

**Enhancing International Trade and Development in the Asia-Pacific Region:  
UNCITRAL Regional Centre for Asia and the Pacific**

**Opening speech by Ms. Patricia O'Brien,  
Under-Secretary-General for Legal Affairs, The Legal Counsel**

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**International Conference Room, Meet-you-all Tower (Incheon)**

Minister Kwon (*in Korean*, Kwon Jae Jin jang-kwan-nim),

Mayor Song (*in Korean*, Song Young Gil si-jang-nim),

Excellencies,

Distinguished Speakers and Guests,

Ladies and gentlemen,

An-nyong-ha-se-yo! (*Hello in Korean*)

[Introduction]

It is a great pleasure for me to be here in Incheon, Korea to officially announce the opening of the Regional Centre for Asia and the Pacific of the United Nations Commission on International Trade Law. As that Commission noted at its forty-fourth session in July last year, this marks a novel yet important first step for UNCITRAL in reaching out and providing technical assistance to States in the region.

At the outset, I would like to associate myself with the United Nations General Assembly, which had, in December, expressed its gratitude to the Government of the Republic of Korea, particularly its Ministry of Justice and the Incheon Metropolitan City, for their generous contribution, which made this project possible.

I was in Seoul last June to attend the fourth World Summit of Prosecutors General, Attorneys General and Chief Prosecutors and was quite impressed by a city which provided a mix of tradition and history as well as a contemporary taste of art. Arriving in Songdo yesterday, I must say that I was amazed at how land reclaimed some ten years ago could have transformed its landscape into such an international city. I was also very impressed with the Incheon Bridge that

allowed me to get to my hotel in 30 minutes, crossing some 20 kilometers above the ocean. Now, I understand why Secretary-General Ban Ki-moon was always so proud when he spoke of Incheon.

[The rule of law and UNCITRAL]

One of my priorities in my function as the Legal Counsel of the United Nations is to promote the “rule of law”, a principle embedded in the Charter of the United Nations. Some may perceive rule of law as a concept only relevant for achieving peace in the aftermath of a conflict or effectively protecting human rights; yet that is not all. Respect for the rule of law is also a key factor in sustaining economic progress and development. In that context, UNCITRAL plays a key role in the promotion of the rule of law by providing internationally acceptable rules in the field of commercial law and supporting the enactment of those rules.

As you may all know, UNCITRAL was established by the United Nations General Assembly in 1966 with a mandate to further the progressive harmonization and modernization of international trade law. During the forty-five years since its establishment, UNCITRAL has become the core legal body of the United Nations system in the field of international trade law. UNCITRAL plays an important role in developing the legal framework facilitating international trade and investment by preparing and adopting legislative and non-legislative instruments in key areas of commercial law. As the preparation of such instruments involves not only its sixty member States but also non-member observer States, along with relevant international governmental and non-governmental organizations, UNCITRAL texts are widely accepted as offering solutions appropriate to different legal traditions and to States at different stages of economic development.

Nonetheless, I would like to emphasize that rule of law is not achieved merely by preparing instruments to be adopted by States. That is only the beginning. Those rules then have to be promoted, and carefully implemented, sometimes taking into consideration various domestic factors. Thus, “technical assistance to law reform” becomes an essential element of UNCITRAL’s work.

[Limited resources, innovative ideas]

While I emphasize the importance of technical assistance to trade law reform, I am aware that very limited resources have been available for such purposes. Although it would be worthwhile to arouse more interest and to possibly have an increased budget for such activities, the current financial situation does not provide the United Nations with that flexibility. In fact, the United Nations is being currently asked by its Member States to achieve more yet with less.

However, such circumstances should not hinder the United Nations in achieving its mandate and this applies also to UNCITRAL. Therefore, innovative ideas to effectively fulfill its mandate need to be found. Thus, I highly value UNCITRAL’s efforts in actively seeking alternative ways to further its mandate by exploring the possibility of establishing regional presence with a view to facilitating the provision of technical assistance.

Yet again, such efforts could not have resulted in such fruitful results as we are witnessing today without the generous support from the Ministry of Justice, which has kindly provided a legal expert for this project and the Incheon Metropolitan City, which has made a substantive financial contribution to this project. Although this is no surprise, it is quite remarkable that Korea, one of the poorest countries at the end of the Korean War and now, one of the top ten trading economies, having built its economy based on international trade, supports the values pursued by UNCITRAL, that fair and legally structured international trade is key to sustainable economic development. By joining hands, the Republic of Korea and UNCITRAL will be able to provide developing economies not only the needed legislative framework but also an economic model which may be followed in pursuing their development.

The establishment of a Regional Centre for the Asia-Pacific region in Incheon is more than timely, as can be witnessed from the increased involvement of the Asia-Pacific region in global trade and growing regional economic integration initiatives. I have also been informed that requests for technical assistance and for participation of UNCITRAL in initiatives undertaken in the region have increased steeply in recent years.

[The role of the Regional Centre]

The main objectives of the UNCITRAL Regional Centre will be 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. It will do so by providing bilateral and multilateral technical assistance to States through workshops and seminars, like the one we will have this afternoon. The Regional Centre will also function as a channel of closer communication between States in the region and UNCITRAL. It will also engage in coordination activities with international and regional organizations active in trade law reform projects in the region. In this context, I would also like to express my sincere thanks to our colleagues in ESCAP, who have kindly offered to share their office space with UNCITRAL and have provided extremely precious support in the preparation of this opening event.

[Conclusion]

For UNCITRAL, the Regional Centre for Asia and the Pacific is the first regional office and merely a first step. I have been informed of several other proposals to establish regional centres in other parts of the world, with some focusing on specific sub-regions. Therefore, it is very important for us to ensure the success of this Regional Centre, which will be the building block and a model for any subsequent UNCITRAL regional centres.

My Korean colleagues told me yesterday that there is a Korean proverb “si-jak-e ban-e-da (A good start is half the battle)”. I think we can proudly state that now, we have made a good start. But as you can probably imagine, this also means there is much more to be done. I assure you that the United Nations will do its utmost to ensure that the UNCITRAL Regional Centre for Asia and the Pacific achieves the objectives it was established to accomplish. And I would ask the same to all of you here today to continue supporting the Regional Centre and its work, making the Asia-Pacific region a better place to do business.

Thank you very much (*in Korean*, Kam-sa-ham-ni-da).

**[After the signing of the agreements: official statement]**

With this, I would like to officially announce the opening of the UNCITRAL Regional Centre for Asia and the Pacific.