



INDIA
भारत

STATEMENT BY

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ON

AGENDA ITEM 77

**REPORT OF THE UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
(UNCITRAL) ON THE WORK OF ITS FIFTY-SECOND SESSION**

AT THE

**SIXTH COMMITTEE OF THE 74th SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY**

NEW YORK

21 OCTOBER 2019

Mr. Chairman

We thank the Chairman of the United Nations Commission on International Trade Law (UNCITRAL/the Commission) for his detailed presentation of the report on the work of the UNCITRAL at its 52nd Session in Vienna during July, 2019. We attach great significance to the work of the Commission in over half a century in harmonization of laws related to international trade.

2. We take this opportunity to thank Ms. Anna Jouben-Bret, Secretary UNCITRAL for having visited India earlier this year and engaging in discussions on the ongoing work of UNCITRAL. We also take this opportunity to wish great success to Ms. Athita Komindr, the new Head of the UNCITRAL – Regional Centre for Asia and the Pacific.

Mr. Chairman

3. We thank the Commission for its report A/74/17 on its work at the Fifty – second Session and commend the Commission for the work over the past year. We commend UNCITRAL for having finalised and adopted the Model Legislative Provisions on Public – Private Partnerships along with a Legislative Guide. This would go a long way to help countries adopt domestic laws establishing procedures for the approval, award, and implementation of public-private partnership projects, in accordance with the principles of transparency, fairness, stability, proper management, integrity, completion, economy and long-term sustainability.

4. At the 52nd session of the Commission, we had made a country presentation to share our experience and concerns on the Insolvency Law reform. We are pleased that UNCITRAL adopted the Model Law on Enterprise Group Insolvency. This will be a value addition to the pre-existing model laws on cross-border insolvency.

Mr. Chairman

5. We also note with satisfaction the successful adoption of the practice guide to the UNCITRAL Model Law on Secured Transaction. This would be of immense assistance to contractual, transitional and regulatory issues and also issues relating to the financing of micro businesses. We also welcome the initiative by Working Group VI in the

field of Judicial Sale of Ships and look forward to contributing to the same.

6. We also take note of the continued consideration of improving the efficiency and quality of arbitral proceedings. This could pave the way for reduction in costs and duration of the proceedings which is to the benefit of parties.

Mr. Chairman,

7. We commend the progress of the work of Working Group III on Investor – State Dispute Settlement Reform. We note that the two possible reforms include reforming the current system in a step-by-step process and a structural reform which includes the creation of a World Investment Court with an appellate body. It has been agreed to pursue both work streams simultaneously, in order to give ample opportunity and accommodate all the parties and have consensus on the way forward.

Mr. Chairman

8. We note that 46 countries including India signed the Singapore Convention on Mediation which was opened for Signature on 7 August, 2019. The Convention would go a long way in strengthening the international dispute resolution framework. This Convention will facilitate the enforcement of mediated settlement agreements amongst signatory countries, and in turn, help trade and commerce.

9. We appreciate the value of CLOUT in promoting the uniform interpretation of UNCITRAL texts and welcome the proposal for enhancing CLOUT and creating a CLOUT community and note that an enhanced and more effective CLOUT could assist in capacity-building efforts. We appreciate the work of the national correspondents to CLOUT who play an important role in providing information on the use and implementation of UNCITRAL texts. This information is useful for identifying needs for future legislative work. We would like to bring it to your notice that India have also nominated national correspondents to CLOUT.

Mr. Chairman

10. In conclusion, we reiterate the appreciation for the work of UNCITRAL and would like to highlight that the Commission, being the

core legal body of the United Nations system in the field of international trade law should continue to reach out to the broadest extent possible to continue the harmonization and development of international trade law.

India remains committed to the work of the UNCITRAL and look forward to continuing our productive engagement.

I thank you, Mr. Chairman