

# Islamic Republic of

# I R A N

Permanent Mission to the United Nations

Statement by

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Before

the Sixth Committee of the

74st Session of the United Nations General Assembly

On:

Report of the United Nations Commission on International Trade Law on the work of its fifty-second session

(Agenda Item 77)

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In the Name of God, the Compassionate, the Merciful

**Mr. Chairman,**

At the outset, my delegation takes note of the Report of the 52nd session of the United Nations Commission on International Trade Law (UNCITRAL). We would like to thank the Chair of the Commission and its Secretariat for their valuable efforts in preparing the report as well as their professional and efficient work in facilitating the UNCITRAL sessions.

We appreciate the progress made in its different working groups in the 52nd session. The Commission has finalized three texts that could assist Member States to use it in line with their specific needs and circumstances.

**Mr. Chairman,**

We appreciate the work of UNCITRAL on expedited arbitration which is less expensive and faster than standard arbitration, and seems to be more satisfactory for parties to disputes. It is important to increase efficiency of this procedure through ensuring its quality, due process and fairness.

We are also interested in the deliberations on Working Group III and its three-phase mandate concerning reform of investor-State dispute settlement. We expect that this working group address the concerns of states and investors with respect to new generation of investment regime through enhancing consistency, access to justice and fairness. The working group III shall come up with concrete recommendations to address the defects of the current system and devise holistic and comprehensive solutions with respect to protection of the rights of people affected by foreign investment, responsibilities of the multinational corporations on human and labor rights as well as environmental protection and affected individuals and communities. It is also important to

ensure full and effective participation of developing countries in this process, taking into consideration their limited capacities and resources.

**Mr. Chairman,**

The critical importance of identity management in facilitating trustworthy e-commerce and other online activities and its legal aspects is now globally well-recognized. Islamic Republic of Iran attaches great importance to this topic which is currently on the agenda of Working Group IV (Electronic Commerce) and takes note with appreciation the work of the Secretariat in preparing a revised draft on the cross-border recognition of identity management and trust services. In this regard and given the important role of government and public authorities in development and deployment of IDM systems and the provision of IDM and trust services, it seems premature to neglect the function of public authorities in this field and ignore its efficiency, particularly in enforcing laws and preventing risks and abuses. Furthermore, in preparing the draft provisions particular attention should be given to the different levels of economic as well as information and communications technology development of the member states. It is also important to pay duly attention to challenges and concerns of developing countries in cyberspace, specially the subject of privacy.

**Mr. Chairman**

With regard to the judicial sale of ships, my delegation takes note the work of the Secretariat in preparing a revised draft instrument incorporating the outcome of the deliberations of the Working Group VI. The new draft should address the concerns expressed by Member States on the draft text prepared by the Comité Maritime. In this regard, we emphasize that in providing the new draft, following crucial points need to be taken into consideration, without prejudice to the final form of the instrument, whether be a guideline or model law.

First, right to access to justice including right preferred creditor not being prejudice by providing solutions such as extinguishment of rights by issuing the sale certificate;

Second, necessity of acquiring judicial approval for foreign judicial decisions so that administrative enforcement can take place internally;

Third, there should be a contractual link between claimant and the ship, for the pursuance of the judicial sale;

And fourth, it is imperative to exclude state ships from the scope of the draft text.

**Mr. Chairman,**

Last but not least, it would be remiss of me if I do not mention successful adoption of the United Nations Convention on International Settlement Agreements Resulting from Mediation, called as Singapore convention in 2018. This convention will assist member states and their judicial authorities to settle disputes with increased efficiency, particularly in commercial disputes in which the parties seek stability and reliability. The Islamic Republic of Iran signed this Convention on 7 August 2019 at a ceremony hosted by Singapore along with other 45 countries.

Finally, we would like to commend the efforts of UNCITRAL's Member States and Secretariat in continuing to promote the development, harmonization and modernization of international trade and commercial law. My delegation remains committed to productive and constructive engagement with the Commission in coming year. In view of the difficulties to get visa as well as unhuman restrictions imposed by the United States on Iranian Representatives, it is advised to explore ways to hold all UNCITRAL meetings in Vienna, until the U.S adhere to its international obligations and revoke its astonishing restrictions.

I thank you Mr. Chairman.