



United Nations
UNCITRAL

54th Session, 28th June-16th July **Listing of side events and technical assistance panels**

During the 54th Session of the Commission, a series of side events to raise awareness of the use of UNCITRAL texts, and to allow for experience from stakeholders on UNCITRAL-related issues will be held. A schedule of the events, which are by invitation, is below.

The Commission session will conclude with two panels on technical assistance, focussing on MSMEs recovery from the economic shock of COVID-19 and celebrating UNCITRAL Days in Asia Pacific and Latin America.

Wednesday 30 June: Africa Forum

Location: Virtual (access by invitation)

Time: 13.00 to 14.00 CEST

Language: English

Wednesday 7th July: Investor-State mediation

Location: Virtual (access by invitation)

Time: 12.00 to 12.50 CEST

Language: English

As at 25.06.21

Thursday 8th July: Presentation of the Swiss Arbitration Association (ASA) Toolbox

Location: Virtual (access by invitation)

Time: 12.00 to 13.00 CEST

Language: English

Friday 9th July: Net Zero Legislative Project

Location: Virtual (access by invitation)

Time: 12.00 to 13.00 CEST

Language: English

Monday 12th July: Launch of online course "Introduction to the United Nations Commission on International Trade Law"

Location: Virtual (access by invitation)

Time: 13.30 to 14.30 CEST

Language: English

Friday 16th July: Technical Assistance Panels

Location: In-person/Virtual (by invitation; access via Interprefy links provided for Commission session from 12-16 July)

Time: 11.00-13.00 CEST

With interpretation in official UN languages

Panel 1 – Focussing on MSMEs recovery (11.00-12.30)

Panel 2 – Celebration of UNCITRAL Days (12.30-13.00)



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54th Session Side event

Wednesday 30th June

Africa Forum

Location: Zoom (Virtual)

Time: 13:00 to 14.00 CEST

Language: English

Programme

Permanent Representatives from African States will share their thoughts on areas of commercial law with particular resonance in the region, such as digitization of the economy and the establishment of an harmonized legal framework for a fair and efficient settlement of international investment disputes, and the critical importance of transparency, accountability and good governance in the commercial law framework.

Note: This meeting will be recorded and made available at the UNCITRAL website www.uncitral.un.org



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ICSID

International Centre for
Settlement of Investment Disputes
WORLD BANK GROUP

Side event 54th Commission Session: Round-table on Investor-State Mediation, jointly organised with ICSID

Location: Zoom (Virtual)

Date: Wednesday 7th July from

Time: 12.00 to 12.55 CEST

Language: English

The discussion will focus on the legal framework available to disputing parties in ISDS to solve their dispute amicably, including treaty practice

A. A brief overview of the landscape

Working Group III progress on mediation – Short overview of preparatory work (by the Secretariat)

- ✓ **Institutional capacity for investment conflict**
(Ms. Eloïse Obadia, Senior Consultant, Investment Policy and Promotion, World Bank Group) - TBC
- ✓ **International Energy Charter efforts to promote investment mediation – Guide & Model Protocol**
(Mr. Alejandro Carballo Leyda, Acting Deputy Secretary-General and General Counsel)
- ✓ **ICSID rules on mediation**
(Frauke Nitschke, ICSID Secretariat, Senior Counsel/Team Leader)

Mediation in treaty practices Guidelines

- ✓ **Presentation of an overview of treaty practices**
(Anna Holloway, ICSID Secretariat, Counsel)

B. How to further enable Investment mediation?

Moderator:

Ms. Anna Joubin Bret (the Secretary of UNCITRAL)

Commentators:

Ms. Ximena Bustamante (Pactum Dispute Resolution Consulting, Ecuador)

Ms. Fatma Ibrahim (Mediation Special Advisor, The Cairo Regional Centre for International Commercial Arbitration, CRCICA, Egypt)

Ms. Gloria Lim (Director (Legal Industry Division) / Director of Legal Services (Legal Services Regulatory Authority), Ministry of Law, Singapore)

Ms. Ndanga Kamau (Founder, Ndanga Kamau Law, Kenya/ The Netherlands)

Interventions from the floor

Views from delegations on mediation as an effective tool and challenges



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CLIMATE LAW AND GOVERNANCE INITIATIVE



Net Zero
Lawyers Alliance



54th Session - Side event, 9th July 2021

Net Zero Legislative Project: Climate Change Mitigation and Adaption Issues in International Commercial Law and Dispute Resolution

Location: Virtual (by invitation)

Time: 12.00 to 13.00 CEST

Language: English

Topics for discussion

1. The role of private international law in climate change mitigation – reaching net zero by 2050?
2. The role for international dispute resolution as a guardrail?
3. UNCITRAL's possible role

Panellists:

- Wendy Miles QC – Barrister, Twenty Essex, UK
- Annette Magnussen – Climate Change Counsel, Sweden

Moderator:

- Caroline Nicholas, Head, Technical Assistance Section, Senior Legal Officer, UNCITRAL Secretariat

Please note that the event will be recorded and made available at uncitral.un.org

Background

Net Zero Legislative Project

Stocktaking Climate Change Mitigation and Adaptation Objectives in Modern Trade Law

The United Nations system leads global efforts to combat climate change.

For states, the 1992 United Nations Framework Convention on Climate Change ("UNFCCC"), as implemented by the 2015 Paris Agreement, seeks to reduce greenhouse gas emissions, and to improve the ability of States to mitigate and adapt to climate change. UN Sustainable Development Goal ("SDG") 13 requires urgent action to combat climate change and its impacts, including integration of climate change measures into national policies, strategies and planning, and strengthening resilience and adaptation.

For non-state actors, the 2015 Adoption of the Paris Agreement draft decision, Articles 134 to 135, welcomes all efforts to address and respond to climate change, including from private sector and financial institutions, and invites stakeholders to scale up efforts and support actions to reduce emissions and/or build resilience and decrease vulnerability to the adverse effects of climate change.

UNCITRAL, as the core legal body of the UN system in the field of international trade law, aims to harmonize and modernize this field of law, by preparing and promoting legislative and non-legislative legal texts, and by increasing coordination of and cooperation on legal activities of international and regional organizations active in the field. It thus seeks to promote the rule of law at the national and international levels. Those legal activities are increasingly impacted by efforts by states and non-state actors to transition global energy, infrastructure, industrial and land use systems to net zero emissions by 2050.

Therefore, a feasibility study is proposed to examine how UNCITRAL might facilitate and accelerate global climate mitigation and adaptation goals by further strengthening the rules and standards in the field of international trade law, through new tools or enhancements to existing tools. Existing areas of UNCITRAL's work that are particularly relevant are public private partnerships, international contract practices, international sale of goods, micro, small and medium enterprises and dispute resolution.

Current UNCITRAL tools, including the 2011 Model Law on Public Procurement and the 2019 Legislative Guide on Public-Private Partnerships and Model Legislative Provisions on Public-Private Partnerships, are intended to assist in the establishment of a legislative framework favourable for infrastructure investment, including pursuant to public-private partnerships ("PPP"s). PPPs cover a wide range of contractual arrangements between public and private parties; they are an important tool for meeting national infrastructure needs, achieving the SDGs. They are also a central tool for achieving global climate change mitigation and adaptation goals.

In light of the foregoing, it is proposed that UNCITRAL might consider exploratory work in the field of investment in climate change mitigation and adaptation, such as research and consultations to collect information on the latest trends in the world regarding use of public private partnerships, international contracts, international sale of goods and dispute resolution, including in relation to micro, small and medium enterprises, and, based on the findings of these activities, compiling relevant information.

Such exploratory work could:

- Serve to compile and make available factual and objective information relevant to identify areas for relevant possible future work in UNCITRAL;
- Serve to support technical assistance and capacity-building activities on the use of existing UNCITRAL texts;
- Serve to assist developing countries in enabling their active participation in UNCITRAL's work; and
- Contribute to raise awareness of UNCITRAL's activities in the field of international trade law



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54th Session - Side event, 12th July 2021

Launch of the online course “Introduction to the United Nations Commission on International Trade Law”

Location: Virtual (by invitation)

Time: 1.30 to 2.30 CEST

Language: English

A. Welcoming Remarks

Ms. Caroline Nicholas, Head, Technical Assistance Section, Senior Legal Officer, UNCITRAL Secretariat

B. Video presentation of the online course

C. A conversation on the importance of training in the international law context

Focus on:

- UNCITRAL current and future training projects:
- The benefits on online learning
- The role and benefits of e-learning in Asia Pacific

Participants:

- Ms. Caroline Nicholas, Head, Technical Assistance Section, Senior Legal Officer, UNCITRAL Secretariat
- Ms. Athita Komindr, Head, UNCITRAL Regional Centre for Asia and the Pacific;
- Ms. Alessia Messuti, Learning Innovation Programme Officer, International Training Centre of the International Labour Organization;
- Ms. Monica Canafoglia (moderator). Legal Officer, UNCITRAL Secretariat

D. Q&A and comments



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54th Session

Virtual panel discussion on technical assistance activities

A/CN.9/1041/Rev.1, agenda item 15

Friday, 16 July 2021
11.00 to 13.00 CEST

Programme

Panel 1 Focus on MSMEs recovery

Time: 11.00 to 12.30 (CEST)

Policy makers, experts and users of UNCITRAL texts from Africa, Asia and Latin American and the Caribbean will raise their voice on the critical role of MSMEs in recovering from the COVID-19 economic shock, and the vital contribution of a high-quality enabling commercial law framework.

This panel will conclude with statements on the use of UNCITRAL's tools for supporting economic recovery in countries at all levels of economic development, particularly on areas such as insolvency and access to finance.

Panel 2: Celebration of UNCITRAL DAYS

Time: 12.30 to 13.00 (CEST)

This is a 30-minute panel highlighting the UNCITRAL Days flagship activity, an academic series that the UNCITRAL secretariat co-hosts with institutions of higher learning and public agencies during the last trimester of every year to commemorate the December 1966 General Assembly Resolution establishing UNCITRAL. It will start by introducing the background of the UNCITRAL Day, initially launched in the Asia Pacific (AP) region by the UNCITRAL Regional Centre for Asia and the Pacific, its expansion to Latino America and the Caribbean (LAC), and its most recent accomplishments.

These opening remarks will set the stage for distinguished guest speakers to discuss the successes of previous UNCITRAL Days editions in AP and LAC regions and the potential for other regions to follow in the near future

The panel will end with an invitation to join the 2021 UNCITRAL Day flagship series.

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Note: This panel will be recorded and made available at the UNCITRAL Website
www.uncitral.un.org