

# Canada

CHÉQUEZ VOTRE  
VÉRIFIER AU PRONONÇÉ

STATEMENT BY  
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TO THE SIXTH COMMITTEE OPEN DEBATE ON THE UNITED NATIONS  
COMMISSION ON INTERNATIONAL TRADE LAW

NEW YORK, 14 OCTOBER 2013

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DÉCLARATION DE  
M. KEITH BANERJEE  
CONSEILLER POLITIQUE  
AMBASSADE DU CANADA  
AU DÉBAT PUBLIC DE LA SIXIÈME COMMISSION POUR LA COMMISSION  
DES NATIONS UNIES POUR LE DROIT COMMERCIAL INTERNATIONAL

NEW YORK, LE 14 OCTOBRE

Canada is pleased to take the floor to comment on UNCITRAL's report at this session.

The Commission had a productive annual meeting. In particular, Canada notes the adoption of the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration which constitute an important addition to the ICSID framework. Canada is supportive of the decision to continue work in this subject form of a convention.

Canada also notes the adoption of the new UNCITRAL Guide on the Implementation of a Security Rights Registry which complements the tools developed by UNCITRAL in the field of secured transactions. The Guide will be useful for States seeking to modernize or put in place a regime for security interests. Recognizing the usefulness of UNCITRAL's approach to secured transactions in facilitating access to credit, Canada is also pleased to see that work to prepare a Model Law on secured transactions is continuing.

The Commission's decision to hold a colloquium in the Working Group V on Insolvency is one which Canada strongly supported. We do think it is important to have the opportunity to discuss the role of directors and Centre of Main Interests in the context of enterprise groups and to discuss topics for future work in the insolvency field.

With respect to the ongoing Working Group on Online Dispute Resolution which is to include consumers within its scope, Canada would like to emphasize the importance of ensuring that the rules safeguard consumer protection. In addition, it is essential for Working Group to examine alternatives to arbitration as a means of effective implementation of ODR outcomes. Most existing ODR systems do not rely on binding arbitration and enforcement, and the focus has been on how to effectively implement ODR outcomes through mediation, conciliation, or vendor dispute resolution instead.

In terms of new work, Canada was greatly interested in the Commission's work to micro, small and medium sized enterprises (MSMEs) in the Commission session. The Commission is also working on a project on simplified business incorporation.

Finally, Canada was very pleased to see that the Commission on planned and potential future work figured prominently in the Commission's agenda at the July session. Such discussions enable the Commission to make informed decisions to appropriately match priorities and resources to look ahead in future years.

Thank you.