

STATEMENT BY
REPRESENTATIVE OF JAPAN
ON THE REPORT OF THE UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW ON THE WORK OF ITS 50th SESSION

SIXTH COMMITTEE
9 OCTOBER 2017
UNITED NATIONS, NEW YORK

Mr [Ms]. Chair,

At the outset, I would like to [congratulate you on your assumption of the chairmanship of the Sixth Committee, and to] express confidence that we will achieve positive results during this session under your able leadership.

In addition, I would like to express my gratitude to the Chair of UNCITRAL for presenting the report of the Commission on the work conducted during its fiftieth session. I appreciate as well the important role played by the Secretariat of UNCITRAL.

Mr [Ms]. Chair,

Now, I would like to comment briefly on the work of UNCITRAL during its fiftieth session.

(1) Working Group I (Micro-, Small, Medium-sized Enterprises)

Japan fully recognizes the importance of reducing legal difficulties faced by Micro-, Small, and Medium-sized Enterprises (MSMEs) throughout their lifecycles, particularly in developing economies. We are pleased with the substantive deliberations taking place in the Working Group, and will continue to contribute to the discussion through our corporate experts in this field.

Japan looks forward to Working Group I completing its current work on the draft legislative guide on key principles of a business registry, and to the adoption of the instrument during the next commission session.

(2) Working Group II (Dispute Settlement)

Japan understands that Working Group II is handling challenging topics relating to the enforceability of settlement agreements resulting from conciliation.

Japan hopes the Working Group will continue to examine these topics and take into account the need for the coordination of existing national legislation of individual States in this area.

Japan looks forward to Working Group II completing the project and to the adoption of the instrument during the next commission session.

(3) Working Group III (Investor-State Dispute Settlement Reform)

Japan hopes Working Group III will strictly follow the work sequence stipulated in the mandate without prejudice to the final outcome of the entire process. Japan emphasizes that UNCITRAL's work should be based not on perceptions or impressions about ISDS but on the facts related to the current investment arbitration system.

(4) Working Group IV (Electronic Commerce)

Japan congratulates UNCITRAL on its finalization and adoption of the UNCITRAL Model Law on Electronic Transferable Records. We hope the Model Law will promote legislation on Electronic Commerce as well as the past UNCITRAL e-Commerce texts.

Regarding future work under consideration, Japan hopes that Working Group IV continues to pay due attention to technological neutrality.

(5) Working Group V (Insolvency Law)

Japan understands that Working Group V is considering very complex and difficult topics of concern to multinational enterprises and MSMEs. Japan will continue to support the Working Group and looks forward to further progress in this area in the future.

(6) Working Group VI (Secured Transaction)

Japan also congratulates UNCITRAL on its finalization and adoption of the Guide to Enactment of the Model Law on Secured Transactions. We look forward to the commencement of Working Group VI's work on the Practice Guide to promote the applicability of the Model Law.

In conclusion, I would like to express our deep appreciation for the Commission's contribution in promoting the progressive harmonization and unification of international commercial law. Japan, as a member of the Commission since its inception, will continue to participate actively in its work.

I thank you for your attention.