



**PERMANENT MISSION OF THE REPUBLIC OF  
SIERRA LEONE TO THE UNITED NATIONS**

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**STATEMENT**

by

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Deputy Minister of Foreign Affairs  
and International Cooperation

at 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<sup>th</sup> October 2022

*Check Against Delivery*

**Chair,  
Excellencies,  
Distinguished Delegates,**

1. The delegation of Sierra Leone welcomes the debate on the the work of the United Nations Commission on International Trade Law (UNCITRAL) carried out during its 55<sup>th</sup> session, which following the established practice was held in New York from 27 June to 15 July 2022.
2. We commend the Commission for resuming its work and that of its Working Groups with productive in-person meetings, following the virtual, and hybrid business continuity formats adopted during the peak of the the coronavirus disease (COVID-19) pandemic.
3. The delegation of Sierra Leone thanks the Chair of the Commission for the 55<sup>th</sup> session, **Ambassador Ivan Šimonović of Croatia**, for introducing the report **A/77/17**. We also thank the Secretary, **Ms. Anna Joubin-Bret**, for her stellar leadership, the **Secretariat**, and the dedicated **staff** for their hard work in facilitating the work of the Commission and its Working Groups. We congratulate the elected officers of the session and commend them for their hard work.
4. We note with appreciation the decisions and important work done by the Commission as detailed in its report. These include, inter alia, the finalization and approval of the text of the draft convention on the international effects of judicial sales of ships; the finalization and approval of the draft recommendations to assist mediation centres

under the UNCITRAL Mediation Rules; the finalization and approval of the draft model law on the use and cross-border recognition of identity management and trust services; and the progress report of the working groups.

**Chair,**

5. In acknowledging the very productive session of the Commission, in spite of the continuing COVID-19 pandemic, the delegation of Sierra Leone shall highlight three significant points in this debate:
6. **Firstly**, Sierra Leone commends the outstanding progress on the legislative agenda of the Commission in the reporting period. The Commission is mandated to assist with the progressive harmonization and modernization of the law of international trade, and the busy legislative agenda is a welcome development, particularly when States, in face of the COVID-19 pandemic disruptions, reverted to unilateralism and protectionism causing trade disruptions and severe stress and costs to global trade.
7. Among the sectors that faced serious constraints in the global supply chain and transportation lockjaw is the shipping industry, and therefore Sierra Leone is pleased at the completion and adoption by the Commission of the draft convention on the international effects of judicial sales of ships.

- 8.** UNCITRAL Working Group VI was assigned the topic only in May 2019, and with the prevailing circumstances, it was therefore remarkable to have the text of the complete draft convention by February 2022. We also note that the Commission had before it an explanatory note for its information. Sierra Leone whole heartedly welcomes the recommendation that the Convention be known as the “Beijing Convention on the Judicial Sale of Ships”, and looks forward to participating in the signing ceremony to be held as soon as practicable in 2023 in Beijing.
- 9.** Sierra Leone also welcomes the finalization and approval of the draft model law on the use and cross-border recognition of identity management and trust services, following the consideration of the text by the Committee of the Whole which approved the amendments set out in the report.
- 10.** The said draft model law on the use and cross-border recognition of identity management and trust services will significantly assist States in enabling and facilitating electronic commerce in international trade, as it adds to the useful existing body of legislative texts, including the 2017 UNCITRAL Model Law on Electronic Transferable Records, the 2005 United Nations Convention on the Use of Electronic Communications in International Contracts, the 2001 UNCITRAL Model Law on Electronic Signatures and the 1996 UNCITRAL Model Law on Electronic Commerce.

11. In examining the utility of the draft model law on the use and cross-border recognition of identity management and trust services, we can only agree with the expressed view that it is indeed important to provide a legal foundation for mutual trust to promote confidence in electronic commerce, particularly across borders, and of the increasing relevance of identity management and trust services to that end.
12. We conclude our first point by joining the call for any future legislative work on electronic commerce to be on the basis of broad participation of developing and developed countries, and to be complemented by capacity-building programmes and activities.
13. **Secondly**, Sierra Leone commends the progress being made by Working Group III on investor-state dispute settlement (ISDS) reform, including completing the first reading of the draft code of conduct, and for considering the selection and appointment of ISDS tribunal members to a standing multilateral mechanism within the reporting period.
14. ISDS reform is of high importance to the delegation of Sierra Leone, and we therefore support the General Assembly's allocation of additional conference resources to Working Group III. The reform options and the work undertaken generally, and specifically the progress made in the September 2022 two-week session offer real hope for meaningful reforms, including structural

reform that appropriately, in our view, ought to lead to a standing mechanism on ISDS.

**15.** Participation in the ongoing reform of ISDS is crucial and appropriate for inclusivity and broad representative views. In this regard, and as we call for the continuing implementation of operative paragraph 17 of General Assembly resolution 75/133 and operative paragraph 19 of resolution 76/229 with regards participation in the meetings of Working Group III, we thank all those who have made contributions to the technical and travel assistances Trust Fund to facilitate participation by developing States. We join the Commission in reiterating the call to all States, relevant bodies of the United Nations system, organizations, institutions and individuals to consider making contributions to the trust funds.

**16.** On the **third** point, and on the **Work programme of the Commission**, Sierra Leone wishes to signal particular support for the request by the Commission for the Secretariat:

- I. to continue exploratory work of legal issues related to the impact of COVID-19 on international trade law; and
- II. to consult with interested States with a view to developing a more detailed proposal on the topic of climate change mitigation, adaptation and resilience, for the Commission's consideration, and for a colloquium or an expert group meeting to be organized in 2023. We can only emphasize the need for

geographical representation, diversity and gender balance in the convening of the colloquium or expert group meeting.

17. In closing, **Madam Chair**, the delegation of Sierra Leone fully endorses the further expansion of the Commission's engagement with academic partners, through the Secretariat, geared towards young researchers and practitioners in international trade law, including the UNCITRAL Asia-Pacific Days, the UNCITRAL Latin American and Caribbean Days and the UNCITRAL Days in Africa.
18. We are therefore pleased to inform of our participation in the launch event for the UNCITRAL Days in Africa, held in Accra, Ghana on 27 May 2022. The launch event is being followed by a series of events throughout Africa, including an UNCITRAL Africa Days 2022 event to be hosted by Njala University, School of Social Sciences and Law in Sierra Leone on "*Modernization and harmonization of international commercial law framework in the AfCFTA context*" from the 16-18 November 2022.
19. My delegation is also pleased to inform of the enactment of the Arbitration Act of 2022 in Sierra Leone. The Act, inter alia, domestically implements both the Convention on the Recognition and Enforcement of Foreign Arbitral Award (the "New York Convention"); and the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the "ICSID Convention").

**20.** Finally, we look forward to working with the Secretariat and other partners on domestic implementation of UNCITRAL legislative texts, and other technical assistance to ensure, inter alia, the modernization of our relevant domestic law, harmonization, uniform interpretation, and application of UNCITRAL texts.

**21.** I Thank you.