

# UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY

SIXTH COMMITTEE 78<sup>TH</sup> SESSION

AGENDA ITEM 77 UNCITRAL

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## **Introduction**

Mr Chairman / Madame Chair,

The United Kingdom would like to express its gratitude and appreciation to the Chair of the Commission, the Vice-Chairs and the Rapporteur for their ongoing work to promote the development of a legal framework to facilitate international trade law and investments. In particular, we would like to thank the Commission Secretariat for its excellent work in preparing for and facilitating the session.

## **Working Group I (Warehouse Receipts / MSMEs)**

Mr Chairman / Madame Chair,

The United Kingdom notes Working Group I's consideration of a draft model law on Warehouse Receipts and continues to follow developments in this area.

We also welcome the adoption of the UNCITRAL Guide on Access to Credit for Micro-, Small and Medium-sized Enterprises (MSMEs).

## **Working Group II (Dispute Settlement)**

Mr Chairman / Madame Chair,

The United Kingdom has continued to follow with interest Working Group II's deliberations on the topic of technology-related dispute resolution and adjudication, and we note as well the adoption of the guidance text on early dismissal and preliminary determination.

## ***Singapore Convention on Mediation***

Mr Chairman / Madame Chair,

Following a public consultation, the United Kingdom signed the Singapore Convention on Mediation on the 3<sup>rd</sup> of May this year.

This demonstrates the United Kingdom's commitment to:

- promoting mediation as an effective dispute resolution method alongside litigation and arbitration,
- maintaining our position as a centre for international dispute resolution; and
- building on our long history of leadership in private international law.

The United Kingdom would like to place on record its thanks to the UN Treaty Section for their assistance in facilitating our signing of the Convention at its headquarters in New York.

We look forward to ratifying the Convention once domestic legislation and court rules are in place in each of our jurisdictions to enable its effective operation.

### **Working Group III (Investor-State Dispute Settlement Reform)**

Mr Chairman / Madame Chair,

The United Kingdom was pleased to participate last week in the 46<sup>th</sup> session of Working Group III.

We welcome the positive progress that has been made across reform options in the last year, but most notably in the Commission's adoption in July of a Code of Conduct for Arbitrators and draft provisions on investor-state mediation. These first completed reforms mark a significant moment for this Working Group and we hope they bode well for continued success in the coming years.

We look forward to participating in the 47<sup>th</sup> session of the Working Group in January, where we hope to continue fruitful progress on our work

programme and to continue working closely with states and representatives from the business community alike.

#### **Working Group IV (Electronic Commerce)**

Mr Chairman / Madame Chair,

The United Kingdom welcomes Working Group IV's continued consideration on the use of artificial intelligence and automation in contracting.

#### ***Model Law on the Use and Cross Border Recognition of Identity Management and Trust Services***

Mr Chairman / Madame Chair,

The United Kingdom welcomed the General Assembly's adoption of the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services in 2022.

We agree that it will provide a standard that promotes uniformity in the development and application of operational rules, policies and practices for identity management in the context of commercial activities and trade-related services.

We look forward to the timely publication of the accompanying Explanatory Note to further assist States in enacting its provisions, and for the exemplary guidance contained within it.

### **Working Group V (Insolvency Law)**

Mr Chairman / Madame Chair,

The United Kingdom welcomes the progress made by Working Group V seeking to find consensus in the complex area of Applicable Law in insolvency situations.

We also welcome the continuing work to produce a “Tool Box” of tools that may be of use for States to adopt in tracing assets dissipated in attempts to avoid detection and recovery.

These are both worthy and valuable topics for the Working Group to continue to work on.

### **Working Group VI (Negotiable Cargo Documents)**

Mr Chairman / Madame Chair,

The United Kingdom was pleased to participate in Working Group VI's discussions regarding negotiable cargo documents and continues to follow developments in this area with interest.

## ***Judicial Sale of Ships***

Mr Chairman / Madame Chair,

The United Kingdom welcomes the General Assembly's adoption of the UN Convention on the International Effects of Judicial Sales of Ships.

We will give careful consideration to ratifying or acceding to the Convention in due course.

## **Climate Change issues**

Mr Chairman / Madame Chair,

The United Kingdom was pleased to contribute to the Colloquium on Climate Change and International Trade Law held during the Commission's 56<sup>th</sup> session.

The United Kingdom welcomes the consideration of climate change issues in respect of UNCITRAL's work, and the proposed workstream. We congratulate the Colloquium on bringing this to the forefront of its work.

While supporting the principle, the United Kingdom considers that this workstream would provide most benefit from a targeted focus, does not duplicate the work of UNIDROIT (International Institute for the Unification of Private Law) and is able to be delivered within timeframes that reflect the urgency of the climate crisis.

## **Conclusion**

Mr Chairman / Madame Chair,

The United Kingdom remains committed to the work of UNCITRAL and looks forward to continuing its work with the Commission.

Thank you, Mr Chairman / Madame Chair.