



**Enhancement of the United Nations Commission on
International Trade Law**

Canada National Statement – UNGA 76 (18 October 2021)

Mr./Madam Chair,

Thank you for this opportunity to present Canada's comments on the work of the United Nations Commission on International Trade Law and its 54th session.

Canada would like to take this opportunity to congratulate the Commission on another very productive year. Despite the many challenges and uncertainty created by the ongoing COVID-19 pandemic, the Commission was able to adapt and ensure the continuity of its important work.

It is with great satisfaction that Canada notes the approval by the Commission of three texts on mediation: the UNCITRAL Mediation Rules; the UNCITRAL Notes on Mediation; and the 2018 Guide to Enactment and Use of the UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation. These texts represent very positive additions to the Commission's existing work on mediation.

The Commission has also adopted the UNCITRAL Expedited Arbitration Rules. The Working Group was successful in developing a streamlined, simplified, and cost-effective procedure that preserves the fundamental principles of arbitration, including party autonomy and due process. These Rules provide a viable alternative to commercial parties seeking a more rapid resolution of their disputes.

Canada shares the view that micro, small and medium-sized enterprises, or MSMEs, benefit from the development of rules specifically tailored to their needs. We congratulate the Commission on the adoption of the Legislative Recommendations on Insolvency of Micro- and Small Enterprises, and the UNCITRAL Legislative Guide on Limited Liability Enterprises.

Canada also applauds the inclusive, transparent, and broad discussions that have taken place within WGIII on the reform of investor-state dispute settlement mechanisms. While there has been steady progress to date on the work plan, it is important to keep the momentum going so that work on this important project can be completed by 2025. Canada therefore welcomes and supports the Commission's allocation to WGIII of one additional week of working group sessions for a period of four years, from 2022 to 2025.

In terms of other ongoing work, we note the progress of the Commission's work on the recognition of foreign judicial sales of ships and on the cross-border recognition of identity management and trust services. Canada considers this work to be of great value.

Finally, Canada wishes to congratulate the Commission on its discussions and recommendation for the enlargement of UNCITRAL's membership from 60 to 70 States.

As one of many co-sponsors, Canada wishes to recognize Japan for its leadership in bringing forth this important issue, and for successfully championing this important initiative to modernize the Commission.

The enlargement of UNCITRAL's membership will provide a valuable opportunity for more States to participate in the work of the Commission, and will support increased harmonization and development of international trade law. Canada encourages the General Assembly to move forward with this important expansion initiative.

In terms of future work, Canada recognizes UNCITRAL's ambitious work programme and exploratory work for the upcoming years. The variety in topics included in this programme is impressive and very forward-thinking.

Canada would like to take this opportunity to reaffirm our continued support for UNCITRAL in its mission to develop and harmonize commercial law and look forward to participating in UNCITRAL's diverse work.

Thank you, Mr./Madam Chair.