

STATEMENT

BY

**THE REPRESENTATIVE OF THE ISLAMIC
REPUBLIC OF IRAN**

BEFORE

**THE THIRTY NINTH SESSION OF
THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW
(19 JUNE-7 JULY 2006)**

NEW YORK, 19 JUNE – 7 JULY 2006

In the Name of God, the Compassionate, the Merciful

Mr. President,
Distinguished Delegates,
Excellencies,
Ladies and Gentlemen,

It is a great honor for the Delegation of the Islamic Republic of Iran to participate in, and address the Thirty Ninth Session of United Nations Commission on International Trade Law. First of all, I'd like to congratulate you, Mr. President, and other members of the Bureau on your election to preside over this important gathering. I also wish to congratulate the Secretariat of the United Nations Commission on International Trade Law for the on time documentation and excellent organization of this event.

Mr. President,

It is quite clear that the United Nations Commission on International Trade Law has significantly contributed to the promotion of international peace and security by facilitating and expanding international trade through progressive unification and development of international trade law. This could be furthered if more attention is paid to different levels of development so that specific needs of developing countries and countries with economies in transition is taken into account, specially through developing appropriate model laws and legislations. The UNCITRAL could/ should play its due part in paving the way for a more balanced and mutually beneficial commercial interaction between and among developing and less developed countries, on the one hand, and the developed countries, on the other. Such a pragmatic approach is inevitable, especially when it comes to development of laws and regulations, e.g., electronic commerce, the enforcement of which requires highly sophisticated technologies. This is a feasible/practical way to urgently control the already alarmingly deepening economic/commercial gap between developing and developed countries.

This Delegation believes that practical mechanisms have to be worked out in order to provide developing countries with necessary technical assistance and technological expertise. The UNCITRAL should find ways and means to facilitate the participation of the representatives of all legal systems in developing such mechanism and in preparing and updating trade law.

Mr. President,

My Delegation would like to inform the plenary that the Islamic Republic of Iran has initiated updating domestic legislations on trade law; the Draft Comprehensive Trade Law Act which is under consideration by the Parliament is assumed to modernize Iranian legal regime on trade law and to coordinate Iranian legal system with latest development in area of trade law. With the enactment of the proposed legislation a necessary step would have also be taken to join the process of unification of private law worldwide. The provisions of the related international instruments regarding trade law, including the

۱۹۶۳ Convention on International Sale of Goods, GMR Convention on Road Transportation, recommendations of Private Law Foundation on principles of international contracts and European Contract Principles, have been duly considered and included in the draft Act and other newly drafted legislations on different aspects of trade law. We have also used Geneva Conventions on promissory notes, checks and bills^۱, as well as UNCITRAL Conventions on movable documents to develop related commercial legislations.

Mr. President,

The Islamic Republic of Iran has prepared a comprehensive program for development of electronic commerce in order to promote trade and remove the legal obstacles regarding electronic commerce. The enactment of a specific legislation, patterned on UNCITRAL Model Laws on Electronic Commerce and Electronic Signature, has been one of the main achievements in this regard. The following initiatives and programs are also underway:

- developing a draft legislation on specific rules of procedure for electronic commerce, including rules of arbitration for facilitation of settlement of disputes arising from electronic commerce.
- developing a model contract for transnational electronic commercial, patterned on UNCITRAL Model
- developing a specific legislation on jurisdiction in electronic commerce and, legal provisions on extradition and mutual legal cooperation regarding cyber space crimes
- developing rules of conflict of law as a part of Civil Procedural Codeand
- developing model arbitration rules for settlement of disputes in electronic commerce
- developing and application of electronic payment system in order to supplement process of electronic commerce and promotion of electronic banking
- developing a system for management of commercial documents based on the UN Electronic Documents

The signature and ratification of the UN Convention on the Use of Electronic Tools in International Contracting is also under consideration by competent authorities.

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