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UNCITRAL regional presence

Note by the Secretariat

Activities of the UNCITRAL Regional Centre for Asia and the Pacific

1. The General Assembly, in its resolutions 67/89 of 14 December 2012 and 69/115 of 10 December 2014, welcomed the opening and the activities of the United Nations Commission on International Trade Law Regional Centre for Asia and the Pacific (UNCITRAL-RCAP, "Regional Centre"), in the Republic of Korea, as a novel yet important first step for the Commission in reaching out and providing technical assistance with international trade law reforms to States in the region.
2. The UNCITRAL-RCAP has carried out its activities according to the lines of action for technical assistance of the Secretariat (A/66/17, para. 255) as well as the specific mandate identified for the Regional Centre, namely (a) to enhance international trade and development in the Asia-Pacific region by promoting certainty in international commercial transactions through the dissemination of international trade norms and standards, in particular those elaborated by UNCITRAL; (b) to provide bilateral and multilateral technical assistance to States with respect to the adoption and uniform interpretation of UNCITRAL texts through workshops and seminars; (c) to engage in coordination activities with international and regional organizations active in trade law reform projects in the region; and (d) to function as a channel of communication between States in the region and UNCITRAL.
3. In order to ensure systematic coordination and cooperation with regionally based institutions active in trade law reform, the Regional Centre has agreed to

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regularly share its work plan with such institutions and has conducted the following activities:

(a) United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), in the framework of the implementation of ESCAP resolution No. 68/3, carried out by ESCAP and the United Nations Network of Experts for Paperless Trade in Asia and the Pacific (UN NEXt), with presentations on the UNCITRAL texts on e-commerce, namely the relevance of the United Nations Convention on the Use of Electronic Communications in International Contracts (New York, 2005) (“e-CC”) for paperless trade and single windows at the “2nd UN NEXt Masterclass: Single Window in the Context of the WTO TFA”, held by ESCAP in cooperation with the World Customs Organization and the Korea Customs Service (Cheonan, Republic of Korea, 12-21 January 2015); ESCAP and UNCITRAL-RCAP jointly held a capacity-building regional workshop on “Cross-border Paperless Trade Facilitation: Challenges and Issues for Enabling Environment” (Bangkok, 31 March 2015) to introduce and discuss the latest practices and issues related to cross-border paperless trade in the Asia-Pacific region; participating at the “Ad hoc Intergovernmental Meeting on a Regional Arrangement for the Facilitation of Cross-border Paperless Trade” (Bangkok, 1-2 April 2015); inviting the Environment and Development Division (EDD) to provide comments to the programme and attend the “2014 UNCITRAL Incheon Spring Conferences: New trends and legal challenges in Sustainable Procurement” (Incheon, Republic of Korea, 1 July 2014), aimed at promoting the UNCITRAL Model Law on Public Procurement; inviting the Transport Division to attend as observer at the UNCITRAL-CMI Asian Expert Group Meeting on the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008) (the “Rotterdam Rules”) (Singapore, 22 April 2015);

(b) United Nations Conference on Trade and Development (UNCTAD), invited to participate and deliver a presentation at the 3rd Asia-Pacific ADR Conference (Seoul, 17-18 November 2014) hosted by UNCITRAL-RCAP, Ministry of Justice of the Republic of Korea and the Korean Commercial Arbitration Board (KCAB);

(c) United Nations Project Office on Governance (UNPOG), participating at the 2014 UNPOG Roundtable on Promoting Good Governance (Seoul, 4 December 2014) to introduce the relevance of UNCITRAL texts to the rule of law, good governance and access to justice;

(d) United Nations Environment Programme (UNEP) Regional Office for Asia and the Pacific, gathering comments to the programme of the 2014 UNCITRAL Incheon Spring Conferences, and exchanging work plans to assess joint initiatives to promote the UNCITRAL Model Law on Public Procurement (2011) in the framework of the Sustainable Public Procurement Programme under the 10 year framework of programmes built upon the Sustainable Public Procurement Initiative (SPPI). The 10YFP SPP Programme is led by UNEP and co-led by ICLEI — Local Governments for Sustainability and the Korea Environment Industry and Technology Institute (KEITI);

(e) Comité Maritime International (CMI) Asia Regional Office, co-hosting the UNCITRAL-CMI Asian Expert Group Meeting on the “Rotterdam Rules” (Singapore, 22 April 2015), gathering experts and representatives from shippers,

carriers and other industry stakeholders to discuss a regional road map for accession to the “Rotterdam Rules”. Special sessions dedicated to the “Rotterdam Rules” were jointly organized by CMI Asia Regional Office and UNCITRAL-RCAP at the “2014 UNCITRAL Asia-Pacific Fall Conference: Trade Development through the Harmonization of Commercial Law” (Macau, China, 17-18 October 2014), with the support of the University of Macau, and at the 7th Asian Maritime Law Conference (Singapore, 23-24 April 2015);

(f) Association of Southeast Asian Nations (ASEAN), delivering a briefing to its Secretariat on the UNCITRAL mandate (Jakarta, 24 March 2015) highlighting the importance of the use of its uniform texts in trade law reform as a means to increase legal predictability and reduce costs in cross-border trade, in particular in cases of progressive subregional integration to a common legislative framework, as is the case of South East Asia and the establishment of ASEAN’s Economic Community (AEC) by the end of 2015. The briefing followed the Nay Pyi Taw Declaration on the ASEAN Community’s Post-2015 Vision and the 6th Annual ASEAN-UN Summit and assessed the possible framework of cooperation between ASEAN and UNCITRAL on promoting good governance and the rule of law through rules-based trade and regional architecture, for instance by supporting the implementation of the ASEAN Principles for PPP Frameworks; promoting adoption of legal regimes in engagement with the private sector, including the settlement of disputes with the effect and value of UNCITRAL instruments and the operation of the Advisory Panel on Arbitration. UNCITRAL-RCAP is expected to further engage in the activities of the ASEAN Law Ministers Meetings (ALAWMM) as well as the ASEAN Senior Officials of Law Ministries Meeting (ASLOM) and their associated Working Groups, namely the Working Group on the Harmonization of Trade Laws of ASEAN Member States;

(g) Asia-Pacific Economic Cooperation (APEC), participating and supporting the “Workshop on UNCITRAL Instruments and the Ease of Doing Business Initiative (EODB)” during the 2015 APEC First Senior Official’s Meeting (SOM1) (Clark, Philippines, 3 February 2015) to assess the relevance of UNCITRAL texts for APEC’s aspirational target of making it 25 per cent faster, cheaper and easier to do business by 2015, to share implementation experiences in the region of UNCITRAL texts and to determine relevance of UNCITRAL texts for the post-2015 EODB agenda. The UNCITRAL-RCAP has also established a framework of cooperation with the APEC Economic Committee FotC Group on Strengthening Economic and Legal Infrastructure (“SELI”) to enhance promotion of UNCITRAL texts in the field of arbitration, international sale of goods, secured transactions and e-commerce;

(h) World Bank Group (WBG), participating and supporting the Conference “Doing Business 2014 and Beyond: Smart Regulation and towards Sustainable Growth” (Seoul, 12-15 May 2014) jointly held by WBG, US Aid and the Ministry of Justice of Korea. Also, the UNCITRAL-RCAP delivered two special sessions to business entrepreneurs from Bangladesh dedicated to alternative dispute resolution and the UNCITRAL text “Recognizing and Preventing Commercial Fraud: Indicators of Commercial Fraud (2013)” during the Entrepreneurial Talents’ House of Opportunities and Supports (ETHOS) programme (Incheon, Republic of Korea, 28 January 2015) jointly hosted by the World Bank Group and the State University of New York, Korea (SUNY Korea);

(i) International Finance Corporation (IFC) East Asia and the Pacific, delivering a presentation regarding accession to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (“New York Convention”) at the workshop “Pacific Investment and Trade Policy Workshop” (Sydney, Australia, 18 June 2014) aimed at policymakers from the Pacific Islands States; IFC also supported and delivered a presentation at the 2014 UNCITRAL South Asia Seminar “Economic growth in the global economy: contribution of UNCITRAL texts on e-commerce and secured transactions to an enabling environment for business” (Colombo, 18-19, September 2014) presenting on regional implementation of the secured transactions regime;

(j) Asian Development Bank (ADB), delivering a briefing (Manila, 4 February 2015) and scheduling technical assistance coordination meeting (videoconference, 22 August 2014). UNCITRAL-RCAP and ADB shared work plans highlighting possible future cooperation and established framework of regional cooperation regarding current technical assistance requests by States in the field of public procurement legislative reforms;

(k) Organization for Economic Cooperation and Development (OECD), participating in the “OECD Regional Policy Network on Connectivity and Public-Private Partnerships” and in the OECD South-East Asia Regional Forum (Jakarta, 25-27 March 2015);

(l) International Development Law Organization (IDLO), coordinating efforts to support current legislative reforms in China in the field of electronic commerce;

(m) Hague Conference on Private International Law Regional Asia Pacific Office (HAPRO), delivering a briefing to ensure coordination of technical assistance activities (videoconference, 4 June 2014). HAPRO supported and delivered a presentation on secured transactions at the 2014 UNCITRAL South Asia Seminar, delivered a presentation on mediation at the Asia Pacific International Mediation Summit (New Delhi, 12-15 February 2015) and introduced the draft Hague Principles on Choice of Law in International Commercial Contracts at the 2014 UNCITRAL Asia-Pacific Fall Conference;

(n) International organizations based in the Republic of Korea, participating in consultation meetings organized by the Ministry of Foreign Affairs of the Republic of Korea (26 June 2014 and 1 April 2015).

4. In order to further disseminate international trade norms and standards, in particular those elaborated by UNCITRAL, the Regional Centre has instituted subregional and national seminars promoting several international trade law topics, enhancing regional engagement with current work of the Commission, stimulating exchange of implementation capabilities and assisting States in their efforts to accede and implement UNCITRAL texts. The Regional Centre held the 2014 UNCITRAL South Asia Seminar co-organized with the Information and Communication Technology Agency (ICTA) and the Central Bank of Sri Lanka. The seminar provided significant awareness of UNCITRAL work and texts, not only in Sri Lanka, but also within relevant stakeholders in the fields of e-commerce and secured transactions from several States in the region (participants from Australia, China, Iran (Islamic Republic of), India, Japan, Maldives, Nepal, Republic of Korea, Sri Lanka and Viet Nam). The Seminar was prepared in close coordination and

cooperation with HAPRO, ESCAP and IFC. During the Hong Kong Arbitration Week, the Regional Centre hosted, in cooperation with the Hong Kong International Arbitration Centre (HIAC) the 2014 Hong Kong UNCITRAL Seminar “Transparency in Investor-State Arbitration: The Way Forward” (Hong Kong, China, 15 October 2014). Also, the Regional Centre with the support of the Academy for International Business Transactions (AIBT), the Japan Commercial Arbitration Association, the Osaka Bar Association, the Japan Arbitrators Association (Kansai Branch), the Doshisha University Research Centre for International Transactions and Law (RECITAL), the Kobe University Centre for Asian Studies, the Kobe University Graduate School of Law (Situational Training Program) and the Japan Vis Moot Alumni held the first UNCITRAL Japan Seminar themed “The development of ISDS from a viewpoint of Asia” (Kyoto, Japan, 25 October 2014). The UNCITRAL-RCAP co-hosted with the Financial Services Commission of the Republic of Korea and Dankook University the conference “Challenges of Technology Finance for a Creative Economy — Practical Issues on Security Rights in Intellectual Property” (Seoul, 28 November 2014) to promote the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property (2010).

5. Furthermore, the Regional Centre contributed intensively to the discussion on the nexus between trade law reforms based on uniform texts and regional integration economic development as a catalyst for social stability, conflict prevention, good governance, rule of law and access to justice. The Regional Centre aiming to provide a regional platform to further debate the topic, held the 2014 UNCITRAL Asia-Pacific Round-Table “ADR in Asia-Pacific Post-2015: Prospective Views” (Seoul, Republic of Korea, 17 November 2014). Also, in the context of the new educational initiative UNCITRAL Asia Pacific Day, the inaugural topic for this programme was “Rule of Law and Access to Justice in International Trade Law”, framing seminars and public lectures in participating academic institutions (Beijing and Hong Kong, China, 2-3 December 2014; Nagoya, Japan, 17 December 2014). With the cooperation of the Centre for Financial Regulation and Economic Development (CFRED) of the Chinese University of Hong Kong, UNCITRAL-RCAP delivered the seminar “UNCITRAL and the post-2015 Agenda” (Hong Kong, China, 19 March 2015).

6. Following the establishment of the UNCITRAL National Coordination Committee for Australia during the previous reporting period, the Regional Centre likewise acknowledged the founding of the Global Private Law Forum of Japan and of the UNCITRAL National Coordination Committee for India as national expertise centres for international trade law. These private sector initiatives allow for wider dissemination of international trade norms and national coordination activities, allowing the Regional Centre to allocate more resources to dissemination of UNCITRAL texts in Least Developed Countries (LDC’s), Landlocked Developing Countries (LLDC’s) and Small Island Developing States (SIDC’s) from the region.

7. In the field of alternative dispute resolution (ADR), the Regional Centre organized the 3rd Asia-Pacific ADR Conference (Seoul, 17-18 November 2014) with the support of the Ministry of Justice of the Republic of Korea and the KCAB. The conference widened its scope from previous years to include sessions on conciliation and investor-State arbitration (ISD). The conference gathered experts, practitioners, representatives from arbitration centres and officials from the region

(Australia, China, India, Japan, Malaysia, Mongolia, Qatar, Republic of Korea, Singapore) and coordinated presentations by the International Centre for Settlement of Investment Disputes (ICSID), the UNCTAD Project on Dispute Settlement in International Trade, Investment and Intellectual Property and by the International Chamber of Commerce (ICC) International Court of Arbitration Asia Office. Other events relating to alternative dispute resolution to which the Regional Centre contributed include support for and/or active and substantive participation in KCAB's training courses on arbitration; KCAB's 22nd Investor-State Dispute Forum (Seoul, 22 July 2014); Annual Conference of the International Bar Association (Tokyo, 19-24 October 2014); International Arbitration Conference 2014 (Sydney, Australia, 13 November 2014) organized by the Australian Centre for International Commercial Arbitration (ACICA) and the Law Council of Australia; Seminar on "Changes and Challenges: Main Issues of Recent Arbitration Regimes in Korea and Asia-Pacific" held jointly by the Ministry of Justice of Korea and KCAB (Seoul, 19 November 2014); and the 2nd Annual Seoul Arbitration Lecture, at the Seoul International Dispute Resolution Centre, on Ethics in International Arbitration (Seoul, 9 December 2014).

8. The Regional Centre was particularly active promoting the UNCITRAL Model Law on International Commercial Conciliation (2002) and the UNCITRAL Conciliation Rules (1980). For that purpose, UNCITRAL-RCAP co-organized with the American Bar Association (Dispute Resolution Section, "ABA-DRS"), the International Institute for Conflict Prevention & Resolution, the Singapore International Mediation Centre (SIMC), the Foundation for Sustainable Rule of Law Initiatives, the Association of Indian Mediators, and with the support of the Supreme Court of India, the Asia-Pacific International Mediation Summit (New Delhi, 12-15 February 2015) gathering over 100 participants from the Asia-Pacific Region and the United States of America, and welcoming key note addresses by the Secretary for Justice of the Government of the Hong Kong Special Administrative Region of China and by the Chief Justice of Singapore. Following the summit, the Regional Centre and the ABA-DRS have created a regional list-serv for the dissemination of information and practices in the field of commercial conciliation/mediation. The Regional Centre has also set up special sessions dedicated to conciliation during the 2014 UNCITRAL Asia-Pacific Fall Conference and the 3rd ADR Asia Pacific Conference.

9. UNCITRAL-RCAP has developed, during the reporting period, closer relationships with several regional ADR centres through consultations and support to several activities, providing advice on rules and revisions, liaising with the UNCITRAL Secretariat and actively promoting the UNCITRAL Arbitration Rules (as revised in 2010) with the HKIAC, ACICA, Institute of Arbitrators & Mediators Australia (IAMA), China International Economic and Trade Arbitration Commission (CIETAC), CIETAC Hong Kong Arbitration Centre, Korea Medical Dispute Mediation and Arbitration Agency (KMDMA), Indian Institute of Arbitration and Mediation (IIAM), Bangalore International Mediation Arbitration & Conciliation Centre (BIMACC), Associated Chamber of Commerce and Industry of India (ASSOCHAM), LCIA India, Indonesian National Board of Arbitration (BANI), JCAA, KCAB, Kuala Lumpur Regional Centre for Arbitration (KLRCA), Qatar International Centre for Conciliation and Arbitration (QICCA), SIMC, Thailand Arbitration Centre (THAC) and the Vietnam International Arbitration Centre (VIAC).

10. With respect to international sale of goods, and, in particular, the promotion and uniform interpretation of the United Nations Convention on Contracts for the International Sale of Goods, 1980 (CISG), recognizing its thirty-fifth anniversary, as recommended by the Commission, the Regional Centre co-hosted the conference “Celebrating the 35th Anniversary of the CISG: The United Nations Convention on CISG and Contract Law in Asia” in cooperation with the Graduate Schools for Law and Politics of the University of Tokyo, the Advanced Institute for Law and Politics of Hokkaido University, the Global Private Law Forum, and with the support of the Ministry of Justice and Ministry of Foreign Affairs of Japan (Tokyo, 11 March 2015). The conference addressed the five years’ Japanese experience with the CISG (accession on 1 July 2008 and entry into force 1 August 2009) gathering experts, practitioners and representatives from manufacturers and of the main Japanese trading companies to discuss whether and how the CISG has had influence on the practice of international sale of goods and on the legal framework of contract law in Japan. Experts from China, Malaysia, Republic of Korea and Singapore extended the focus of the conference to assess the levels of adoption and implementation of the Convention in the region. Also, a session dedicated to the Convention was included in the programme of the 2014 UNCITRAL Asia-Pacific Fall Conference. To further celebrate regionally the anniversary of the Convention, and in light of the relevance of contract law reforms and CISG to the coming ASEAN Economic Community, the Secretariat and the Regional Centre partnered with the Attorney-General’s Chambers of Singapore, the Ministry of Law of Singapore, the Singapore Academy of Law, the Singapore Management University (SMU) and the National University of Singapore (NUS) to organize the conference “35 years of the CISG: Achievements and Perspectives” (Singapore, 23-24 April 2015) addressing a number of aspects of the use of CISG at the national, regional and global level. The focus was on trends in the use of the CISG in legal practice in Singapore and in other Asian States as well as the possible contribution of the CISG to the future of contract law. Particular attention was given to the role of the CISG in promoting regional trade and supporting economic integration in South-East and East Asia. While Singapore is the only State party to the CISG in South-East Asia (adopted the CISG in 1995), the conference, attended by representatives from all ASEAN States, provided an opportunity for national reports from Brunei Darussalam, Indonesia, Lao People’s Democratic Republic, Philippines, Sri Lanka and Thailand, on the promotion and implementation of the Convention as well as on ongoing or expected contract law reforms and how it may impact future accession to the CISG.

11. Among potential new parties to CISG, progress towards the adoption of the Convention was reported by Indonesia, Philippines, Thailand and Vietnam. To support Thailand in that regard, the Regional Centre delivered a Briefing “CISG Accession” (Bangkok, 4 April 2015) at the Thailand Institute of Justice with the support of the Ministry of Justice and representatives of the Council of State and the Law Reform Commission of Thailand.

12. Regarding the promotion of UNCITRAL texts on electronic commerce and with particular focus on the “e-CC”, the Regional Centre supported the “UNCITRAL-BNU Joint Certificate Programme (JCP) on International E-Commerce Law: Theory and Practice” (Beijing, China, 19-21 May 2014) and the “First JCP High Level Forum on International E-Commerce Law” (Beijing, 27-28 November 2014). Acknowledging the current legislative reforms in the field of e-commerce in China, the Regional Centre, and as requested by the National

People's Congress of China Financial and Economic Committee, attended and delivered a briefing during a parliamentary hearing on e-commerce law (Beijing, 26 November 2014), focusing on how to promote the broader use of e-communications to support the expansion of Chinese e-commerce across borders and to promote the "e-CC". The promotion of the Convention was also the main focus in events such as the 2014 UNCITRAL South Asia Seminar, supporting stakeholders of Sri Lanka in preparing a detailed road map to ratification; the Sri Lanka Association of Software and Services Companies (SLASSCOM) Thought Leadership Forum (Colombo, 17 September 2014) and; the "2015 UNCITRAL Thailand Workshop on the e-CC: a legal tool to promote cross-border electronic commerce" (Bangkok, 3 April 2015) co-organized by UNCITRAL-RCAP, ESCAP and the Electronic Transactions Development Agency of Thailand (ETDA) — aimed at promoting the adoption of the "e-CC", as well as at indicating prevailing trends in regional law reform activities. In the framework of the cooperation with ESCAP, UNCITRAL-RCAP co-organized a regional workshop on "Cross-border Paperless Trade Facilitation: Challenges and Issues for Enabling Environment".

13. Among potential new parties to the "e-CC", progress towards the adoption of the Convention was reported by Australia, Philippines, Sri Lanka, Thailand and Viet Nam. To assist States in the accession and/or ratification process, the Regional Centre has delivered briefings on the "e-CC", addressing the national and regional legal implications of such accession. In Australia, following the adoption by all Australian States of the Electronic Transactions Act, the Regional Centre delivered a briefing convened by the Attorney-General's Department, with active participation by relevant national stakeholders, including the Department of Foreign Affairs and Trade and the Department of the Treasury (Canberra, 5 December 2014). With the same purpose, the Regional Centre promoted a briefing in the Republic of Korea with the participation of the National IT Industry Promotion Agency (NIPA), the Korea Trade Network (KNet) and the Korea Financial Telecommunications and Clearings Institute (KFTC) (Seoul, 12 December 2014).

14. In the field of procurement and infrastructure development, the Regional Centre hosted, with the Ministry of Justice of Korea, the Korean Legislation Research Institute and the Korea International Trade Law Association, the "UNCITRAL Asia-Pacific Conference on Public Private Partnerships: Development through PPPs, aspiration or realizable goal?" (Incheon, Republic of Korea, 9-10 June 2014), gathering legal experts from Australia, China, Iran (Islamic Republic of), Japan, Nepal, Philippines, Republic of Korea and the United States, with coordinated participation of the World Bank Group, to discuss and assess the current regional legislative and contractual frameworks of PPPs, and to further promote the UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects (2000) and the UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects (2003). To enhance the promotion of the UNCITRAL Model Law on Public Procurement (2011), the Regional Centre selected "New trends and legal challenges in Sustainable Procurement" as the topic of the 2014 UNCITRAL Incheon Spring Conferences. The event was co-hosted with the Public Procurement Service (PPS) of the Republic of Korea and the Incheon Free Economic Zone Authority (IFEZ).

15. In line with the specific priorities identified for the Regional Centre (A/67/17, para. 184) towards reaching out and providing technical assistance and capacity-

building with international trade law reforms to developing countries in the region, the Regional Centre has established a workshop series. During the reporting period, UNCITRAL-RCAP delivered workshops to judicial trainees, notary public trainees, officials from the Ministries of Justice and Commerce of Cambodia, partnering with the Royal Academy for Judicial Professions of Cambodia, on the “UNCITRAL Model Law on Public Procurement (2011)” (Phnom Penh, 15 July 2014) and on “International Commercial Arbitration and the New York Convention” (Phnom Penh, 8-9 December 2014); and another workshop, partnering with the National Bank of Cambodia, on “Legislative Framework for Safe and Sound Electronic Payments and Commerce” (Phnom Penh, 27 April 2015). The workshop series was also delivered in India, with the “2015 UNCITRAL India Workshop: Dispute resolution in the Construction Industry” (New Delhi, 16 February 2015), in cooperation with the Construction Industry Arbitration Council of India.

16. The Regional Centre has pursued assessment of needs and has mapped existing projects relating to trade law reforms. The National Council of Bhutan reported the adoption of legislation, which would result in the accession to the “New York Convention”, on 25 September 2014. Bahrain, India, Hong Kong (China), Mongolia, Qatar, Republic of Korea and Turkmenistan reported legislative reforms towards the adoption of new arbitration bills in line with the 2006 amendments to the UNCITRAL Model Law on International Commercial Arbitration (1985). The Secretariat and the Regional Centre provided comments to the drafts arbitration laws of Mongolia, Myanmar and Qatar and to the draft e-commerce law of Cambodia. Viet Nam has reported legislative reforms in the field of commercial conciliation. Thailand approved the new Electronic Transactions Act providing the necessary legislative framework for the adoption of the “e-CC”. Singapore has reported legislative reforms towards the adoption of the UNCITRAL Model Law on Cross-Border Insolvency (1997). India and Myanmar have reported legislative reforms in the field of public procurement in line with the UNCITRAL Model Law on Public Procurement (2011).

17. Resolution 69/115 adopted by the General Assembly on 10 December 2014 reiterated its appeal to all bodies responsible for development assistance such as the States’ bilateral aid programmes, to support UNCITRAL in its technical cooperation and assistance programmes and to cooperate and coordinate their activities with those of UNCITRAL in light of the relevance and importance of such work for the promotion of the rule of law, both at the national and international levels. In light of this, the Regional Centre hosted a special session themed “CISG and Official Development Assistance (ODA)”, during the conference “Celebrating the 35th Anniversary of the CISG: The United Nations Convention on CISG and Contract Law in Asia”, focusing on the importance of contract law reform in ODA funding and activities and exploring the challenges they face. The session further explored the relationship between contract law reform and other ODA initiatives such as economic development, education, establishing the rule of law and best practices. The session was attended and supported by the Japan International Cooperation Agency (JICA), the Research and Training Institute of the International Cooperation Department of the Ministry of Justice of Japan, the Department of Justice of the Hong Kong Special Administrative Region of China, and with a presentation on future work by the APEC’s Economic Committee FotC Group on SELI. Within this framework, the Regional Centre has engaged consistently with agencies in charge of official development assistance, such as JICA, to ensure

further coordination of technical assistance activities in the field of trade law in the region. Also, following a request by JICA and the Supreme Court of the Union of Myanmar, the Regional Centre actively participated and supported a capacity-building workshop and technical assistance meeting for legislative work in the field of arbitration (Nay Pyi Taw, 14-15 August 2014).

18. The Commission should note that the Regional Centre is pursuing comprehensive partnerships with the judiciaries and the judicial training institutions from across the region to further integrate capacity-building activities, to include and expand the inclusion of UNCITRAL texts in training curricula and to promote the uniform interpretation of UNCITRAL texts. In this context the Regional Centre participated and delivered a special lecture to Vietnamese judges attending a judicial training programme for foreign judges organized by the Supreme Court of Korea and the Judicial Research and Training Institute of the Republic of Korea (Ilsan, Republic of Korea, 30 October 2014).

19. Moreover, the Regional Centre has been active in supporting present and possible future UNCITRAL legislative work providing platforms for substantive regional contributions, as was the case for the jointly held conference with the Ministry of Justice of Korea and the Korean Legislation Research Institute, “UNCITRAL Asia-Pacific Conference on Public Private Partnerships: Development through PPPs, aspiration or realizable goal?”. Also, during the Asia-Pacific International Mediation Summit (New Delhi, 12-15 February 2015), the Regional Centre set up a plenary session on enforceability of settlement agreements resulting from international commercial conciliation/mediation, to gather regional views on the current discussions within WGII. Furthermore, the Regional Centre is currently cooperating with the City University of Hong Kong to conduct a questionnaire to States in the Region regarding national legislative frameworks on Conciliation and issues of enforceability and to report on regional implementation of the UNCITRAL Model Law on International Commercial Conciliation (2002).

20. To expand the reach of its mandate both with the hosting community and the regional academia, the Regional Centre started national outreach and regional educational programmes during the reporting period. The national outreach and regional educational programmes aim to maintain regular dialogue with non-governmental organizations, local and national political stakeholders, other international organizations, the academia, the media and the general public on various aspects of the UNCITRAL-RCAP, with the aim of enhancing cooperation and community support, and increasing awareness of UNCITRAL activities:

(a) For the national outreach programme, the Regional Centre has actively participated in the Incheon International Organizations Consultative Partnership and related events held by Incheon Metropolitan City, and at the Incheon International City Forum (Incheon, Republic of Korea, 30 October 2014) organized by the Incheon International Relations Foundation. Furthermore, staff and interns have been engaged with the summer programme for local schools organized by the Songdo Library of International Organizations. Additionally, the Regional Centre has opened its doors for visits to local students and to interns from the Ministry of Justice of Korea. Moreover, the Regional Centre delivered a special lecture on the UNCITRAL Model Law on International Commercial Arbitration and UNCITRAL Arbitration Rules at KCAB’s “Winter Lectures” for law students (Seoul, 5 February 2015) and a presentation introducing UNCITRAL and its texts on Arbitration to

Korean law students at the UNCITRAL-HKIAC-SIDRC Joint Seminar on “Guide for Future Leaders of International Arbitration” (Seoul, 5 November 2014);

(b) For the regional educational programme, the Regional Centre has launched the UNCITRAL Asia Pacific Day to yearly celebrate the establishment of UNCITRAL by the General Assembly on 17 December 1966. Every year, Universities from across the Region, will be invited to join the celebrations by proposing a special programme that can span from special lectures to seminars, from inviting professors to dedicate their lectures to UNCITRAL topics, to conferences. For the first edition, in 2014, the Regional Centre selected as topic “The Rule of Law and Access to Justice in International Trade Law” and three universities joined the celebrations, namely: the City University of Hong Kong delivering a seminar on the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration (Hong Kong, China, 2 December 2014); the School of International Law of the China University of Political Science and Law delivering special lectures on the United Nations Convention on Independent Guarantees and Stand-by Letters of Credit (New York, 1995) and on the “Mauritius Convention on Transparency” (Beijing, 2-3 December 2014); the Graduate School of Law of the Nagoya University delivering a special lecture on the UNCITRAL Model Law on International Commercial Arbitration and the Japanese arbitration law (Nagoya, Japan, 17 December 2014). Additionally, the Regional Centre launched the Model UNCITRAL with the cooperation of the Incheon National University, gathering students and teachers to moot an UNCITRAL Session focused on the importance of trade law for the post-2015 development agenda (Incheon, Republic of Korea, 24 November 2014);

(c) The Regional Centre has continued its support to international trade law moot competitions held in the region, namely: the 5th International ADR Mooting Competition hosted by the School of Law of the City University of Hong Kong (Hong Kong, China, 30 July-3 August 2014); the 2014 FDI Moot Asia-Pacific Regional Rounds organized by KCAB and the Centre for International Legal Studies (CILS) (Seoul, Republic of Korea, 21-23 August 2014); the Twelfth Annual Willem C. Vis (East) International Commercial Arbitration Moot (Hong Kong, China, 15-22 March 2015); and the 8th Vis Japan Practice Moot hosted by Kobe University and AIBT (Kobe, Japan, 21-22 February 2015);

(d) The academic engagement was fostered by jointly organizing events or by delivering public lectures at regional institutions and universities such as: Beijing Normal University, China University of Political Science and Law, City University of Hong Kong, Chinese University of Hong Kong, Hokkaido University, Hankuk University of Foreign Studies, Indian Society of International Law, Kobe University, University of Macau, Nankai University School of Law, Dankook University, Incheon National University, National University of Singapore, Seoul National University, Singapore Management University, State University of New York (Korea), University of Tokyo and Yonsei University.

21. The Regional Centre has consolidated its function as a channel of communication between States in the region and UNCITRAL. The governments of Afghanistan, Iran (Islamic Republic of), Japan, Lao People’s Democratic Republic, Myanmar, Qatar and Thailand have designated governmental focal points following the deliberations of the Commission at its forty-seventh session (New York, 7-18 July 2014), in the context of which the Commission suggested that States in

the Asia-Pacific region designate a focal point for matters related to UNCITRAL topics and in charge of coordinating with the UNCITRAL Regional Centre for Asia and the Pacific (A/69/17, para. 212). Furthermore, the Regional Centre has engaged in regular consultations with government officials from Australia, Bhutan, Cambodia, China (including the Special Administrative Regions of Hong Kong and Macau), India, Indonesia, Japan, Malaysia, Mongolia, Myanmar, Nepal, Pakistan, Papua New Guinea, Republic of Korea, Sri Lanka, Thailand, Philippines and Viet Nam. The Regional Centre has hosted the 2015 UNCITRAL Asia Pacific Diplomatic Briefing (Incheon, Republic of Korea, 29 January 2015) to report 2014's activities and share the 2015 work plan to diplomatic representations accredited in the Republic of Korea, to other international organizations based in the Republic of Korea, to the Ministries of Foreign Affairs and Justice of the Republic of Korea, to the Incheon Metropolitan City, to IFEZ and to the Korea International Cooperation Agency (KOICA). Furthermore, the Regional Centre liaised between the Secretariat and relevant authorities in Australia, Thailand, Japan, Hong Kong (China), Philippines and Republic of Korea regarding the signing ceremony of the "Mauritius Convention on Transparency".

22. The Regional Centre is staffed with one professional, two team assistants and one legal expert. During this reporting period, 10 interns were hosted at the Regional Centre. The core project budget allows for the occasional employment of experts and consultants. The Regional Centre relies on the generous financial contribution from the Incheon Metropolitan City to the Trust Fund for UNCITRAL Symposia to meet the cost of operation and programme, and on the contribution of a non-reimbursable loan of a legal expert by the Ministry of Justice of the Republic of Korea. The Regional Centre has often been able to leverage on the resources of its partners, especially for contribution to the costs of travel and of meeting facilities and services. The Government of the Hong Kong Special Administrative Region of China has signalled its willingness to lend a legal expert on a non-reimbursable basis to assist with the execution of technical cooperation activities to be undertaken by the RCAP, in particular in developing countries in the Asia Pacific region.

23. According to article 13.3 of the Memorandum of Understanding signed on 18 November 2011, between the United Nations, the Ministry of Justice and Incheon Metropolitan City of the Republic of Korea, regarding the operation and financial contribution to the Regional Centre for Asia and the Pacific, the terms of such support are to be reviewed by all parties five years after the establishment of the Regional Centre, i.e. before 10 January 2017. Furthermore, the last payment of the annual financial contribution by the Incheon Metropolitan City to the Trust Fund for UNCITRAL Symposia is due by November 2015.

24. Moreover, the Regional Centre continues to be supported by ESCAP in a number of administrative and human resources management functions critical for carrying out its mandate.

25. It is expected that interest for UNCITRAL texts will grow with additional requests for technical assistance. Such increase will call for a corresponding increase in available resources. Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals were actively encouraged to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, for the financing of special projects and otherwise to assist the Regional Centre in carrying out technical

cooperation and assistance activities. Additional contributions to the project from member States, or from interested private and public entities recommended by member States, are required to further respond to regional expectations.
