

## NOTES OF THE LEGAL REFORM ADVISORY BOARD MEETING #6

For reference only; not for publication.

**Date** 18 July 2023, Tuesday  
**Time** 14:30-16:00 GMT / 20:30-22:00 SGT  
**Place** Video Conference Call

Present	DSI Legal Reform Advisory Board Members	ICC DSI Management
	Chris Southworth (Co-chair)*	Pamela MAR (Managing Director, DSI)
	Carmen Ortiz (ADB)	Hannah Nguyen (Director of Digital Ecosystems, DSI)
	Thomas Abell (ADB)	Tianmi Stilphen (Lead, Regulatory Affairs, DSI)
	Chantal Ononaiwu (CARICOM)	
	Murat Sultanov (IFC)	
	Vashti Maharaj (The Commonwealth)	
	Oliver Wieck (ICC Germany)	
	Joy Albright (AEIB)	<b>Observers</b>
	Scott Stevenson (BAFT for Tod Burwell)	Gerard Hartsink
	Trudi Hartzenberg (TRALAC)	Emily O'Connor (ICC Secretariat)
	Qi Chen (ICC China for YU Jianlong)	
	Ahma Milot (EBRD)	*Chair of the meeting.
	Sean Edwards (ITFA)	
	Satya Sahu (World Bank)	
	Igna Mortana (IPCSA)	

Absent	
	Valentina Mintah (Co-chair)*
	Emmanuelle Butaud-Stubbs (ICC France)
	Sivaram Superamanian (ASEAN Secretariat)
	Wamkele Mene (AfCFTA)
	Luca Castellani (UNCITRAL)
	Ahmadou Kane (ITFC)
	Trudi Hartzenberg (TRALAC)
	Yann Duval (UN ESCAP)
	Sue Probert (UN/CEFACT)
	Trudi Hartzenberg (TRALAC)
	Yesica González (ICC México)
	Satvinder Singh (ASEAN Secretariat)

### NO. TOPICS

1	<b>Welcome Address</b> Co-Chair <b>Chris Southworth</b> welcomed the attendees and introduced 3 new members to the Board, Mr. Murat Sultanov from the IFC; Mr. Satya Sahu from the World Bank; and Ms. Chantal Ononaiwu from the CARICOM. Chris moved to approve the minutes for meeting 5. No objections were made. The Minutes were approved.
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2	<p><b>2026 Progress Dashboard Update</b></p> <p>DSI Regulatory Affairs Lead <b>Tianmi Stilphen</b> recapped four KPIs (countries committed, countries aligned, capacity-building projects, and monitoring framework) and gave an update on the respective progress, highlighting overdelivering for capacity-building programs (initial target 10 countries). (pg 1 of Master Doc)</p> <p><b>IADB</b> has agreed to be a partner for the Latin America Regional business case. Recurring LatAmerica Regional Meetings are being planned (5 countries+).</p>
3	<p><b>DSI Recent MLETR Advocacy and Capacity-building Effort</b></p> <p><b>Tianmi</b> provided an overview of the recent/upcoming capacity-building events: the webinar on the “Legal Effect of COVID-19” with Armenia Min. of Foreign Affairs; the upcoming: 3<sup>rd</sup> Capacity building program in PRC (in person) at the end of August, following a successful virtual event in early July, aimed at identifying leading agencies.</p> <p>To enhance global implementation efforts and pre-empt potential legal uncertainty, following the recent ETDA (UK) passage, DSI will collaborate with a consortium of international law firms. This partnership aims to conduct a comprehensive survey across G20+ countries to determine the legal status of ETDA. The project will be overseen by Mr. Robret Parsons from Squire Patton Boggs law firm.</p> <p><b>Emily O’Connor</b> (ICC Secretariat dept) provided the background of the ICC Global Commission on Commercial Law and Practice project soon to be launched in collaboration with DSI focusing on Model Clauses on Digitalization.</p> <p><b>Emmanuelle Butaud-Stubbs (by Tianmi)</b> shared that the official report by Pairs Europlace has been published and backed by the Ministry of FTA’s personal support for implementation. This will be a great reference for any civil law country looking to adopt.</p> <p><b>Vashti Maharaj (Commonwealth)-</b> The Commonwealth Trade Ministerial meeting established a Legal Reform and Digitalisation WG to identify best practices, etc. CW will also be hosting a Workshop on Effective Legal Frameworks for Building Digital Economy on October 18-20, addressing numerous legislations in addition to MLETR.</p> <p><b>Ahma Milot (EBRD)-</b> reported that a high-level delegation of EBRD will be visiting Turkey to better identify key stakeholders and will make an MLETR recommendation. EBRD believes that tackling regional economic corporations to help secure MLETR commitment given recent developments.</p> <p><b>Chris (ICC United Kingdom)-</b> Electronic Trade Document Bill will become law in a week and come into force on 20 September after which all companies using English law will be able to digitalise commercial trade documents. The priorities have now shifted to focus on the implementation of interoperable laws, rules and standards across public and private sector systems including the build of the UK single trade window, borders and trade corridors. ICC United Kingdom is also working with 200+ global experts to design a reliable systems framework to meet the provisions of the law, promote DSI rules and standards and integrate IGP&amp;I approval system. The latter will transition to ICC United Kingdom. Transitional guidance on reliable systems will be published shortly after the new law comes into force with a report on digital transaction case studies publishing in November. .</p>

	<p><b>Scott Stevenson (BAFT)</b>- 23 states have introduced as legislation; 7 states passed. New York has the legislation on the agenda, which may pass this fall. UCC is interoperable with MLETR. Ongoing status report is available.</p> <p><b>Ahmadou Kane (Int'l Islamic Trade Finance Corporation (ITFC) by Tianmi)</b>- shared that the preliminary survey results from West African law firms are under review now. May be able to share in the next LRAB meeting.</p> <p><b>Trudi Hartzenburg (TRALAC by Tianmi)</b>- Council of Ministers Meeting this week, results may be back next week.</p> <p><b>Thomas Abell (ADB)</b> -ADB attended the G20 Trade and Investment WG and advocated for the inclusion of MLETR, but did not garner sufficient support to pass might have been a lexicon choice issue (adoption vs. alignment). Georgia will soon become the residency of CAREC, run by ADB. Other advocacy efforts: PRC, working together with Min. of Commerce.</p> <p><b>Oliver Wieck (ICC Germany)</b> reported an optimistic outlook w/regard to the amendment submitted to the Gov't. In recent months, overwhelming ecosystem participants' interest in collaborating with ICC Germany, thus driving the development of a business model.</p>
5	<p><b>Proposed Revision of the Legal Reform Guide + Calling for Contribution</b></p> <ul style="list-style-type: none"> <li>To reflect recent global legislative changes and add in more country cases, making it a complete depository for MLETR resources.</li> </ul>
6	<p><b>General Update from DSI (Industry Advisory Board)</b></p> <ul style="list-style-type: none"> <li><b>Pamela</b> shared that the 1<sup>st</sup> batch of Digitalization Standardization has been published (DSI Website), focusing on 7 trade docs (out of 40). 2<sup>nd</sup> batch of 14 docs (title, finance, payment, and logistics) is WIP, aiming to finish in September and begin 3<sup>rd</sup> batch. A data map will be published on the DSI website.</li> <li>DSI Certification based on technology principles (published in March) is WIP with dedicated WG.</li> </ul>
7	<p><b>Vice Chair &amp; New Members</b></p> <ul style="list-style-type: none"> <li>Looking to add 1-2 vice chairs to share the workload of the Co-Chairs, candidate nomination and self-nominations welcome.</li> <li>No automatic right of replacement, there is a formal process for all additions.</li> <li>Permanent observers also welcome (G20 Sherpa, WTO, investment asso., etc)</li> </ul>
8	<p><b>Conclusion &amp; Action Items</b></p> <ul style="list-style-type: none"> <li>Legal Reform Guide renewal is in process, please suggest what should be included: Case studies, pilot programs, etc.</li> </ul>

August 2023

**LRAB Meeting #7 proposal- Thursday, September 28, 2023, 14:30-16:00 GMT / 20:30-22:00 SGT**

**Chris Southworth**  
Co-Chair, LRAB

**Pamela Mar**  
Managing Director, DSI