

Report of the United Nations Commission on International Trade Law
on the work of its forty-ninth session

Comments of Canada

Mr. Chairman,

Thank you for this opportunity to provide Canada's perspective on the work of UNCITRAL.

Canada is pleased to note the Commission's completion of two projects at its 49th session: the UNCITRAL Model Law on Secured Transactions and the second edition of the UNCITRAL Notes on Organizing Arbitral Proceedings.

Canada considers the UNCITRAL Notes on Organizing Arbitral Proceedings to be useful for parties to arbitrations and for arbitrators. The new edition reflects developments that have occurred since the Notes were created 20 years ago and will be a helpful tool in the field.

UNCITRAL's work in the area of secured transactions provides important guidance to States in an area that can be complex but where modern legislation can lead to real economic benefits. The Model Law on Secured Transactions constitutes a significant component of this work. Canada notes with satisfaction the Commission's decision to continue with the preparation of a Guide to Enactment for the Model Law. We believe that this Guide, in conjunction with the Legislative Guide on Secured Transactions, its Supplement on Security Rights in Intellectual Property and the Guide on the Implementation of a Security Rights Registry, will assist States in adopting legislation based on the Model Law. Canada would encourage States considering modernising or adopting a secured transactions regime to use UNCITRAL's work. We also support the Commission's decision to hold a colloquium to consider other possible areas of work in relation to secured transactions where UNCITRAL could usefully contribute to the development of global models and standards, including a considera-11(d)59n pb1Tm50cof

mediation. Although the nature of the instrument has yet to be determined, this work sends an important message to the business community as to the importance of conciliation or mediation in resolving cross-border commercial disputes. In the field of electronic commerce, Canada continues to support work of practical application to real