



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

STATEMENT

BY

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at the 79th Session of the United Nations General Assembly

Agenda item 79:

**“Report of the United Nations Commission on
International Trade Law (UNCITRAL) on the work of its
fifty-seventh session (Agenda item 77)**

New York, 14th October 2024

Check Against Delivery

Chair,

Excellencies,

Distinguished Delegates,

1. The delegation of Sierra Leone welcomes the debate on the work of the United Nations Commission on International Trade Law (UNCITRAL) carried out during its 57th session, which following established practice was held in New York from 24 June to 12 July 2024.
2. We commend the Commission and its Working Groups for the important work in the progressive development and harmonization of the law on international trade.
3. We thank the Chair of the Commission for the 57th session, **Ambassador Vilawan Mangklatanakul of Thailand**, for introducing the report **A/79/17** and congratulate the elected officers of the session and commend them for their hard work. We re-echo our support and appreciation for the Secretary of the Commission, **Ms. Anna Joubin-Bret** whose pioneering spirit and exemplary leadership, with the commitment and hard work of the **Secretariat staff** have

been crucial to the sustained work of the Commission and its Working Groups, particularly in light of current budgetary constraints.

4. The delegation of Sierra Leone welcomes the progress and outcomes considered and concluded by the Commission as detailed in its report. These include the consideration and adoption of the text of the draft model law on **Warehouse Receipts**; model clauses on **Specialised Express Dispute Resolution**, provisions on **Automated Contracting**, the statute of **the Advisory Centre on International Investment Dispute Resolution**, and the noting of the draft **Toolkit on prevention and mitigation of international investment disputes** which will continue to evolve with the contribution of member states, regional economic integration organisations (REIOs) and other interested parties. We also note the progress report of the working groups and the Commission's work programme.

Chair,

5. We applaud the resilience of the Commission in advancing its work. Our delegation acknowledges the positive impact of side events, informal and intersessional meetings in accelerating progress, particularly when held in a hybrid format. The delegation of Sierra Leone shall highlight the following significant points in this debate:

6. We commend the laudable progress on **the legislative agenda** of the Commission in the reporting period. Noting the broad mandate of Working Group III on reform of investor state dispute settlement, Sierra Leone welcomes the adoption of another reform element; the draft statute of Advisory Centre on International Investment Dispute Resolution. We look forward to continued preparatory work involved in the operationalisation of the Centre. We thank Thailand, hosts of the upcoming intersessional meeting to be held 2-4 December 2024 where issues to be addressed include the negotiating of the criteria for location of the headquarters and regional offices.

7. Our delegation believes that this presents an opportunity to test the legitimacy of the reform process. In line with the aspirations of the UN and Members States as expressed in

last month's Pact of the Future, reform of the international financial architecture is vital to the survival of the international trading system. It is therefore imperative that least developed countries and developing countries be kept at the centre of the reform process.

- 8.** We therefore reiterate our support for the Advisory centre or a regional office to be situated in Africa, with emphasis on accessibility and knock-on effect on the development of jurisprudence and capacity on the continent. This is consistent with our delegation's position of future proofing the text and formulating language premised on principles of inclusion, fair and equitable distribution and for sustainable development. We will continue to approach other elements on procedural and cross-cutting issues, the standing mechanism and appellate mechanism and a multilateral instrument based on these principles.
- 9.** We commend the effort by the Commission and Secretariat in the implementation of operative paragraph 17 of General Assembly resolution 75/133 and operative paragraph 19 of resolution 76/229 with regards to participation in the meetings of Working Group III and we

thank all those who have made contributions to the technical and travel assistances Trust Fund to facilitate participation by developing States. We are of the view that this has significantly enhanced the negotiation within the WG towards the achievement of its mandate. 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.

- 10.** Further, the delegation of Sierra Leone welcomes the efforts of Working Group IV for its work in building on and consolidating existing UNCITRAL texts on electronic commerce. With rapidly evolving impact of technology and artificial intelligence, requiring a shift from traditional approaches to regulatory frameworks, the work of WG IV in streamlining and revising provisions of UNCITRAL Texts relating to Automated Contracting as well as its work on data provision contracts in tandem with work on the use of artificial intelligence and automation in contracting, is significant.

11. This is particularly relevant for our delegation, as Sierra Leone seeks to integrate the use of technology as a key instrument towards achieving national development objectives including building a digital economy. We are pleased to inform that following the enactment of the National Payment Systems Act in 2022, a new financial infrastructure is being created interconnecting commercial banks and enabling efficient payment interoperability among banks, micro-finance institutions, mobile money operators and financial technology firms, removing barriers from use of digital financial services particularly in rural areas and the informal sector.

12. The draft provisions and its enactment guide, provides a basis to reform existing legislation to augment conduct of transactions within the digital economy. This also aligns the Pan-African Payment and Settlement System (PAPSS) which is the payment system for the African Continental Free Trade Area (AfCFTA) launched in Accra, Ghana on January 13, 2022 by the African Union (AU) and the African Export-Import Bank (Afreximbank) connecting African banks, payment service providers, and other financial market intermediaries. This is critical as the continent progresses in adoption of the African Continental Free

Trade (AfCFTA) Protocol on Digital Trade in February 2024, which aims to support e-commerce and digital trade in Africa as part of its aspiration of deepening regional integration and boosting intra-African trade.

- 13.** We continue our call for the enhanced participation of developing and developed countries in any future legislative work particularly in the provision of capacity-building programmes and activities.

Chair,

- 14.** Sierra Leone welcomes the progress report on the work of Working Groups III, IV, V, VI.

- 15.** On WG III, our delegation looks forward to continued engagement on the other reform elements particularly on procedural and cross-cutting issues which is a primary focus of least developed and developing countries. We note the Secretariat's effort in adapting its workplan including the addition of one-week session in order for the

WGIII to deliver on its mandate within the timeframe in 2025. Our delegation joins the call for much needed additional resources to strengthen the capacity of the Secretariat and ensure wholistic delivery of the working group on its mandate.

16. We commend WG V on its work on insolvency law and note the expansion on its draft legislative work to cover cross-border recognition, enforcement aspects and possible additional exception to the *lex fori concursus* rule. We look forward to reviewing the updated UNCITRAL Practice Guide on Cross-border Insolvency Cooperation.

17. On the **Work programme of the Commission**, Sierra Leone commends the joint effort of UNCITRAL-UNDROIT on the study on the legal nature of verified carbon credits issued by independent carbon standard setters. We reiterate our previous support for the Commission to consider including in the work program the proposal on the topic on climate change mitigation, adaptation and resilience and look forward to continuation of this project. Leading to the convening of a colloquium, we re-echo our call for a hybrid format and provision to ensure diversity,

geographic gender representation for participation and contribution to the work.

18. On the consideration of including the dispute resolution in the digital economy, we also welcome the progress on preparatory work on recognition and enforcement of electronic arbitral awards and future work on electronic notices of arbitration.
19. We express support for the mandate of WG IV for a stocktaking exercise to examine all UNCITRAL texts that refer to electronic commerce and other substantive law text towards a single harmonised instrument covering the legal aspects of paperless trade.

Madam Chair,

We are pleased that Sierra Leone has successfully integrated the Commission's vision to promote awareness of its work with academic partners, young researchers and practitioners in international trade law through the UNCITRAL Days in Africa as Sierra Leone hosts its third edition with the support of the Secretariat on 14-15 of November 2024 on the theme for this year's event which is

“with a focus on creating an enabling environment for digital economy to thrive in Sierra Leone, to incentivize participation by women and young people in utilising, integrating and investing in tech solutions for doing business.

20. In closing, 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.

