRAL adopted the draft UN Convention on Transparency in Treaty-based Investor-State Arbitration. The Philippines looks forward to supporting its adoption by the General Assembly. We also welcome the next work of Working Group II on revising the notes on organizing arbitral proceedings, as well as the issue of enforcing international settlement agreements resulting from conciliation proceedings.

Mr. Chairman, Micro-, Small- and Medium-sized enterprises or MSMEs constitute the bulk of economic activity in many developing countries. We should help engage them in trade at the international level, by helping reduce the various legal obstacles they face. In this regard, the Philippines supports the progressive contribution of Working Group I in seeking to reduce the legal obstacles MSMEs encounter throughout their life cycle, and its preliminary discussions on the development of a legal text on simplified incorporation and business registration.

The Philippines follows with keen interest, the contributions of the other Working Groups in the equally important areas of public procurement, electronic commerce, and online dispute resolution (ODR). We are especially interested in recommendations on how the draft rules on ODR could respond to the needs of developing countries and those in post-conflict situations, together with how the role of arbitration could render ODR more effective.

The Philippines also looks forward to learning from as well as contributing to UNCITRAL's work in public-private partnerships (PPPs), which are an important alternative in securing resources for infrastructure and other development. PPP is one strategy identified by the Philippine government to achieve inclusive growth through infrastructure and development projects. It encourages the collaboration of the public and private sector to achieve the shared goals of growth and development. This happens by putting on board the advantages of private sector initiatives, as well as the efficient and accelerated provision of public services, in order to ensure that public needs are being addressed effectively.

We likewise support UNCITRAL's Regional Centre for Asia and the Pacific projects in actively raising awareness of UNCITRAL's work for the promotion of adoption and uniform interpretation of UNCITRAL texts in the region. In fact, the Philippines' Department of Justice had the occasion to co-sponsor the *Workshop on UNCITRAL Texts on E-Commerce and Sale of Goods: Global and Regional Trends, and Perspectives for the Philippines*, held in Manila in October 2013.

Finally, as the Chair for 2015 of the Asia-Pacific Economic Cooperation or APEC, the Philippines looks forward to help promote UNCITRAL instruments as a tool to foster the ease of doing business among APEC member economies.

Thank you, Mr. Chairman.