



DRAFT STATEMENT OF THE REPUBLIC OF THE PHILIPPINES

**delivered by
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**Item 77: Report of the United Nation Commission
on International Trade Law of the Work of its 53rd Session
74th Session of the United Nations General Assembly
Sixth Committee**

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UN Headquarters New York

Thank you, Mr. Chairman.

The Philippines supports fair, stable and predictable legal frameworks for generating inclusive, sustainable and equitable development, as well as economic growth and employment. We recognize and are committed to support UNCITRAL's important role in promoting the rule of law in the sustainable development agenda and the SDGs, and in the areas of international trade, financing and investments.

We thank the Commission for its comprehensive report, which indicates that much has been accomplished over its 52nd Session.

As a current member of the Commission, the Philippines welcomes the finalization and adoption of the Model Legislative Provisions on Public Private Partnerships with an accompanying legislative guide, the Model Law on Enterprise Group Insolvency and its Guide to Enactment, the Practice Guide to the United Nations Commission on International Trade Law Model Law on Secured Transactions, and a text on the obligations of directors of enterprise group companies to be added to part four of the UNCITRAL Legislative Guide on Insolvency Law.

On Working Group I, the Philippines commends the continuing progress made on Micro-, Small- and Medium-sized Enterprises or MSMEs. Our development plans recognize small entrepreneurs as a big driver of the economy. MSMEs account for 99% of business establishments in the country. That's significant. They generate a total of 4.8 million jobs, contribute almost 63.3% of total jobs generated by all types of business establishments, and forms 35.7%¹ of the total GDP. We need to assist them and make them globally competitive.

Hence, we support the Commission's work on reducing legal obstacles – including access to credit -- faced by MSMEs throughout their life cycles, in particular in developing economies.

The Philippines continues to be engaged in Working Group III's consideration of the possible reform of Investor-State dispute settlement (ISDS). While the mandate of the Working Group focuses on the procedural aspects of ISDS rather than on the underlying investment protection standards, it bears emphasizing that any ISDS reform must strike a balance between rights and obligations of the States on the one hand and of the investors on the other.

Ours is now a digital world, and as such UNCITRAL must necessarily be centrally concerned with addressing legal issues related to the digital economy and digital trade.

On future work, we note with interest the scheduled colloquia on civil asset tracing and recovery and on applicable law in insolvency proceedings. We also express our support for the proposal of Japan and Israel to discuss the enlargement of the membership of the Commission.

Mr. Chair,

The Philippines signed the Singapore Convention on Mediation at the signing ceremony hosted by Singapore on 01 August 2019. The Convention complements the existing legal framework on international mediation and is of much value to the fair and efficient settlement of disputes arising in international commercial relations. We therefore encourage other countries and regional economic organizations to sign on to the Convention.

Finally, we once again express our deep appreciation to UNCITRAL's Regional Center for Asia and the Pacific and to the Republic of Korea for its support for the Center. The Center has done much to build capacity of our region on international trade law and to raise awareness of UNCITRAL, including through the organization of the annual UNCITRAL Asia Pacific Day.

Thank you.