

Statement by Mr. Ali Nasimfar
The Representative of the Islamic Republic of Iran
before the Sixth Committee
75th General Assembly of the UN

On:

Agenda Item 78

Report of the United Nations Commission on International Trade Law on the work
of its 53rd Session

New York, 10 November 2020

Mr. Chairman,

At the outset, my delegation would like to thank the Chair of the Commission on International Trade Law and its Secretariat for their valuable efforts in preparing the working documents as well as their professional and efficient work in facilitating the fifty-third session of the UNCITRAL despite the challenges posed by the coronavirus. We also congratulate the UNCITRAL Secretariat for organizing various panel discussions on “UNCITRAL texts and COVID-19 response and recovery”, which were extremely fruitful for the future work of the Commission.

Mr. Chairman,

We welcome the work of the UNCITRAL on expedited arbitration, which is less expensive and faster than standard arbitration, and seems to be more satisfactory for parties to disputes, especially in simple and small-size disputes. We consider that the principle of party autonomy is the key aspect and cornerstone of any expedited arbitration, and therefore should be incorporated in the rules under consideration. Also, we are of the view that these rules should be flexible so as to be more accepted by various parties. It is important to increase efficiency of this procedure through ensuring its quality, due process and fairness.

The Islamic Republic of Iran highly appreciates the work of Working Group III for its efforts to prepare consistent rules, resolve legal concerns and remove the restrictions that impede freedom of international trade. We are of the view that it is vital that the Working Group remains committed to its goal for “harmonizing international investment law for having a fair, non-discriminatory, transparent, predictable and stable trade and investment law”.

Mr. Chairman,

The critical importance of “identity management and trust services” in facilitating trustworthy e-commerce and other online activities as well as its legal aspects is now globally well-recognized. The Islamic Republic of Iran attaches great importance to this topic which is currently on the agenda of Working Group IV (Electronic Commerce) along with its contribution to promoting confidence and trust in online interactions, especially during the pandemic. It is also important to pay attention to the concerns of developing countries regarding national sovereignty, security, confidentiality and data protection.

With respect to the ‘judicial sale of ships’, Working Group VI should give further consideration to the unprecedented international practice it is setting, which is the recognition of a foreign judgment enforced without resorting to the judicial channels. It is also notable that during the 53rd session of the Commission, the concern was raised again regarding the suitable format of the instrument as to it being a model law or a convention; so, the decision on the format is not yet final.

Furthermore, my delegation welcomes the continuation of long-standing collaboration among the UNCITRAL, HCCH and UNIDROIT and is of the view that this close co-ordination highlights the desirability for greater clarification of the interaction between the instruments produced by the three organizations.

Mr. Chairman,

While the pandemic has had negative consequences on trade and led to the imposition of worldwide trade restrictions, it would be remiss of me if I did not draw the attention of the Sixth Committee to the negative role of Unilateral Coercive Measures which have severely impeded trade between states on a much more

widespread and multi-national scale, therefore affecting the broader goal of the UNCITRAL that promotes international trade.

Finally, we would like to commend the efforts of UNCITRAL Members and the Secretariat in continuing to promote the rule of law as well as harmonization of international trade law.

I thank you, Mr. Chairman.