

Statement
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Before the Sixth Committee, UNGA 78

**On Agenda item 77: “Report of the United Nations Commission on
International Trade Law on the work of its fifty-sixth session”
New York, 16 October 2023**

In the Name of God, the Compassionate, the Merciful

Mr. Chairperson,

The delegation of the Islamic Republic of Iran welcomes the progress made by the United Nations Commission on International Trade Law in further harmonization and modernization of the law of international trade during the past year.

My delegation notes with appreciation the finalization of the texts prepared by the working group III in the context of *investor-State dispute settlement reform*. “Provisions on Mediation” as well as “UNCITRAL Guidelines on Investment Mediation” facilitate settlement of such disputes while keeping the possibility of further business between the concerned parties. “The Code of Conduct for Arbitrators in International Investment Dispute Resolution” and its “Commentary” is also a useful tool for arbitration process and avoiding undue delays in proceedings. Meanwhile, my delegation considers adoption in principle “the Code of Conduct for Judges in International Investment Dispute Resolution” and its “Commentary” to be premature as this code is clearly linked with the possible establishment of an independent mechanism; an idea which is still under consideration in the working group III and the Commission.

The Islamic Republic of Iran also welcomes the development of “The Guide on access to credit for micro, small and medium-sized enterprises (MSMEs)” by the Commission. The Guide generally provides a good practice especially for developing countries in reducing obstacles faced by MSMEs for access to much needed credit. It is also an appropriate technical tool for the financiers and guarantors. However, the Guide encroaches to some areas such as recommendations number 1 and 2 which are not related to the topic at hand.

Furthermore, we observed with appreciation the decision by the Commission to include a new Note on “Early Dismissal and Preliminary Determination” into the UNCITRAL Notes on Organizing Arbitral Proceedings adopted in 2016. This new Note is aimed at diminishing undue delays in proceedings and business.

Mr. Chairperson,

The Commission held a colloquium on climate change and the law of international trade during its annual session, and decided on a further study on carbon credit in cooperation with UNIDROIT and other organizations. Reviewing the content of that rich colloquium, my delegation is of the view that UNCITRAL should take a very cautious approach and examine appropriateness of every step. Any work on this important issue should have due regard to the principle of the common but differentiated responsibilities as well as respective capabilities and specific needs of states. Moreover, adverse affects of unilateral coercive measures (UCMs) on international trade in general and on climate change in particular needs to be duly addressed. Persons and companies within the sanction affected territories, do not have access to related technology, equipment or funding for addressing requirements of climate change due to imposition of unilateral sanctions and do not stand on equal footing and should be treated differently in terms of legal responsibilities.

The Islamic Republic of Iran is also following with interest the exploratory work of the UNCITRAL on digital economy and express support for comprehensively addressing various aspects of emerging technologies in the dispute resolution process.

Mr. Chairperson,

The Islamic Republic of Iran would like to appreciate tremendous efforts of the Secretariat for supporting activities of the Commission and its working groups as well as for preparing essential documents, promotion of UNCITRAL texts, provision of technical assistance and holding of useful events throughout the year as well as during the annual meeting of the Commission. For instance, the side event co-organized by Pakistan during this year's Commission on "Quantum of damages in investor-State dispute settlement; perspective of developing countries" was very timely and important. The main idea presented in that event should be further explored and eventually turn into a formal agenda item for a substantive work of the Commission.

During this year's annual session as well as in some of the working groups, the rules of procedure and methods of work of the Commission and its working groups were discussed. We noted that the Commission made some decisions for improving its working procedures and planned further discussions in this regard. My delegation follows with interest those discussions and deliberations. The Commission should make best use of available financial resources and have due regard to the States' capabilities, specific needs and challenges.

To conclude, I would like to express that the Islamic Republic of Iran would continue to actively engage and contribute to the deliberations and activities of Commission. In that sense, it served as the Rapporteur of the Commission this year.

Moreover, we will continue to make best use of the texts prepared by the UNCITRAL for improving the efficiency of its legal framework as appropriate.

I thank you, Mr. Chairperson.