



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

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**Statement**

**by**

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**of the Permanent Mission of Thailand to the United Nations**

**before the Sixth Committee**

**of the 77<sup>th</sup> Session of the United Nations General Assembly**

**Agenda item 75**

**Report of the United Nations Commission**

**on International Trade Law on the work of its fifty-fifth session**

**New York, 17 October 2022**

**As delivered**

Mr. Chair,

1. At the outset, the Thai delegation wishes to congratulate His Excellency the Permanent Representative of Croatia, Chairman of the fifty-fifth session of UNCITRAL, on the successful conclusion of the session under his able leadership. We also wish to express our appreciation to the Secretariat for the comprehensive report on the progress of the working groups and excellent preparatory work on various topics to aid discussions about UNCITRAL's future work.

Mr. Chair,

2. Thailand would like to thank Member States for the support extended to us at the elections for UNCITRAL membership earlier this year. We will continue our active participation and contribution to the work of UNCITRAL whether in the Commission or the Working Groups, and we would like to reaffirm our commitment in supporting UNCITRAL's invaluable work of developing and harmonising international trade law. In this regard, allow me to highlight the following points:

3. First, Thailand commends UNCITRAL's achievement over the past year, in particular the adoption of two key instruments at the fifty-fifth session of the Commission, namely, first the Convention on the International Effects of Judicial Sales of Ships, and second the Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services.

4. The adoption of the Convention on the International Effects of Judicial Sales of Ships is a significant step forward in achieving certainty in international maritime trade, and thus a cause for celebration particularly in today's challenging economic climate.

5. The Thai delegation also welcomes the adoption of the Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services. Once again, UNCITRAL proves itself as a pioneer, with this Model Law being the first to address the issue of digital identity on a global level.

6. Second, the UNCITRAL legislative texts on electronic commerce have been crucial to building the legal infrastructure for digital trade worldwide, which in turn has been beneficial to the stable development of electronic commerce in Thailand. Thailand currently has the second biggest internet economy in Southeast Asia, and fast growth has prompted calls for an improved legal regime. The relevant Thai agencies are now working on a draft decree to regulate digital platform service businesses with a view to ensuring financial and commercial stability.

7. Third, Thailand attaches great importance to the work of Working Group III on reforming investor-state dispute settlement or ISDS system. In this regard, we find it encouraging that UNCITRAL is headed in the right path in terms of inclusiveness, with both developed and developing countries actively participating in the discussions and all voices being heard.

8. While Thailand is pleased with the overall progress of Working Group III, we would like to re-iterate our grave concern on the proposal to combine the Advisory Centre with the Standing Multilateral Mechanism. Particularly from a developing country's perspective, access to affordable legal advice is crucial. Therefore, we strongly insist that the Advisory Centre must be independent and neutral, providing its services to all States in need regardless of whether they are members of the Standing Multilateral Mechanism or not.

9. Looking ahead, Thailand believes that the ultimate goal is to develop a legitimate, predictable and balanced ISDS system. Given the Working Group's diverse membership and experiences with ISDS, the nature of concerns and ideas on reform are varied. Therefore, Thailand welcomes all reform efforts and believes that the Working Group should not be hindered by ill-defined categories, whether "systemic" versus "incremental" or "procedural" versus "substantive". With an eye towards consensus-building, we stand ready to constructively participate in the Working Group's deliberations at its upcoming sessions.

10. Fourth, at the regional level, Thailand commends the UNCITRAL Regional Centre for Asia and the Pacific (RCAP) for providing technical assistance in the adoption and implementation of UNCITRAL instruments. Thailand and RCAP are long-standing partners, having co-hosted a number of events. Earlier this year, representatives from RCAP and Thailand met and reaffirmed our shared commitment to continue this fruitful collaboration.

11. To conclude, Thailand wishes to join other UN Member States in endorsing UNCITRAL's efforts and initiatives to increase coordination of and cooperation on legal activities of international and regional organizations active in the field of international trade law, ultimately contributing to the achievement of the Sustainable Development Goals. At the same time, States' active participation remains a driving force in shaping the progressive development of international trade law and, therefore, on our part, we are ready to engage with Members to support its work to the fullest extent, including on ways to enhance the representative character of UNCITRAL.

Thank you, Mr. Chair.

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