

**UNIDROIT**

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW

**ANNUAL REPORT — 2008**

Rome, 2009

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## ANNUAL REPORT – 2008

***2008: A year of change and continuity***

Despite its long history, UNIDROIT has probably not seen too many years like 2008.

Two major steps forward were made in the implementation of the Work Programme. The UNIDROIT Model Law on Leasing was adopted at a joint session of the General Assembly and the Committee of governmental experts held in Rome from 10 to 13 November. The conclusion of this project adds a down-to-earth, yet solid model for domestic law reform – to the benefit, in particular, of developing countries – to the Institute’s list of high quality work in the area of secured transactions law. Moreover, the successful completion of the first session of the diplomatic Conference on the draft Convention on Intermediated Securities represented a major breakthrough in global harmonisation in what is probably one of the most complex and economically significant areas of commercial law.

From an institutional point of view, a new Secretary-General took office, a new Governing Council was elected and two more countries (Indonesia and Saudi Arabia) deposited instruments of accession to the UNIDROIT Statute, to which there are now 63 States Parties.

An impressive record for only twelve months.

Now, attentive readers of our annual reports might have missed the Secretary-General’s picture on this page. This was not an oversight.

Having taken up my functions in the last quarter of the year, I am not entitled to claim credit for this year’s achievements. They go instead to the account of ten years of extremely productive and creative work done by my predecessor, Professor Herbert Kronke, with the unfailing support of my highly qualified, devoted and loyal colleagues in the Secretariat.

Professor Kronke managed the Institute through difficult times, with painfully limited resources and under constant pressure of growing demands. Many ideas would not have come to fruition without his personal blend of accomplished scholarship, sharp instinct for new opportunities and – probably more often needed than he might have initially expected – his talent for improvisation.

I am committed to strengthening the Secretariat to live up to the expectations, and to explore the new avenues, opened up by Professor Kronke’s commitment and energy. May that be my personal tribute to his outstanding leadership.

*JOSÉ ANGELO ESTRELLA FARIA*  
Secretary-General



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# I. ADMINISTRATION AND ORGANISATION

## A. PRESIDENCY, GOVERNING COUNCIL AND PERMANENT COMMITTEE, GENERAL ASSEMBLY AND FINANCE COMMITTEE \*

### 1. *Presidency, Governing Council and Permanent Committee*

The 87<sup>th</sup> session of the *Governing Council* was held in Rome from 21 to 23 April 2008 under the chairmanship of the President of the Institute, Mr Berardino Libonati. The Governing Council, after approving the Secretary-General's report on the activity of the Institute in 2007, appointed Mr Arthur Hartkamp and Mr Operti Badán as First and Second Vice-President, respectively, until the 88<sup>th</sup> session.

The Council appointed Mr José Angelo Estrella Faria, at the time Senior Legal Officer at the Secretariat of the United Nations Commission on International Trade Law (UNCITRAL), as Secretary-General in accordance with Article 8(1) of the Statute. Mr Estrella Faria took up his post on 1 October 2008.

The Council decided to renew the appointment of Ms Alessandra Zanobetti as one of the deputy Secretaries-General until 31 December 2010, in accordance with Article 8(2) of the Statute.

Acting upon the proposal of several members of the Governing Council, seconded by the President and the Secretary-General, the Council appointed the following correspondents of the Institute: Mr Sibidi Emmanuel Darakoum and *Freshfields Bruckhaus Deringer* Law Office.

The Council authorised the Secretariat to transmit to the financial organs of the Institute proposals in respect of expenditure for the 2009 financial year.

The Secretary-General presented the measures needed to implement the Strategic Plan and the Council congratulated the Secretariat on the significant progress made in general in all the areas not adversely affected by budgetary restrictions.

The *Permanent Committee*, at its 109<sup>th</sup> meeting (21 April 2008) discussed, slightly amended and transmitted to the Council for adoption proposals aimed at modifying certain provisions of the Regulations on the Organisation and Financial Administration of the Institute. It also approved the draft agenda for the 63<sup>rd</sup> session of the General Assembly.

### 2. *General Assembly and Finance Committee*

The *General Assembly* met in Rome from 10 to 13 November 2008 for a joint session (62<sup>nd</sup> session) with the UNIDROIT Committee of governmental experts responsible for drafting a model law on leasing, which resulted in the adoption of the Model Law on Leasing.

The 63<sup>rd</sup> session of the General Assembly was held in Rome on 11 December 2008 under the chairmanship of H.E. Ms Tasmin Aslam, Ambassador of the Islamic Republic of Pakistan in Italy. The President expressed her gratitude to the outgoing President, H.E. Ms Amanda Vanstone, Ambassador of Australia in Italy, for her excellent advice during her mandate.

The General Assembly elected the members of the Governing Council for the next five years. The following candidates were elected: Chief Michael Kaase Aondoakaa (Nigeria); Mr Hans-Georg Bollweg (Germany); Ms Nuria Bouza Vidal (Spain); Ms Baiba Broka (Latvia); Mr Antonio Paulo Cachapuz de Medeiros (Brazil); Mr Sergio M. Carbone (Italy); Mr Sergiu Deleanu (Romania); Mr Michael B. Elmer (Denmark); Mr Henry D. Gabriel (United States of America); Mr Ian Govey (Australia); Mr Attila Harmathy (Hungary); Mr Arthur S. Hartkamp (Netherlands); Ms Monique

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\* This report covers the activities of UNIDROIT from 1 January to 31 December 2008.

Jametti Greiner (Switzerland); Mr Ricardo Luis Lorenzetti (Argentina); Mr Lyou Byung-Hwa (Republic of Korea); Mr Mo John Shijian (People's Republic of China); Mr Didier Operti Bádán (Uruguay); Ms Kathryn Sabo (Canada); Mr Jorge Sánchez Cordero Davila (Mexico); Ms Rachel Sandby-Thomas (United Kingdom); Mr Biswanath B. Sen (India); Mr Stanisław J. Soltysinski (Poland); Mr Itsuro Terada (Japan); Mr Daniel Tricot (France); Mr Ioannis Voulgaris (Greece).

The Secretary-General reported on the Organisation's work in 2008 and on the implementation of the Strategic Plan, drawing attention to the fact that the Secretariat had, for the first time, indicated the cost of the various activities as well as the priority assigned to each of these without, however, commenting on future measures. This was in order to give the new Governing Council an opportunity to review the Strategic Plan five years after its inception.

The General Assembly also approved the recommendations made by the Governing Council in respect of the Work Programme for the 2009-2011 triennium, assigning the highest priority to the work on the finalisation of the draft Convention on intermediated securities, the finalisation of the additional chapters of the UNIDROIT Principles of International Commercial Contracts, and work on the Space Protocol to the Cape Town Convention. The General Assembly moreover decided to re-evaluate the triennial Work Programme at its next session, in the light of any recommendations that the next Governing Council and the Secretary-General might wish to submit.

Turning to financial issues, the Assembly approved the final modifications to the budget for 2007 as well as the accounts for that financial year. The General Assembly also adopted the budget for 2009 and established the member States' contributions for that year. Finally, it re-appointed the current members of the Finance Committee for the 2009-2011 triennium.

The *Finance Committee* met twice in 2008 (63<sup>rd</sup> session on 11 March 2008 and 64<sup>th</sup> session on 9 October 2008) under the chairmanship of Mr Peter Adamek (Germany). The Committee was requested to give an opinion on certain financial issues submitted for scrutiny by the General Assembly at its aforementioned 63<sup>rd</sup> session.

### **3. Secretariat**

On 31 December 2008, the Secretariat was made up of 21 members, of which nine professional staff (Category A), nine administrative, library and secretarial staff (Category B) and three technical support staff (Category C). The Secretariat also has one consultant. One Category A staff member and one Category B staff member have part-time contracts. On 1 March 2008, Mr Daniel Porras joined the UNIDROIT team for one year, having been granted a UNIDROIT scholarship (funded by the UK Foundation) to work on the draft Protocol on Matters specific to Space Objects to the Convention on International Interests in Mobile Equipment.

## **B. DIPLOMATIC CONFERENCES, STUDY GROUPS AND EXPERT COMMITTEES**

The following meetings were organised by the Institute in 2008:

### **1. Transactions on Transnational and Connected Capital Markets**

First session of the diplomatic Conference to adopt a Convention on Substantive Rules regarding Intermediated Securities (Geneva, 1-12 September 2008).

### **2. Model Law on Leasing**

Joint session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft Model Law on leasing (Rome, 10-13 November 2008).

### **3. Principles of International Commercial Contracts**

Study Group for the preparation of additional chapters to the Principles of International Commercial Contracts 2004 (third session, Rome 26-29 May 2008).



**C. RELATIONS WITH GOVERNMENTS**

At end-2008, UNIDROIT had 61 member States: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Germany, Finland, France, Greece, Holy See, Hungary, India, Iran, Iraq, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Poland, Portugal, Rep. of Korea, Rep. of Serbia, Romania, Russian Federation, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Turkey, United Kingdom, United States of America, Uruguay and Venezuela.

Throughout 2008, the Secretariat continued its consultations with several Governments with a view to their accession to UNIDROIT. As a result of these efforts, the Kingdom of Saudi Arabia has now deposited its instrument of accession, stating its intention to become a member of UNIDROIT from 1 January 2009.

Responding to an invitation from Cape Verde, the Secretary-General visited Praia and San Vicente from 28 April to 3 May 2008. He was received by the Prime Minister, Mr José Maria Neves, by the Minister of Justice, Mr José Manuel Andrade, by the President of the National Assembly, Mr Aristides Raimundo Lima, and by the President of the Supreme Court, Mr Benfeito Mosso Ramos.

**D. CO-ORDINATION BETWEEN ORGANISATIONS INVOLVED IN THE ELABORATION OF PRIVATE LAW RULES**

The *Additional Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR) concerning the electronic consignment note (e-CMR)* was adopted on 20 February 2008. As will be recalled, Mr Jacques Putzeys, Honorary Member of the Governing Council, had represented the Institute at the UN Economic Commission for Europe, and a joint proposal submitted by UNIDROIT and UNCITRAL served as substantive basis for the Protocol. The Additional Protocol is open for signature at United Nations Headquarters in New York until 30 June 2009 inclusive.

The now customary co-ordination meeting between the Secretaries-General of the Hague Conference of Private International Law, UNCITRAL and UNIDROIT took place in Vienna on 11 and 12 February 2008.

**E. DIPLOMATIC CONFERENCES AND MEETINGS ORGANISED BY OTHER INTERNATIONAL ORGANISATIONS**

In the course of the period under review, the Institute was represented at several meetings organised by other international organisations including the International Bar Association (IBA), the International Chamber of Commerce (ICC), the United Nations Commission on International Trade Law (UNCITRAL), the Hague Conference on Private International Law, the Intergovernmental Organisation for International Carriage by Rail (OTIF), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Finance Corporation (IFC).

Members of the Secretariat also participated in a wide range of meetings and conferences where they presented the UNIDROIT instruments and the work of the Institute in general. Details of some of these meetings are set out elsewhere in this report.

## II. LEGISLATIVE ACTIVITIES

### A. WORK IN PROGRESS

#### 1. *International Interests in Mobile Equipment*

##### a. Cape Town Convention / Aircraft Protocol

UNIDROIT has been designated as the Depository to the Cape Town Convention (pursuant to Article 62(1) of the Convention) and the Aircraft Protocol (pursuant to Article XXXVII(1) of the Aircraft Protocol), which entered into force on 1 March 2006. As at 31 December 2008, there were 25 Contracting States to the Convention and 23 Contracting States to the Aircraft Protocol.

During 2008, the following five States deposited their instruments of ratification or accession to the Convention and Aircraft Protocol: Bangladesh, India, Luxembourg, Saudi Arabia, and the United Arab Emirates. Also during 2008, Zimbabwe deposited its instrument of accession to the Convention (only).

Article 61(1) of the Convention and Article XXXVI(1) of the Aircraft Protocol provide for preparation by the Depository of reports as to the manner in which the international regime established in the Convention and Aircraft Protocol has operated in practice. Two such reports were published in 2008, the first covering the period 1 March 2006 to 31 December 2006 and the second covering the period 1 January 2007 to 31 December 2007.

##### b. Luxembourg Rail Protocol

UNIDROIT has been designated as the Depository to the Luxembourg Protocol (pursuant to Article XXXIV(1)). The Luxembourg Protocol was adopted on 23 February 2007 at a diplomatic Conference held in Luxembourg, has four Signatory States, and has not yet entered into force.

A Preparatory Commission was established by Resolution of the Luxembourg diplomatic Conference in order to prepare the International Registry under the Luxembourg Protocol. A meeting of the Preparatory Commission, co-hosted by UNIDROIT and the Intergovernmental Organisation for International Carriage by Rail (OTIF), was held in Rome in April 2008. At that meeting, the Preparatory Commission selected an entity to enter into contract negotiations for the establishment of the International Registry. As at the end of 2008, those contract negotiations had not been finalised.

##### c. Preliminary draft Space Protocol

The year 2008 saw considerable progress made in the work of the UNIDROIT Steering Committee set up by the UNIDROIT General Assembly, at its 61<sup>st</sup> session, held in Rome on 29 November 2007, to build consensus around the provisional solutions agreed at the Government/industry meeting held in New York on 19 and 20 June 2007.

The Steering Committee held its launch meeting in Berlin, at the kind invitation of the Ministry of Justice of Germany, from 7 to 9 May 2008. Participation in the Steering Committee's work was open to all those Governments and representatives of the international commercial space and financial communities having participated in the Government/industry meetings held both in London on 24 April 2006 and in New York, as part of the intersessional work decided upon by the UNIDROIT Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (hereinafter in this section referred to as the *Committee of governmental experts*) at its second session (Rome, 26-28 October 2004). Representatives of 11 of the Governments serving on the

Committee of governmental experts,<sup>1</sup> 18 representatives of the international commercial space and financial communities<sup>2</sup> and three observers, including another Government<sup>3</sup> serving on the Committee of governmental experts, took part in the launch meeting of the Steering Committee. The meeting was opened by Mr H.-G. Bollweg, Head of Division in the German Ministry of Justice and member of the UNIDROIT Governing Council. The Steering Committee elected Mr S. Marchisio (Italy) as Chairman. UNIDROIT was represented at the meeting by Mr M.J. Stanford, Deputy Secretary-General, and Mr D.A. Porras, Associate Officer.

The Steering Committee devoted most of its time to in-depth consideration of the key issues outstanding in respect of the preliminary draft Protocol to the Cape Town Convention on Matters specific to Space Assets (hereinafter referred to as the *preliminary draft Protocol*). There was agreement that it would not be realistic to seek at the launch meeting to find an answer to one of these issues, namely the question as to how best to strike a balance in the preliminary draft Protocol between a creditor seeking to exercise remedies against a space asset in the event of the debtor's default, on the one hand, and one or more organs of the State interested in ensuring the continuity of the performance of a particular "public" service secured by the asset in question, notwithstanding the debtor's default, on the other. It was agreed that this issue should be looked at by a sub-committee responsible for the preparation of options for a solution capable of being laid before the Committee of governmental experts.

On the other key outstanding issues considered by the Steering Committee, namely the sphere of application of the preliminary draft Protocol (and the definition of space assets in general and components in particular), the application of the Cape Town Convention as applied to space assets to debtor's rights and related rights and the transfer of related rights and the identification of space assets for the purposes of registration in the future International Registry, the Steering Committee was, however, able to reach consensus as regards the sort of amendments to be contemplated to the preliminary draft Protocol in order to build on the agreement reached in New York.

On one of the key outstanding issues, namely default remedies in relation to components, the Steering Committee was not able to reach consensus and it was, therefore, agreed to set up a sub-committee to seek a commercially viable solution agreeable to all.

The Steering Committee invited the co-chairmen of the Drafting Committee of the Committee of governmental experts, Canada and the United Kingdom, in the persons of the representatives of those Governments participating in the work of the Steering Committee, Mr Michel Deschamps and Sir Roy Goode respectively, to implement the conclusions that it had been able to reach on the questions of the sphere of application, debtor's rights, related rights and the transfer of the latter and the identification of space assets in an alternative version of the preliminary draft Protocol. Mr Deschamps and Sir Roy's first draft of this alternative version was circulated amongst all members of the Steering Committee for comment in July 2008 and the comments received as a result of this consultation exercise are currently under consideration by Mr Deschamps and Sir Roy with a view to the preparation of a second alternative version.

The Sub-committee of the Steering Committee appointed to find a solution to the question of default remedies in relation to components met in Berlin, at the kind invitation of Commerzbank AG, on 31 October and 1 November 2008. The meeting was attended by the representatives of four of the Governments<sup>4</sup> serving on the Steering Committee and eight of the representatives of

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<sup>1</sup> Canada, the People's Republic of China, France, Germany, Greece, Italy, Japan, Mexico, Spain, the United Kingdom and the United States of America.

<sup>2</sup> Representatives of Baker & McKenzie, the Boeing Capital Corporation, Crédit Agricole S.A., EADS, EADS Astrium, the European G.N.S.S. Supervisory Authority, the German Space Agency, the JSAT Corporation, ManSat Ltd., Marsh S.A., the Space Communication Corporation of the Sky Perfect JSAT Group, Space Exploration Technologies (SpaceX), the Space Law Practice Group, Telespazio S.p.A., Thales Alenia Space France and Thales Alenia Space Italia.

<sup>3</sup> The Russian Federation.

<sup>4</sup> Germany, Italy, the United Kingdom and the United States of America.

the international commercial space and financial communities<sup>5</sup> serving thereon, as well as two additional experts attending in their personal capacity. The meeting was opened by Mr H.-G. Hauser, Chief of the Berlin Liaison Office of Commerzbank AG, who expressed his and Commerzbank's support for UNIDROIT's efforts to develop a Space Assets Protocol to the Cape Town Convention. It was chaired by Mr Marchisio, in his capacity of Chairman of the Steering Committee. UNIDROIT was represented at the meeting by Messrs Stanford and Porras. The Sub-committee agreed that the preliminary draft Protocol should only address default remedies that affected physically-linked assets, such as the physical movement of a satellite from one orbit to another, and their ability to generate revenue. It was agreed that a proposed new Article IX(4) should be drafted by the representatives of two of the Governments serving on the Sub-committee with a view to its incorporation in the second alternative version under preparation by Mr Deschamps and Sir Roy.

A number of ideas have been put forward for dealing with the public service issue, a new proposal emerging during the launch meeting of the Steering Committee. A background paper, setting out the various options that have surfaced to date, has been prepared by a member of the Steering Committee and will provide the basis for the work of the Sub-committee on public service, to be launched early in 2009. The intention of the UNIDROIT Secretariat, in particular in the light of the conclusions reached at the meeting of the Sub-committee on default remedies in relation to components, is to reconvene the Steering Committee in Paris in Spring 2009, such a meeting being held back to back with a meeting of the Sub-committee on public service and a seminar designed to familiarise, in particular, the international commercial space and financial communities with the potential benefits of the Steering Committee's work.

**d. Proposal for a future Protocol to the Cape Town Convention on agricultural, construction and mining equipment**

At its 87<sup>th</sup> session, held in 2008, the Governing Council decided that the tentative draft of a fourth Protocol to the *Cape Town Convention on International Interests in Mobile Equipment* on agricultural, construction and mining equipment produced by the Secretariat for its consideration should be circulated among member States for comment. The member States were invited to transmit comments and suggestions by 27 February 2009. The comments transmitted by member States will be submitted to the Governing Council for consideration at its 88<sup>th</sup> session in April 2009.

**e. Promotion of the work relating to international interests in mobile equipment**

The UNIDROIT Secretariat continued to seek to give exposure to the preliminary draft Space Protocol over the period under consideration in as many ways as possible.

First, it prepared a statement for the 47<sup>th</sup> session of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space, held in Vienna from 31 March to 11 April 2008, detailing developments in respect of the project; in the enforced absence of Mr Stanford, this statement was read to the Legal Subcommittee by Mr Marchisio.

Secondly, it was represented by Mr Stanford at the 59<sup>th</sup> International Astronautical Congress, held in Glasgow from 29 September to 3 October 2008. Mr Stanford participated in a televised panel discussion on "Real Space, Real Law, Real Progress", in which the moderator was Mr R. Richards, Chief Executive Officer of Odyssey Moon and the other panellists were Mr W. Peeters, Dean of the International Space University, Mr C. Mowry, President of Arianespace U.S.A., Mr C. Sallaberger, Vice-President of MacDonald, Dettwiler and Associates Ltd. (Canada), Ms A. Cartier, General Counsel to Excalibur Almaz Europe, and Mr T. Shelly of Space Adventures U.S.A. He also addressed a session of the International Institute of Space Law on the "[l]atest developments in respect of UNIDROIT's preparation of a new international regimen for commercial space financing"; this session was also the forum for the presentation of other papers on the preliminary draft

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<sup>5</sup> Representatives of Baker & McKenzie, the Boeing Capital Corporation, Commerzbank AG, Crédit Agricole S.A., EADS Astrium, the German Space Agency and Thales Alenia Space France.

Protocol by Mr B. Schmidt-Tedd and Ms I. Arnold of the German Space Agency and by Mr F. Tronchetti of the International Institute of Air and Space Law of the University of Leiden.

Thirdly, at the kind invitation of Ms M. Williams, Professor of International Law in the University of Buenos Aires and President of the International Space Law Committee of the International Law Association, Mr Stanford has prepared a chapter on "UNIDROIT's project to enhance the availability of private sector financing for space projects", for inclusion in the Argentinian monograph that she is editing on *Derecho espacial*.

Mr Atwood attended the 5<sup>th</sup> ASEAN Law Forum in Bangkok, Thailand, on 7 and 8 May 2008 and spoke about the Cape Town Convention system.

## **2. Transactions on international and connected capital markets**

### **a. Draft Convention on Substantive Rules regarding Intermediated Securities**

*First session of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities (1-12 September 2008)*

The first session of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities took place in Geneva from 1 to 12 September 2008. It was organised by UNIDROIT in close co-operation with the Swiss Government, which generously hosted the event. 63 States and the European Community participated in the Conference. Moreover, 11 international Organisations and groups, as well as the European Central Bank took part in the work of the Conference as observers.

Three key issues discussed were (1) the rules of securities and clearing systems and those of central securities depositories; (2) innocent acquisition of intermediated securities; (3) insolvency-related issues. Before the Conference, these topics had been discussed in the context of three post-session informal working groups which had been established during the fourth session of the Committee of governmental experts in Rome in May 2007. On the basis of the reports of these informal Working Groups, the diplomatic Conference was able to resolve these outstanding issues.

Other improvements to the text of the draft Convention were made on the basis of documents submitted by States and observers before and during the Conference. In addition, the draft Convention was completed with a Preamble, a transitional rule and Final Provisions.

The Conference took note with satisfaction of the advancement of the work aiming at the finalisation of the draft Convention on Substantive Rules regarding Intermediated Securities and of the fact that the second reading of the text has been completed. The Final Act also contains two Resolutions regarding future work.

The first of these Resolutions relates to the state of work and further proceedings for the adoption of the draft Convention. Among other things, it determines that a brief final session will be held in the last quarter of 2009 in order to finalise the work on the draft Convention. Moreover, it sets out a procedure for proposed amendments to the text of the draft Convention. Such proposals should be submitted in writing at least six weeks prior to the opening of the final session of the Conference and should be limited to amendments intended to address serious problems capable of preventing the Convention from working properly. The proposals are subject to a review procedure before the final session of the Conference.

The second Resolution adopted by the Conference relates to the Official Commentary to the Convention. It was decided that a draft Official Commentary should be written and circulated to all negotiating States and participating observers no later than three months before the final session of the Conference. Comments on the draft Official Commentary can then be sent to the UNIDROIT Secretariat. The Official Commentary will be finalised as soon as practicable after the final session of the diplomatic Conference.

## **b. Promotion of the work on capital markets**

### *Amsterdam Conference on the draft Convention on Substantive Rules regarding Intermediated Securities*

On 18 January 2008, *NautaDutilh* law firm hosted a Conference on the draft Convention on Substantive Rules regarding Intermediated Securities in Amsterdam. The Conference was held under the auspices of UNIDROIT and organised by the Uniform Law Foundation (*Stichting voor Eenmaking van het Recht*) in order to raise funds for UNIDROIT activities. After an overview of international developments in respect of securities held with an intermediary by Sir Roy Goode, the Chairman of the Conference, the outlines of the draft Convention were sketched by him and members of the Secretariat. Subsequently, the compatibility of the draft Convention with legislation in the Benelux was analysed by practitioners from Belgium, the Netherlands and Luxembourg. A number of interactive 'break-out' sessions then took place in which topical issues were discussed, such as insolvency, "good faith" acquisition, the rules and functions of CSDs, as well as the exercise of investor rights and corporate actions. The Conference concluded with a critical analysis and general reflections by a panel of experts. Throughout the day, a lively discussion took place in respect of different aspects of the draft Convention. The Conference was attended by practitioners, legislators, regulators, central bankers and academics from all over Europe and the United States.

### *Kiev seminar on the draft Convention on Substantive Rules regarding Intermediated Securities*

On 27 June 2008, a seminar on the draft Convention on Substantive Rules regarding Intermediated Securities took place in Kiev, organised by Mr Alexander Biryukov of the Institute of International Relations of Taras Shevchenko University and Mr Thomas Keijser of the Secretariat and sponsored by the Ukrainian Bar Association. The main goal of the event was to facilitate the formulation of the Ukrainian position in respect of the draft Convention in light of the diplomatic Conference in September 2008. The topics discussed were those of UNIDROIT post-sessional informal working groups: innocent acquisition of intermediated securities, the rules of securities clearing and settlement systems and central securities depositories, and insolvency issues. Moreover, a general and lively discussion took place about the compatibility of the draft Convention with Ukrainian law. The seminar was attended by participants from academia, the Ukrainian central bank, commercial banks, market infrastructure providers, regulators, relevant ministries and the press. Moreover, Ms Karin Wallin-Norman, an independent Swedish specialist who was a delegate at the UNIDROIT Committee of Governmental Experts and a member of the EU Legal Certainty Group, took part in the event.

## **3. UNIDROIT Model Law on Leasing**

### **a. Preparation of the Model Law**

The year 2008 saw the completion, in record time (the project only having got underway in October 2005), of UNIDROIT's preparation of a model law on leasing, which is already set fair to provide invaluable assistance to the developing countries and countries engaged in the transition to a market economy for which it is primarily intended. This is evidenced by the fact that Jordan, Tanzania and Yemen have already adopted leasing laws incorporating portions of the model law as it was being developed and that leasing legislation has been put forward by the International Finance Corporation in Afghanistan and the West Bank that is based in its entirety on the draft model law as submitted for finalisation.

The second session of the Committee of governmental experts for the preparation of a draft model law on leasing (hereinafter in this section referred to as the *Committee of governmental experts*) was held, at the kind invitation of the Government of Oman, in Muscat from 6 to 9 April 2008. This session was attended by the representatives of 23 States,<sup>6</sup> two international

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<sup>6</sup> Angola, Australia, Bulgaria, Burundi, the People's Republic of China, Colombia, Germany, India, Indonesia, the Islamic Republic of Iran, Ireland, Japan, Kuwait, Latvia, Oman, the Islamic Republic of Pakistan, Poland, Qatar, the Russian Federation, South Africa, Sudan, Tanzania and the United States of America.

Organisations<sup>7</sup> and two professional associations.<sup>8</sup> In the enforced absence of Mr I.S. Thindisa, who had chaired the first session of the Committee of governmental experts, the session was chaired by Mr N.J. Makhubele (South Africa).

The preliminary draft model law on leasing as reviewed by the Committee of governmental experts during the Muscat session was laid before the UNIDROIT Governing Council, at its 87<sup>th</sup> session, held in Rome from 21 to 23 April 2008, for advice and consent as to the most appropriate follow-up action. Subject to the making of a number of amendments, principally to the French-language version of the preliminary draft model law, designed to bring this version into line with the English-language version, the Governing Council authorised the transmission of what thus became the draft model law on leasing to Governments and Organisations for finalisation and adoption, at a joint session of the UNIDROIT General Assembly and the Committee of governmental experts (hereinafter referred to as *the Joint Session*). The decision of the Governing Council to adopt such a procedure for the finalisation and adoption of the draft model law had essentially to do with its desire, on the one hand, to ensure maximum transparency vis-à-vis the entirety of UNIDROIT's member States and, on the other, to reflect the key role played in the development of the draft model law by a significant number of non-member States, drawn from those parts of the world for which the proposed model law was mainly designed.

In response to the representations made to the UNIDROIT Secretariat, following the Muscat session, by the Aviation Working Group (AWG) regarding what it saw as the unsuitability of the draft model law applying to the leasing of aircraft, helicopters or engines or other components installed on an aircraft or a helicopter, the Governing Council further instructed the Secretariat to deploy the necessary efforts to find an amicable solution to such concerns, involving the parties concerned. A meeting was, therefore, held in the chambers of Mr R.M. DeKoven, Reporter to the Committee of governmental experts, in London on 8 September 2008 to find such a solution; the meeting was also attended by Mr J.A. Wool, Secretary to the AWG, Sir Roy Goode and Mr Stanford, on behalf of UNIDROIT. It was agreed that the UNIDROIT Secretariat and the AWG should prepare a joint proposal to the effect that the draft model law would not apply unless the lessor, the lessee and the supplier had agreed otherwise in writing. It was further agreed that the term "large" aircraft equipment should be defined so as to ensure its concordance with the language employed in the Protocol to the Cape Town Convention on Matters specific to Aircraft Equipment.

The Joint Session was held in Rome from 10 to 13 November 2008. It was attended by the representatives of 33 States,<sup>9</sup> two intergovernmental Organisations,<sup>10</sup> two international non-governmental Organisations<sup>11</sup> and three professional associations.<sup>12</sup> The Joint Session was co-chaired by H.E. Ms A. Vanstone, Ambassador of Australia in Italy, *qua* President of the UNIDROIT General Assembly, and Mr Makhubele, as Chairman of the Committee of governmental experts; Ms Vanstone chaired the formal parts of the Joint Session, in particular the session at which the draft model law was submitted for adoption, with Mr Makhubele chairing those parts involving the substantive finalisation of the draft model law. Mr DeKoven acted as Reporter to the Joint Session and Mr B. Hauck (United States of America) as Secretary thereto.

In particular, the Joint Session adopted the aforementioned joint proposal of the UNIDROIT Secretariat and the AWG. It also agreed that the proposed model law should not apply to leases functioning as security rights, the intention being thereby to refer to those rights as defined in the UNCITRAL Legislative Guide on Secured Transactions. The Joint Session also decided that it would

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<sup>7</sup> The International Chamber of Commerce and the IFC.

<sup>8</sup> The Equipment Leasing and Finance Association of America (ELFA) and the Latin American Leasing Federation (Felalease).

<sup>9</sup> Argentina, Australia, Burkina Faso, Burundi, Cameroon, Canada, Chile, the People's Republic of China, Colombia, Croatia, Egypt, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Latvia, Lithuania, Mexico, Nicaragua, Oman, Poland, the Republic of Korea, the Russian Federation, South Africa, Sudan, Turkey, the United States of America and Uruguay.

<sup>10</sup> The IFC and the United Nations Commission on International Trade Law (UNCITRAL).

<sup>11</sup> The AWG and the International Bar Association.

<sup>12</sup> ELFA, the European Federation of Leasing Company Associations (Leaseurope) and Felalease.

be appropriate to honour UNIDROIT's role in the preparation of the new instrument by giving it the name of the UNIDROIT Model Law on Leasing.

In line with the Resolution passed by the Joint Session, an official commentary on the Model Law will be prepared by the UNIDROIT Secretariat, in close co-operation with Mr DeKoven, Mr Hauck, Mr Makhubele and members of the Drafting Committee (the representatives of Canada, France, Oman, Rwanda, Tanzania and the United States of America).

It is to be noted that the IFC will be using the Model Law in its work to assist the growth of leasing industries in States with developing economies and economies in transition; its representative signalled to the Joint Session that it would, in particular, be recommending use of the Model Law in its countries of operations as a best-practice reference. The Commonwealth Secretariat has also served notice of its interest in working with the UNIDROIT Secretariat towards implementation of the Model Law in Commonwealth jurisdictions.

#### **b. Promotion of the Model Law**

At the invitation of Leaseurope, Mr Stanford contributed an article on "Making lease financing more widely available to developing countries and economies in transition: UNIDROIT's proposed model law" to issue No. 2 of *Leaseurope inside*, that Federation's trade journal. He also contributed an article on "UNIDROIT's legislative work designed to promote leasing internationally" to the *World Leasing Yearbook 2008*.

### **4. Principles of International Commercial Contracts**

#### **a. Activities of the Working Group**

The Working Group for the preparation of a third edition of the UNIDROIT Principles of International Commercial Contracts held its third session in Rome from 26 to 29 May 2008. The session was attended by Mr Berhooz Akhlaghi (Iran), Mr Guido Alpa (Italy), Mr M. Joachim Bonell (UNIDROIT, Chairman of the Working Group), Mr Paul-André Crépeau (Canada), Mr Samuel Kofi Date-Bah (Ghana), Ms Bénédicte Fauvarque-Cosson (France), Mr Paul Finn (Australia), Mr Marcel Fontaine (Belgium), Mr Michael Philip Furmston (United Kingdom), Mr Henry D. Gabriel (United States), Mr Lauro Gama, Jr. (Brazil), Sir Roy Goode (United Kingdom), Mr Arthur Hartkamp (The Netherlands), Mr Alexander Komarov (Russian Federation), Mr Takashi Uchida (Japan), Mr Pierre Widmer (Switzerland), Mr Zhang Yuqing (China) and Mr Reinhard Zimmermann (Germany). Mr Ole Lando (Denmark) was excused. The session was also attended by the following observers: Mr Ibrahim Al Mulla for the Emirates International Law Center, Mr Christian von Bar for the Study Group for a European Civil Code, Mr Eckart Brödermann for the Space Law Committee of the International Bar Association, Mr Alejandro Carballo for the Private International Law Group of the American Society of International Law, Ms Christine Chappuis for the *Groupe de travail contrats internationaux*, Mr François Dessemontet for the Swiss Arbitration Association, Mr Alejandro Garro for the New York City Bar, Mr Attila Harmathy for the Arbitration Court of the Hungarian Chamber of Commerce and Industry, Mr Emmanuel Jolivet for the ICC International Court of Arbitration, Ms Pilar Perales Viscasillas for the National Law Center for Inter-American Free Trade, Ms Marta Pertegás for the Hague Conference on Private International Law, Ms Hilmar Raeschke-Kessler for the German Arbitration Institution, Mr Giorgio Schiavoni for the Chamber of National and International Arbitration of Milan, Mr Jeremy Sharpe for the Center for American and International Law Institute for Transnational Arbitration, Mr Renaud Sorieul for the United Nations Commission on International Trade Law (UNCITRAL) and Mr Wang Wenying for the China International Economic and Trade Arbitration Commission. The session was also attended by Mr Herbert Kronke (Secretary-General of UNIDROIT) and Ms Alessandra Zanobetti (Deputy Secretary-General of UNIDROIT). Ms Paula Howarth (UNIDROIT) acted as Secretary to the Group.

The session was devoted to the examination of five draft chapters: the Draft Chapter on Unwinding of Failed Contracts prepared by Mr R. Zimmermann (UNIDROIT 2008 – Study L – Doc. 105), the Draft Chapter on Illegality prepared by Mr M. Furmston (UNIDROIT 2008 – Study L – Doc. 106), the Draft Chapter on Plurality of Obligors and/or of Obligees prepared by Mr M. Fontaine (UNIDROIT 2007 – Study L – Doc. 107), the Draft Chapter on Conditional Obligations



prepared by Ms B. Fauvarque-Cosson (UNIDROIT 2008 – Study L – Doc. 108) and the Position Paper with Draft Provisions on Termination of Long-term Contracts for Just Cause prepared by Mr F. Dessemontet (UNIDROIT 2007 – Study L – Doc. 104). At the conclusion of the session the Working Group asked the Rapporteurs to revise their drafts in the light of the discussion and to submit the new versions together with comments for further consideration by the Group at its next plenary session to be held in Rome from 25 to 29 May 2009.

**b. Promotion of the UNIDROIT Principles**

In the course of 2008, the UNIDROIT Principles were presented on a number of occasions to interested business and legal circles.

On the occasion of a conference for continuing legal education organised by the Italian National Bar Association in Rome from 3 to 5 April and attended by some 800 lawyers, Mr Bonell presented the 2004 edition of the Principles.

In Washington, D.C. on 9 April, a joint meeting held by the American Society of International Law and the Institute for Transnational Arbitration considered the role of “soft law” instruments in international arbitration. Mr Bonell, unable to attend the meeting personally, was invited to submit a paper on the role of the UNIDROIT Principles in international arbitration practice for publication in the Acts and Proceedings.

On the invitation of the Attorney General’s Department, the Law Council and the Federal Court of Australia, and the Universities of Sydney, Melbourne and Canberra, Mr Bonell visited Australia from 23 June to 5 July. The main purpose of the visit, generously financed by the hosting organisations, was to promote the UNIDROIT Principles among the judiciary, commercial lawyers and policy makers in Australia. In Sydney, Mr Bonell was the keynote speaker at a seminar on “The UNIDROIT Principles of International Commercial Contracts: What Do They Mean for Australia?” organised by Mr Luke Nottage of the Sydney University Law School and co-sponsored by the Federal Court of Australia. Other speakers at the seminar, chaired by Bill Priestley QC, formerly Justice of the New South Wales Court of Appeal and consultant to UNIDROIT, were Paul Finn, Justice of the Federal Court of Australia and Member of the Working Group on the UNIDROIT Principles, and Mr Don Robertson of the Sydney University Law School. At the Federal Court of Australia, Mr Bonell addressed a group of Justices. He also met with Sir Laurence Street and Mr Andrew Rogers, respectively Chairman and Vice-Chairman of the International Legal Services Advisory Council of the Australian Government. On both occasions, the discussion focussed on the role of the Principles in dispute resolution in the context of both arbitration and court proceedings. In Melbourne, Mr Bonell made a presentation on the Principles at a seminar at the University of Melbourne Law School. He also met at the Supreme Court of Victoria Justice Murray Kellam AO, Chairman of the National Alternative Dispute Resolution Advisory Council, with whom he discussed the relevance of the Principles in the context of ADR. Finally, in Canberra, Mr Bonell met at the Attorney General’s Department with the Deputy Secretary, Mr Ian Govey, Member of the UNIDROIT Governing Council, together with members of his staff. He also had a meeting at the Law Council Secretariat with the Secretary-General, Mr Bill Grant, and members of his staff. On both occasions discussion focussed on UNIDROIT’s current work, with special emphasis on the various potentialities of the Principles in international contract and arbitration practice. Moreover, Mr Bonell made a presentation on the Principles at a seminar at the Australian National University College of Law.

On the occasion of a Workshop on international business transactions and dispute resolution organised in Rome on 15 October by the Italian industrial group FINMECCANICA together with the University of Rome I “La Sapienza” and attended by some 400 in-house counsel, Mr Bonell made a presentation on contract interpretation in which he focused on the relevant provisions of the UNIDROIT Principles.

**c. Language versions of the UNIDROIT Principles**

In addition to the Chinese, English, Farsi, French, Korean, Italian, Romanian, Russian, Spanish and Vietnamese versions of the integral version of the 2004 edition of the UNIDROIT Principles already published, in 2008 the Portuguese and Arabic versions were completed and will be published in 2009. Moreover, the black letter rules were translated into Polish in 2008.

**d. UNILEX**

Monitoring of the use in practice of the UNIDROIT Principles continues on a systematic basis. By the end of 2008, UNILEX, the database of international case law and bibliography on the United Nations Convention on Contracts for the International Sale of Goods (CISG) and the UNIDROIT Principles <<http://www.unilex.info>> contained 115 arbitral awards and 58 court decisions referring in one way or another to the Principles, while the number of bibliographic references was 749.

**B. FOLLOW-UP OF INSTRUMENTS ADOPTED BY UNIDROIT**

The Secretariat continued to do its utmost, in 2008, to promote the UNIDROIT Conventions by presenting them at conferences or by publishing articles focussing on them.

Annexe II provides an overview of the instruments drawn up by UNIDROIT as well as the state of implementation of Conventions prepared by UNIDROIT and approved by diplomatic Conferences convened by UNIDROIT member States. For the implementation of instruments based on work conducted within UNIDROIT see Annex III.

**1. *International protection of cultural property***

On 31 December 2008, there were 29 Contracting States of the *UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects* (cf. Annexe II). Ratification or accession procedures are in progress in other countries.

Interest in the 1995 UNIDROIT Convention has revived over the past two years or so, not least owing to the upsurge in trafficking in cultural objects, and the UNIDROIT Secretariat is increasingly called upon in this regard. The Secretariat has, within the limits of its meagre budgetary resources and with the financial assistance of the organisers, pursued its efforts to publicise the instrument by participating – directly or otherwise – in a range of events organised to consider it, in particular:

- Athens International Conference on the "Return of Cultural Property to its Country of Origin, organised by UNESCO and the Greek Ministry of Culture, at which several cases involving the return of cultural property were analysed – Athens, March 2008;
- International Colloquium on "The dispersal of the cultural heritage – the state of play and a tentative response" organised by the Faculty of Law and Political Science at Tunis and the international research group "Droit du patrimoine culturel et droit de l'art" (CNRS) (*The Law of Cultural Heritage and the Law of Art*)– Tunis, May 2008;
- The European Centre for Peace and Development (ECPD), together with the Institute for the Protection of the Cultural, Historical and Natural Heritage of the Republic of Srpska, organised a third international seminar at Banja Luka (Bosnia-Herzegovina) on 30 and 31 October 2008;
- Legal training course on the protection of the Iraqi cultural heritage intended for Iraqi experts (lawyers, civil servants and museum staff) organised by UNESCO's Iraqi Bureau – Beyrouth, November 2008;
- Expert meeting and extraordinary session to celebrate the 30<sup>th</sup> anniversary of UNESCO's Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation: its past and its future – Seoul, November 2008;
- International Conference on Organised Crime in Art and Antiquities, organised on the initiative of the *International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme (ISPAC)*, in co-operation with the United Nations Office on Drugs and Crime (UNODC) – Courmayeur, December 2008.

All such occasions provide an opportunity for the Secretariat to establish or restore relations with the representatives of member and non-member States, to introduce them to the Convention, and to assist them in starting ratification or accession procedures. All the above events resulted in recommendations inviting States to accede to the 1995 UNIDROIT Convention.

## **2. Franchising**

In 2008, the *Croatian Franchise Association* translated the *Guide to International Master Franchise Arrangements (Second Edition)* into Croatian. The volume was published by the Association in October 2008.

## **3. Principles of Transnational Civil Procedure**

The volume reproducing the text of the ALI/UNIDROIT Principles of Transnational Civil Procedure, as well as the text of the ALI Rules and comments, published in English by the Cambridge University Press, is now being translated into several other languages (the text of the Principles is available on the UNIDROIT Internet website in Chinese, German, Japanese and Turkish). The Persian language version was published in December 2008, translated by Mr M. Majid Pour-Ostad, Assistant Professor of procedural and comparative law at the Faculty of Law and Political Science of Teheran University, with a preface by Professor Abbas Karimi, Dean of the Faculty of Law and Political Science of Teheran University, and by Dr Bijan Izadi, UNIDROIT Correspondant.

The Principles and Rules of Transnational Civil Procedure formed the subject of a presentation by Mr Michele Taruffo of the University of Pavia, at a seminar devoted to "Soft law and Unification of Law" held in Florence on 25 February 2008.

### III. LEGAL CO-OPERATION PROGRAMME AND NON-LEGISLATIVE ACTIVITIES

#### A. LEGAL CO-OPERATION PROGRAMME

The broad aim of the programme of legal co-operation is to promote relations between UNIDROIT and member and non-member States with a view to achieving the statutory aims of the Organisation. The programme concerns first and foremost those countries that lack sufficient resources to participate fully in the process of legal harmonisation, in particular developing countries and countries in economic transition. It is geared, primarily, towards implementing and publicising the Institute's work and making it more widely known and moreover offers training and research opportunities for top-level research scholars in the framework, in particular, of a research scholarships programme. As to the Institute's institutional relations with Governments (visits and seminars in member and non-member States), see *supra* for details.

#### 1. ***Organisation for the Harmonisation of Business Law in Africa (OHADA): preparation by UNIDROIT of a preliminary draft OHADA Uniform Act on contract law***

In accordance with the request formulated by the OHADA Council of Ministers, and with funding from the Swiss Development and Co-operation Department, the UNIDROIT Secretariat transmitted to the OHADA Permanent Secretariat in September 2004 the text of a preliminary draft OHADA Uniform Act on contract law that drew heavily on the *UNIDROIT Principles of International Commercial Contracts*, together with an Explanatory Note, both authored by Mr Marcel Fontaine on behalf of UNIDROIT.

With a view to fuelling and giving new impetus to the institutional consultation process now underway within the OHADA national committees, UNIDROIT organised a Colloquium in Ouagadougou (Burkina Faso) in November 2007, together with the Training and Research Department (UFR) for Legal and Political Science of the University of Ouagadougou and in association with OHADA. The event provided a forum for high-level debate and was attended by qualified experts from the OHADA zone and elsewhere in Africa, as well as representatives from other continents.

The Acts of the Ouagadougou Colloquium were published in issue 2008-1/2 of the *Uniform Law Review* and include (in French and English) the reports, debates and communications dealing with the subject matter of the Colloquium, together with the full text of the preliminary draft OHADA Uniform Act on contract law, as well as the Explanatory Note.

With a view to ensuring the widest possible distribution of the Acts and to make the contributions and debates known to the legal community concerned, this publication is freely accessible on the Internet at:

<http://www.unidroit.org/english/publications/review/articles/2008-1&2/001-008.pdf> (summary with clickable links to the full texts in pdf format).

The Secretariat closely monitors the reactions of practitioners and legal scholars – especially those emanating from OHADA's member and non-member States in Africa – in respect of the preliminary draft Uniform Act, and is in close touch with the OHADA Permanent Committee so that joint decisions may be taken, when the time comes, on appropriate action to accompany the institutional consultation and adoption process.

## 2. **Research Scholarships Programme**

First launched in 1993, the Research Scholarships Programme has to date enabled 200 researchers from over 50 countries to carry out top-level research in the UNIDROIT Library (average length of stay: two months) on the topic of their choice, related to UNIDROIT's activities and/or to uniform law.

In 2008, 16 researchers were hosted by the Institute in accordance with the decision taken by the Scholarships Sub-committee of the Governing Council at its 2006 and 2007 sessions. These grants were financed by donations from the *UK Foundation for International Uniform Law*, by the Government of the Republic of Korea, by a personal grant from the Secretary-General of UNIDROIT, and by a grant offered collectively by the members of the UNIDROIT Governing Council, while several scholarships were part-funded under the Legal Co-operation chapter of UNIDROIT's general budget topped up by sources identified by the researchers themselves – either private or public institutions in the scholars' countries of origin or private funds.

The beneficiaries of the Programme in 2008 were:

Mr Dhafer Dridi (Tunisia), *doctorant* at the Faculty of Law and Political Science, Tunis; research on "The UNIDROIT Principles of International Commercial Contracts and judicial practice" (Dec.-Jan.); partial grant from the UNIDROIT Scholarship Fund.

Mr Chen Bin (People's Rep. of China), *doctorant* at the University of Wuhan; research on "Achievements and Problems of Margin Financing and Stock Lending Services in the Chinese Capital Market" (Jan.-Feb.); grant from the UK Foundation for International Uniform Law.

Mr Xinya Shi (People's Rep. of China), Attorney at Law (Beijing); research on "The ALI-UNIDROIT Principles and Rules of Transnational Civil Procedure and Chinese Civil Procedure: A Comparative Study" (Jan.-Feb.); grant from the Government of the Republic of Korea.

Mr Mushegh Manukian (Armenia), PhD. Candidate, Law Faculty, Russian State University, Moscow – Research on "The Legal Nature of Transnational Corporations in International Private Law" (Feb.-Mar.); partial UNIDROIT scholarship.

Ms Regina Palkova (Slovakia), PhD. Candidate, Pavol Jozef Safarik University, Košice – Research on "The Slovak Law of Contract in the International Environment (with a special focus on the arbitration agreement)" (Apr.-May); partial UNIDROIT scholarship.

Mr Zhang Xuesong (People's Republic of China), Official, Financial & Economy Committee, National People's Congress, People's Republic of China – Research on "The future UNIDROIT Model Law on Leasing" (May-June); UNIDROIT scholarship.

Mr Andrey Rodionov (Russian Federation), Ph.D. Student, Diplomatic Academy of the Russian Federation, Institute of Contemporary International Studies, Comparative Law Department – Research on "The Procedure in International Arbitration Proceedings in German-speaking and English-speaking Countries: a Comparative View" (June-July); grant made by the Secretary-General of UNIDROIT.

Ms Inés De San Martín (Argentina), Attorney-at-Law, Lecturer, Universidad de Buenos Aires – Research on "The ALI/UNIDROIT Principles on Transnational Civil Procedure ("UPTCP") as a model for reform on international litigation and arbitration (June-Aug.); UNIDROIT scholarship.

Mr Achille Ngwanza (Cameroon), PhD Student (Paris XI), ATER (Paris XIII) – Research on "The protection of an international contract: *favor contractus* in the UNIDROIT Principles of International Commercial Contracts" (June-July); partial UNIDROIT scholarship.

Ms Rezarte Vukata (Albania), Associate Lawyer, Tirana – Research on "Cross-border securities transactions in Albania and in a comparative law perspective" (July, Sept.-Oct.); grant made by the UK Foundation for International Uniform Law.

Ms Pélagie Gouem (Burkina Faso), DEA Student, University of Ouagadougou – Research on "The innovations of the draft OHADA Uniform Act on contract law" (Sept.-Oct.); grant made by the members of the UNIDROIT Governing Council.

Mr Emile Bilé Kangah (Côte d'Ivoire), DESS Student, Institut de Droit Communautaire, Abidjan – Research on "The impact of the UNIDROIT Principles on the reform of the law of obligations in the OHADA States" (Nov.-Dec.); UNIDROIT scholarship.

Mr Roland Djieufack (Cameroon), PhD Student, University of Dschang, Assistant and Visiting Lecturer, Visiting Lecturer at the University of Buea, Cameroon – Research on "The Protection of Buyers of Goods in Cameroon" (Nov.-Dec.); partial UNIDROIT scholarship.

Mr Yroslav Zemilyachenko (Russian Federation), Senior Lecturer, Private Law Department, Russian Academy for Foreign Trade, Moscow – Research on "Product liability under a Comparative Law Perspective" (Nov.-Dec.); partial UNIDROIT scholarship.

Ms Sevinj Abdullayeva (Azerbaijan), Masters Student, University of Ankara (Turkey) – Research on "Modernising the Legal Framework for Leasing Transactions in Azerbaijan with reference to the UNIDROIT Model Law on Leasing (Oct.-Dec.)"; grant made by the UK Foundation for International Uniform Law.

Mr Brian Ikol Adungo (Kenya), LL.M. University of Manchester (United Kingdom), State Counsel, Office of the Attorney-General, Kenya – Research on "The Harmonisation of Private Law and its relevance for Kenya (Nov.-Dec.); UNIDROIT scholarship.

### **3. Collaborators, interns and researchers**

Ms Miriam Parmentier of the office of the General Counsel of Deutsche Bank AG, Frankfurt/M (Germany) was seconded to UNIDROIT in August 2008 during which time she participated in the work of the Capital markets project. She also attended the diplomatic Conference on Intermediated Securities held in Geneva from 1 to 12 September 2008.

In the course of 2008, the following interns contributed to the Secretariat's work on the UNILAW data base: Ms Patricia Denise Labal (Argentina), Mr Laurent Ramette (France), Ms Helene Jaschinski and Mr Philipp Küster (Germany) and Ms Estela Pereira Arroyo (Spain).

The following persons undertook their internship on the UNILEX data base: Mr Josh Ingram (Canada), Ms Anne Kit Yin Wong (Malaysia), Ms Johanna Hoekstra (the Netherlands), Mr Jan Pawlak (Poland), Ms Barbara Sofia Cagigal Alves (Portugal), Ms Estela Pereira Arroyo (Spain), Mr Zachary Christensen, Ms Sunika Pawar, and Mr Boris Babic (United States of America).

The following visitors carried out their internship or personal research in the UNIDROIT Library making use of its documentation during 2008: Ms An Tampere, Mr Simon De Smet (Belgium), Mr Paul Etienne Laliberté-Tipple (Canada), Mr Lu Junfang (China), Mr Jiri Valdhans, Mr Martin Orgonik (Czech Republic), Mr Mari Kalpio (Finland), Mr Wolfgang Oehler, Mr Anton Zoodo Geier (Germany), Mr Chetan Tripathy (India), Ms Maria Chiara Baldaccini (Italy), Mr Ikumi Sato (Japan), Mr Paulius Jurcys (Lithuania), Mr Nikolay Eliseev (Russian Federation), Mr Afredo Batuecas Caletrio, Mr Angeles Cuenca Garcia, Mr German de Castro Vitores (Spain), Mr Gino Lohri (Switzerland), Mr Rafik Nzaiem, Ms Najla Mestiri (Tunisia), Ms Lauren Fae Silver (United States of America) and Mr Gerardo Javier Ulloa Bellorin (Venezuela).

## **B. UNILAW DATABASE**

Work on the UNILAW data base intensified, efforts concentrating on completing its structure by adding, and making visible, conventions in the areas of *carriage by air*, *carriage by sea*, *cultural property*, *secured transactions* and *special contracts*. A total of 17 instruments were visible at the end of the year, most of them having been analysed for the purpose of the preparation of issues and keywords to be used in the classification of cases and bibliographical references.

In addition, a number of new sections and additional materials were prepared. These included:

- a list of the collaborators, both permanent and interns (in pdf);

- *tables listing the cases* the Secretariat has available relating to the different conventions, with indications of which texts have been treated or are being treated and where they are published (in pdf);
- a *short summary of the judicial system* of the countries of which cases are included. This is to permit users to evaluate the importance of the court that has passed a particular judgment when he/she is unfamiliar with the system of that country. The drafts were prepared by an intern, but are checked and modified by a permanent collaborator from each country (in pdf);
- a *list of abbreviations* of the *legal periodicals* cited in the tables of cases (in pdf);
- the *text* of the *protocols* to the different conventions (in pdf);
- a list of *useful links* (in pdf); and
- links to *articles* on case law published in the Uniform Law Review.

### C. UNIDROIT ON INTERNET – [www.unidroit.org](http://www.unidroit.org)

The UNIDROIT Internet web site continues to be an extremely effective means of promoting UNIDROIT's activities and its instruments.

Development of the UNIDROIT web site, fully bilingual in English and French, continued in 2008. The content of the site has been substantially enlarged and many of its pages updated and/or replaced in order to provide an up-to-date, comprehensive overview of UNIDROIT's activities.

All UNIDROIT documents contained in the *UNIDROIT Proceedings and Papers* series since 1995 have been posted on the Institute's web site. They include the Annual Reports, the reports on the annual sessions of the General Assembly of UNIDROIT member States, the final texts of instruments prepared under the auspices of UNIDROIT, documents concerning current work on instruments adopted as well as the preparatory work, consisting of the studies and reports of the various working groups and committees of governmental experts, on items on the UNIDROIT Work Programme.

A major addition to the web site in 2008 was the pre-1996 preparatory work leading up to the Cape Town Convention on International Interests in Mobile Equipment.

The UNIDROIT Internet web site contains:

- ▶ An introduction to UNIDROIT, providing general information on the Institute, its membership, structure, legislative policy, working methods, current work programme including non legislative activities such as its scholarship programme and publishing activities, as well as a list of past achievements;
- ▶ UNIDROIT instruments (conventions, model laws, principles and guides prepared under the auspices of UNIDROIT);
- ▶ The current UNIDROIT Work Programme;
- ▶ UNIDROIT documents contained in the *UNIDROIT Proceedings and Papers* series from 1995 to present;
- ▶ A section devoted to UNIDROIT publications, including the table of contents and leading article of each issue of the Uniform Law Review since 1996;
- ▶ Links to the UNILAW, *Uniform Law Review* and UNILEX databases;
- ▶ A section "Outreach resources" introducing the UNIDROIT Library and the Institute's activities in the field of legal cooperation (a programme of scholarships and technical assistance States may need in implementing or using UNIDROIT instruments);
- ▶ An area reserved to Governing Council members;
- ▶ An area reserved to Governments of member States.

## **D. DEPOSITORY LIBRARIES FOR UNIDROIT DOCUMENTATION**

To date, 49 libraries in 43 member States have been designated depositories for UNIDROIT documentation (*UNIDROIT Proceedings and Papers* on CD-ROM and the *Uniform Law Review*, New Series). For a list of Depository Libraries see Annexe IV.

## **E. UNIDROIT LIBRARY**

In 2008, the retrospective conversion of the Library's card catalogue was nearly complete. Thanks to the Aleph software, 95% of the Library's holdings are now available in the online-catalogue.

In 2008, the Library's holdings increased by 1,934 titles, 710 were purchased, 254 obtained on an exchange basis for a total value of € 16.370, and 987 other titles were received as gifts for a total value of € 48,550.00. The Library's acquisition policy has been very difficult due to the important rise in the prices of publications.

Of particular importance among the donations were those received from the UK Foundation, the Library of the Department of Trade and Industry of Her Britannic Majesty's Government, the Max Planck Institute for Foreign Private and Private International Law, and the Library of the Law Faculty in Lucerne, Switzerland.

The Library succeeded in obtaining new materials by exchange programmes with the *Uniform Law Review*. The UNIDROIT Library continues to attract readers from all over the world. 2,954 visits were registered in 2008, including 58 foreign guests from 22 countries.

## **F. PUBLICATIONS**

### **1. *Uniform Law Review***

The Acts of the Colloquium held at Ouagadougou (Burkina Faso) from 15 to 17 November 2007 were published in the *Uniform Law Review* in its double issue 2008-1/2. The Colloquium was on "*The Harmonisation of Contract Law within OHADA*". Issue 2008-4 will feature two articles on liability for satellite-based services, which subject has been proposed for insertion in the Work Programme of the Institute.

### **2. *Other publications***

a. The UNIDROIT Secretariat now distributes the *UNIDROIT Proceedings and Papers* directly, while the presentation of the publication has been brought up to date. A cumulative edition of the *UNIDROIT Proceedings and Papers* (1997-2007) was prepared on CD-Rom and supplied free of charge to the depository libraries for UNIDROIT documentation and to the members of the Governing Council.

b. *Principles of International Commercial Contracts – Preparatory Work – 1972-2004* on CD-ROM was also prepared in 2008 containing all the preparatory work (in English only) leading up to the two editions (1994 and 2004) of the UNIDROIT Principles of International Commercial Contracts for a total of 154 documents.

## **G. UNIFORM LAW FOUNDATION / UK FOUNDATION FOR INTERNATIONAL UNIFORM LAW / AMERICAN FOUNDATION FOR INTERNATIONAL UNIFORM LAW**

The *Uniform Law Foundation* allocated a substantial sum to support the UNILAW data base, in particular by providing funds for an assistant and interns to work on the database. Furthermore, with the support of NautaDutilh N.V., it prepared a Conference on "*The UNIDROIT preliminary draft Convention on Substantive Rules regarding Intermediated Securities*", held in Amsterdam (the Netherlands) on 18 January 2008. Lastly, it donated a substantial sum to the UNIDROIT Library.



The *UK Foundation for International Uniform Law* provided funds for an assistant to work on the *preliminary draft Protocol to the Cape Town Convention on International Interests in Mobile Equipment on matter specific to Space Assets*. The UK Foundation further funded a scholarship at UNIDROIT, as well as scholarships for doctoral students at Oxford and Cambridge, part of whose period of study can be spent at UNIDROIT.

In 2008, the *American Foundation for International Uniform Law* provided funds to assist the organisation provide the services connected with its Depositary functions.

**ANNEXE I**

**LIST OF THE DOCUMENTS PUBLISHED BY THE UNIDROIT SECRETARIAT IN 2008  
ON THE IMPLEMENTATION OF ITS WORK PROGRAMME**

The following documents relating to the implementation of the Institute's Work Programme were published in 2008, in English and French unless otherwise stated:

**Study L – PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS**

***Working Group for the preparation of Principles of International Commercial Contracts:  
Drafting Committee (First session, Hamburg, 3 – 6 March 2008)***

W.P. 14 – Draft Chapter on Plurality of Obligors and/or Obligees by Professor Marcel Fontaine Emeritus at the Catholic University of Louvain Law School (English only)

W.P. 15 – Unwinding of Failed Contracts Paper in preparation of the meeting of the Drafting Committee in Hamburg by Professor Reinhard Zimmermann, Director at the Max-Planck-Institut für ausländisches und internationales Privatrecht, Hamburg (English only)

W.P. 16 – Draft Chapter on Conditional Obligations by Professor Bénédicte Fauvarque-Cosson Université Panthéon-Assas Paris II (English only)

W.P. 17 – Draft Chapter on Illegality by Professor Michael Furmston Emeritus at the University of Bristol (English only)

W.P. 18 – Minutes of the Meeting of the Drafting Committee (Hamburg, 3 – 6 March 2008) (English only)

***Working Group (III) for the preparation of Principles of International Commercial Contracts.  
Third session, Rome, 26 – 29 May 2008***

Doc. 105 – Draft Chapter on Unwinding of Failed Contracts by Professor Reinhard Zimmermann, Director at the Max-Planck-Institut für ausländisches und internationales Privatrecht, Hamburg

Doc. 106 – Draft Chapter on Illegality. Black letter rules prepared by Professors M.J. Bonell, B. Fauvarque-Cosson, M. Fontaine, M. Furmston, R. Goode and R. Zimmerman. Comments prepared by Professor M. Furmston

Doc. 107 – Draft Chapter on Plurality of Obligors and/or Obligees by Professor Marcel Fontaine, Emeritus at the Catholic University of Louvain Law School

Doc. 108 – Draft Chapter on Conditional Obligations by Professor Bénédicte Fauvarque-Cosson, Université Panthéon-Assas Paris II

Misc. 28 – Summary Records of the 3<sup>rd</sup> session of the Working Group (26 – 29 May 2008) (prepared by the Secretariat of UNIDROIT)

**STUDY LIXA – MODEL LAW ON LEASING**

Doc. 13 – UNIDROIT Committee of governmental experts for the preparation of a draft model law on leasing. Second session, Muscat, 6/9 April 2008. Summary Report (prepared by the UNIDROIT Secretariat)

Doc. 14 – UNIDROIT Committee of governmental experts for the preparation of a draft model law on leasing. Draft model law on leasing (as reviewed and authorised for transmission to Governments for finalisation and adoption by the UNIDROIT Governing Council, at its 87<sup>th</sup> session, held in Rome from 21 to 23 April 2008, following the second session of the Committee of governmental experts, held in Muscat from 6 to 9 April 2008)

Doc. 15 – UNIDROIT Committee of governmental experts for the preparation of a draft model law on leasing. Resolution (87) 1 passed by the UNIDROIT Governing Council at its 87<sup>th</sup> session (Rome, 21 / 23 April 2008)

Doc. 16 – Joint session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft model law on leasing. Rome, 10/13 November 2008. Summary Report (prepared by the UNIDROIT Secretariat)

Doc. 17 – UNIDROIT Model Law on Leasing (as adopted on 13 November 2008 by the Joint Session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft model law on leasing, held in Rome from 10 to 13 November 2008)

#### **STUDY LXV – LEGAL COOPERATION PROGRAMME**

Scholarships: Impl. 19 Rev. – Research Scholarships Programme – Implementation report for the financial year 2008

#### **DEP – UNIDROIT – DEPOSITARY FUNCTIONS**

##### **DC9/DEP – INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT (CAPE TOWN CONVENTION AND AIRCRAFT PROTOCOL)**

Doc. 6 – Depositary Report: 1 March – 31 December 2006

Doc. 7 – Depositary Report: 1 January – 31 December 2007

#### **STUDY LXXIIJ – INTERNATIONAL INTERESTS IN SPACE PROPERTY**

Doc. 14 – Steering Committee to build consensus around the provisional conclusions reached by the Government/industry meeting regarding the preliminary draft Space Assets Protocol held in New York on 19 and 20 June 2007, Launch meeting, Berlin, 7/9 May 2008: Summary report (prepared by the UNIDROIT Secretariat)

Doc. 15 – Steering Committee to build consensus around the provisional conclusions reached by the Government/industry meeting regarding the preliminary draft Space Assets Protocol held in New York on 19 and 20 June 2007 on default remedies in relation to components, Berlin, 31 October/1 November 2008: Summary report (prepared by the UNIDROIT Secretariat)

#### **STUDY LXXVIII – TRANSACTIONS ON TRANSNATIONAL AND CONNECTED CAPITAL MARKETS**

Doc. 105 – Informal Working Group on Article 14 of the draft Convention. Comments on the questionnaire concerning acquisition by an innocent person, submitted by the Swiss delegation (English only)

Doc. 106 – Informal Working Group on Article 14 of the draft Convention. Comments on the questionnaire concerning acquisition by an innocent person, submitted by the delegation of the United Kingdom (English only)

Doc. 107 Rev. – Informal Working Group on Article 14 of the draft Convention. Comments on the questionnaire concerning acquisition by an innocent person, submitted by the delegation of France (English only)

Doc. 108 – Informal Working Group on Insolvency-related Issues. Comments on the Paper of the Chairman (Doc. 97), submitted by the delegation of Australia (English only)

Doc. 109 – Informal Working Group on Insolvency-related Issues. Response to the questionnaire concerning acquisition by an innocent person, submitted by the delegation of Brazil (English only)

Doc. 110 – Informal Working Group on Insolvency-related Issues. Comments on the Paper of the Chairman (Doc. 97), submitted by the delegation of Portugal (English only)

Doc. 111 – Informal Working Group on Insolvency-related Issues. Comments on the Paper of the Chairman (Doc. 97), submitted by the delegation of Denmark (English only)

Doc. 112 – Informal Working Group on Article 14 of the draft Convention. Comments on the Preliminary Note and response to the questionnaire concerning acquisition by an innocent person, submitted by the delegation of the United States of America (English only)

Doc. 113 – Informal Working Group on Insolvency-related Issues. Comments on the Paper of the Chairman (Doc. 97), submitted by the delegation of the United States of America (English only)

Doc. 114 – Informal Working Group on Article 14 of the draft Convention. Response to the questionnaire concerning acquisition by an innocent person, submitted by the Greek delegation (English only)

Doc. 115 – Informal Working Group on Insolvency-related Issues. Questions and observation of the Paper of the Chairman (Doc. 97), submitted by UNCITRAL (English only)

***UNIDROIT Diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities, Geneva, 1-12 September 2008 (CONF. 11)***

Doc. 1 – Provisional Agenda

Doc. 2 – Provisional Rules of Procedure

Doc. 3 – Draft Convention on Substantive Rules regarding Intermediated Securities

Doc. 4 – Explanatory Report to the draft Convention on Substantive Rules regarding Intermediated Securities together with an overview, submitted by the UNIDROIT Secretariat

Doc. 5 – Draft Final Provisions capable of embodiment in the draft Convention of Substantive Rules regarding Intermediated Securities with Explanatory Notes, drawn up by the UNIDROIT Secretariat

Doc. 5 Add. – Draft Final Provisions capable of embodiment in the draft Convention on Substantive Rules regarding Intermediated Securities with Explanatory Notes, drawn up by the UNIDROIT Secretariat, Article J on “Transitional Provisions”

Doc. 6 – Informal Working Group on Securities Clearing and Settlement Systems, Including Rules of Central Securities Depositories, Report, submitted by the Co-chairs of the informal Working Group

Doc. 7 – Convention on Substantive Rules regarding Intermediated Securities, draft Preamble, submitted by France, Germany, Luxembourg, Malta, the Russian Federation, the United Kingdom and the United States of America

Doc. 8 – Informal Working Group on Article 14 of the draft Convention, Summary Report, submitted by the Chair of the informal Working Group

- Doc. 9 – Informal Working Group on Insolvency-related issues, Report, submitted by the Chairman of the informal Working Group
- Doc. 10 – Comments, submitted by the Government of the United States of America
- Doc. 11 – Comments, submitted by the European Issuers
- Doc. 12 – Comments, submitted by the Government of Portugal
- Doc. 13 – Comments, submitted by the Government of the Republic of Korea
- Doc. 14 – Comments, submitted by the Commission of the European Community
- Doc. 15 – Comments, submitted by the European Banking Federation
- Doc. 16 – Comments, submitted by the Government of France
- Doc. 17 – Comments, submitted by the Government of Austria
- Doc. 18 – Comments, submitted by the Government of India
- Doc. 19 – Comments, submitted by UNCITRAL
- Doc. 20 – Comments, submitted by the Government of Germany
- Doc. 21 – Summary of the decisions taken on 1 September 2008
- Doc. 22 – Summary of the decisions taken on 2 September 2008
- Doc. 23 – Proposal / Comments, Observations on the standard for innocent acquisition / Proposed revised Article 14(1), (2) and (4)(b) and draft Official Commentary
- Doc. 24 – Summary of the decisions taken on 3 September 2008
- Doc. 25 – Summary of the decisions taken on 4 September 2008
- Doc. 26 – Report of the informal Working Group on Articles 2 and 4
- Doc. 27 – Interim Report of the Final Clauses Committee, submitted by the Chairman of the Final Clauses Committee
- Doc. 28 – Proposal, submitted by the Government of Switzerland
- Doc. 29 – Summary of the decisions taken on 5 September 2008
- Doc. 30 – Summary of the decisions taken on 6 September 2008
- Doc. 31 – Report by the informal Working Group on Insolvency
- Doc. 32 – Report of Committee on Emerging Markets Issues, Follow-up and Implementation, submitted by the Co-Chairs of the Committee)
- Doc. 33 – Interim Report by the drafting Committee, presented by the Chairman of the Drafting Committee
- Doc. 34 – Summary of the decisions taken on 8 September 2008
- Doc. 35 – Draft Resolution relating to the Official Commentary on the Convention, submitted by the Government of France

- Doc. 36 – Summary of the decisions taken on 10 September 2008
- Doc. 37 – Proposal of the Drafting Committee relating to Article 8, 12 and 25
- Doc. 38 – Proposal on Article 26(2), submitted by European Issuers
- Doc. 39 – Proposal on Article 12(1) and (2), submitted by the delegations of Spain, Sweden, Switzerland and the United Kingdom
- Doc. 40 – Report on the Final Clauses Committee, submitted by the Chairman of the Final Clauses Committee
- Doc. 41 – Article [33(3)] Certain insolvency provisions disapplied, Proposal for the insertion of an additional rules in Chapter VI, submitted by the European Commission
- Doc. 42 – Summary of the decisions taken on 11 September 2008
- Doc. 43 – Draft Resolution No. 1, relating to the State of Work and further Proceedings for the adoption of the draft Convention on Substantive Rules regarding Intermediated Securities, submitted by the delegations of France and the United States of America
- Doc. 44 – Draft Resolution, relating to the Official Commentary on the Convention, submitted by the Governments of France, Switzerland and the United States of America
- Doc. 45 – Draft Final Act of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities held under the auspices of the International Institute for the Unification of Private Law in Geneva from 1 to 13 September 2008
- Doc. 46 – Report of the Credentials Committee to the Conference, presented by the Chairman of the Credentials Committee
- Doc. 47 Rev.– Final Act of the first session of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities held under the auspices of the International Institute for the Unification of Private Law in Geneva from 1 to 12 September 2008
- Doc. 48 Rev. – Draft Convention on Substantive Rules regarding Intermediated Securities
- Doc. 49 – Summary of the decisions taken on 12 September 2008

## ANNEXE II

**INSTRUMENTS DRAWN UP BY UNIDROIT /  
INSTRUMENTS ELABORES PAR UNIDROIT**

- 1964 Convention relating to a Uniform Law on the International Sale of Goods (ULIS) / *Convention portant loi uniforme sur la vente internationale des objets mobiliers corporels (LUVI)* \*
- 1964 Convention relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods (ULFIS) / *Convention portant loi uniforme sur la formation des contrats de vente internationale des objets mobiliers corporels (L UFC)* \*
- 1970 International Convention on the Travel Contracts (CCV) / *Convention internationale relative au contrat de voyage (CCV)*
- 1973 Convention providing a Uniform Law on the Form of an International Will / *Convention portant loi uniforme sur la forme d'un testament international*
- 1983 Convention on Agency in the International Sale of Goods / *Convention sur la représentation en matière de vente internationale de marchandises*
- 1988 UNIDROIT Convention on International Financial Leasing / *Convention d'UNIDROIT sur le crédit-bail international*
- 1988 UNIDROIT Convention on International Factoring / *Convention d'UNIDROIT sur l'affacturage international*
- 1994 Principles of International Commercial Contracts / *Principes relatifs aux contrats du commerce international*
- 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects / *Convention d'UNIDROIT sur les biens culturels volés ou illicitement exportés*
- 1998 Guide to International Master Franchise Arrangements / *Guide sur les accords internationaux de franchise principale*
- 2001 Convention on International Interests in Mobile Equipment / *Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*
- 2001 Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment / *Protocole portant sur les questions spécifiques aux matériels d'équipement aéronautiques à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*
- 2002 Master Franchise Disclosure Law / *Loi type sur la divulgation des informations en matière de franchise*
- 2004 Principles of International Commercial Contracts / *Principes relatifs aux contrats du commerce international*
- 2004 ALI/UNIDROIT Principles of Transnational Civil Procedure / *Principes ALI/UNIDROIT de procédure civile transnationale*
- 2007 Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock / *Protocole de Luxembourg portant sur les questions spécifiques au matériel roulant ferroviaire à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*
- 2007 Guide to International Master Franchise Arrangements, 2nd edition / *Guide sur les accords internationaux de franchise principale, 2ème édition*
- 2008 UNIDROIT Model Law on Leasing / *Loi type d'UNIDROIT sur la location et la location-financement*

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\* The ULIS and ULFIS Conventions have been denounced by Belgium, Germany, Italy, Luxembourg and the Netherlands. Under the 1969 Vienna Convention on the Law of Treaties they have not ceased to exist and they are still in force between Gambia, Israel, San Marino and the United Kingdom / *Les Conventions LUVI et L UFC ont été dénoncées par l'Allemagne, la Belgique, l'Italie, le Luxembourg et les Pays-Bas. En vertu de la Convention de Vienne sur le droit des traités de 1969, elles n'ont pas cessé d'exister et restent en vigueur entre la Gambie, Israël, Saint-Marin et le Royaume-Uni.*

STATUS OF IMPLEMENTATION (\*) OF CONVENTIONS DRAWN UP BY UNIDROIT AND APPROVED AT DIPLOMATIC CONFERENCES CONVENED BY MEMBER STATES OF UNIDROIT /

ETAT DE MISE EN OEUVRE (\*) DES CONVENTIONS PREPAREES PAR UNIDROIT ET APPROUVEES A DES CONFERENCES DIPLOMATIQUES CONVOQUEES PAR DES ETATS MEMBRES D'UNIDROIT

INTERNATIONAL CONVENTION ON THE TRAVEL CONTRACT (CCV)  
CONVENTION INTERNATIONALE RELATIVE AU CONTRAT DE VOYAGE (CCV)

**Adoption:** Place: Brussels / *Lieu: Bruxelles*  
Date: 23-04-1970

**Entry into force:** Yes / *Oui* ≈ Date: 21-02-1976  
**Entrée en vigueur:** Conditions: 5 ratifications (art. 36)

**Depositary / Dépositaire:** Government of Belgium / *Gouvernement belge* (art. 34)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES	EFFECT OF / EFFET DE DENU(O)NCIATION
Argentina / <i>Argentine</i>	-	25-11-76	25-02-77	-	14-01-10
Belgium / <i>Belgique</i>	23-04-70	11-04-73	24-02-76	-	04-10-94
Benin	-	28-03-75	24-02-76	-	-
Burkina Faso	27-04-70	-	-	-	-
Cameroon / <i>Cameroun</i>	-	16-04-75	24-02-76	D: Art. 13(1)	-
Côte d'Ivoire	23-04-70	-	-	-	-
Holy See / <i>Saint-Siège</i>	23-04-70	-	-	-	-
Italy / <i>Italie</i>	23-04-70	04-07-79	04-10-79	R: Art. 40(1)(a)	-
Lebanon / <i>Liban</i>	23-04-70	-	-	-	-
Morocco / <i>Maroc</i>	23-04-70	-	-	R: Art. 40(1)(a)- (b)	-
Niger	23-04-70	-	-	-	-
Philippines	23-04-70	-	-	-	-
San Marino / <i>Saint Marin</i>	23-04-70	-	-	-	-
Togo	25-03-71	24-11-75	24-02-76	-	-
United States of America / <i>Etats-Unis d'Amérique</i>	23-04-70	-	-	-	-

(\*) Based on information available to the Secretariat as of 31 December 2008 / *Ce document est basé sur les informations dont dispose le Secrétariat au 31 décembre 2008.*

The texts of the Conventions and information on their status may be found on the UNIDROIT website at <http://www.unidroit.org/english/conventions/c-main.htm> and <http://www.unidroit.org/english/implement/i-main.htm>. *Le texte des Conventions ainsi que l'état de leur mise en œuvre figure sur le site Internet d'UNIDROIT à <http://www.unidroit.org/french/conventions/c-main.htm> et <http://www.unidroit.org/french/implement/i-main.htm>.*

The UNIDROIT Secretariat may assist States with technical consultations for the ratification of, or the accession to its instruments, as well as for the preparation of legislation based on those instruments / *Le Secrétariat d'UNIDROIT peut apporter son assistance technique aux Etats en vue de la ratification de ses instruments, ou de l'adhésion à ceux-ci, ainsi que pour l'élaboration de législations basées sur ces instruments.*



**CONVENTION PROVIDING A UNIFORM LAW ON THE FORM OF AN INTERNATIONAL WILL**  
**CONVENTION PORTANT LOI UNIFORME SUR LA FORME D'UN TESTAMENT INTERNATIONAL**

**Adoption:** Place/*Lieu*: Washington  
Date: 26-10-1973

**Entry into force:** Yes/*Oui* ≈ Date: 09-02-1978  
**Entrée en vigueur:** Conditions: 5 ratifications (Art. XI)

**Depositary / Dépositaire:** Government of the United States of America /  
*Gouvernement des Etats-Unis d'Amérique*

STATE / ETAT	SIGNATURE	RATIFICATION ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. DECL. OU RESERVES
Belgium / <i>Belgique</i>	17-05-74	21-04-83	21-10-83	-
Bosnia-Herzegovina / <i>Bosnie-Herzégovine</i>	-	15-08-94	15-08-94	-
Canada for / <i>pour</i>	-	24-01-77		D: Art. XIV
Manitoba			09-02-78	
Newfoundland / <i>Terre Neuve</i>			09-02-78	
Ontario			31-03-78	
Alberta			01-06-78	
Saskatchewan			08-10-82	
Prince Edward Island / <i>Ile du Prince Edouard</i>			22-03-95	
New Brunswick / <i>Nouveau Brunswick</i>			05-12-97	
Nova Scotia / <i>Nouvelle Ecosse</i>			27-05-01	
Cyprus / <i>Chypre</i>	-	19-10-82	19-04-83	-
Czechoslovakia / <i>Tchécoslovaquie</i> *	30-12-74	-	-	D
Ecuador / <i>Equateur</i>	26-07-74	03-04-79	03-10-79	D
Italy / <i>Italie</i>	-	16-05-91	16-11-91	-
Iran	27-10-73	-	-	-
France	29-11-74	01-06-94	01-12-94	-
Holy See / <i>Saint-Siège</i>	02-11-73	-	-	-
Laos	30-10-73	-	-	-
Libyan Arab Jamahiriya / <i>Jamahiriyah arabe libyenne</i>	-	04-08-77	09-02-78	-
Niger	-	19-05-75	09-02-78	-
Portugal	-	19-11-75	09-02-78	-
Russian Fed. / <i>Féd. de Russie</i>	17-12-74	-	-	D: Art. XIII
Sierra Leone	27-10-73	-	-	-
Slovenia / <i>Slovénie</i>	-	20-08-92	20-08-92	-
United Kingdom / <i>Royaume-Uni</i>	10-10-74	-	-	-
United States of America / <i>Etats-Unis d'Amérique</i>	27-10-73	-	-	-
Yugoslavia / <i>Yougoslavie</i> **	-	09-08-77	09-02-78	-

\* On December 31, 1992, at midnight, Czechoslovakia ceased to exist and was succeeded by two separate and independent States, the Czech Republic and the Slovak Republic / *Le 31 décembre 1992, à minuit, la Tchécoslovaquie a cessé d'exister et deux Etats séparés et indépendants lui ont succédé, la République tchèque et la République slovaque.*

\*\* The Socialist Federal Republic of Yugoslavia has dissolved. Where a successor State has taken action it is listed separately / *La République fédérale socialiste de Yougoslavie a été dissoute. Toute action prise par un Etat successeur figure dans la liste séparément.*

**CONVENTION ON AGENCY IN THE INTERNATIONAL SALE OF GOODS**  
**CONVENTION SUR LA REPRESENTATION EN MATIERE DE VENTE**  
**INTERNATIONALE DE MARCHANDISES**

**Adoption:** Place: Geneva / *Lieu:* Genève  
 Date: 17-02-83

**Entry into force:** No / *Non*  
**Entrée en vigueur:** Conditions: 10 ratifications (art. 33)

**Depositary:** Government of Switzerland  
**Dépositaire:** *Gouvernement suisse* (art. 21)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE/ENTREE EN VIGUEUR	DECL. OF RESERV. DECL. OU RESERVES	observations
Chile / <i>Chili</i>	17-02-83	-	-	-	-
France	25-10-84	07-08-87	-	-	-
Holy See / <i>Saint-Siège</i>	17-02-83	-	-	-	-
Italy / <i>Italie</i>	09-04-84	16-06-86	-	-	-
Mexico / <i>Mexique</i>	-	22-12-87	-	Art. 27, 29	-
Morocco / <i>Maroc</i>	17-02-83	-	-	-	-
Netherlands / <i>Pays-Bas</i>	-	02-02-94	-	-	02-02-95 (*)
South Africa / <i>Afrique du sud</i>	-	27-01-86	-	-	-
Switzerland / <i>Suisse</i>	17-02-83	-	-	-	-

(\*) Application extended to Aruba / *Application étendue à Aruba.*

**UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING**  
**CONVENTION D'UNIDROIT SUR LE CREDIT-BAIL INTERNATIONAL**

**Adoption:** Place / *Lieu:* Ottawa  
 Date: 28-05-88

**Entry into force:** Yes / *Oui* ≈ Date: 01-05-95  
**Entrée en vigueur:** Conditions: 3 ratifications (art. 16.1)

**Depositary / Dépositaire:** Government of Canada / *Gouvernement du Canada* (art. 25.1)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. DECL. OU RESERVES
Belarus / <i>Bélarus</i>	-	18-08-98	01-03-99	-
Belgium / <i>Belgique</i>	21-12-90	-	-	-
Czech Rep. / <i>Rép. tchèque</i>	16-05-90	-	-	-
Finland / <i>Finlande</i>	30-11-90	-	-	-
France	07-11-89	23-09-91	01-05-95	Arts. 8(3); 20
Ghana	28-05-88	-	-	-
Guinea / <i>Guinée</i>	28-05-88	-	-	-
Hungary / <i>Hongrie</i>	-	07-05-96	01-12-96	-
Italy / <i>Italie</i>	13-12-90	29-11-93	01-05-95	-
Latvia / <i>Lettonie</i>	-	06-08-97	01-03-98	-
Morocco / <i>Maroc</i>	04-07-88	-	-	-
Nigeria / <i>Nigéria</i>	28-05-88	25-10-94	01-05-95	-
Panama	31-12-90	26-03-97	01-10-97	-
Philippines	28-05-88	-	-	-
Russian Federation / <i>Féd. de Russie</i>	-	03-06-98	01-01-99	Arts. 8(3); 20
Slovak Rep. / <i>Rép. slovaque</i>	16-05-90	-	-	-
Tanzania / <i>Tanzanie</i>	28-05-88	-	-	-
Ukraine	-	05-12-06	01-07-07	-
United States of America / <i>Etats-Unis d'Amérique</i>	28-12-90	-	-	-
Uzbekistan / <i>Ouzbékistan</i>	-	06-07-00	01-02-01	-

**UNIDROIT CONVENTION ON INTERNATIONAL FACTORING**  
**CONVENTION D'UNIDROIT SUR L'AFFACTURAGE INTERNATIONAL**

**Adoption:** Place / *Lieu*: Ottawa  
Date: 28-05-88

**Entry into force:** Yes / *Oui* ≈ Date: 01-05-95  
**Entrée en vigueur:** Conditions: 3 ratifications (art. 14.1)

**Depositary:** Government of Canada  
**Dépositaire:** Gouvernement du Canada (art. 23.1)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES
Belgium / <i>Belgique</i>	21-12-90	—	—	—
Czech Rep. / <i>Rép. tchèque</i>	16-05-90	—	—	—
Finland / <i>Finlande</i>	30-11-90	—	—	—
France	07-11-89	23-09-91	01-05-95	Arts. 6(2); 18
Germany / <i>Allemagne</i>	21-12-90	20-05-98	01-12-98	—
Ghana	28-05-88	—	—	—
Guinea / <i>Guinée</i>	28-05-88	—	—	—
Hungary / <i>Hongrie</i>	—	07-05-96	01-12-96	—
Italy / <i>Italie</i>	13-12-90	29-11-93	01-05-95	—
Latvia / <i>Lettonie</i>	—	06-08-97	01-03-98	Arts. 6(2); 18
Morocco / <i>Maroc</i>	04-07-88	—	—	—
Nigeria / <i>Nigéria</i>	28-05-88	25-10-94	01-05-95	—
Philippines	28-05-88	—	—	—
Slovak Rep. / <i>Rép. slovaque</i>	16-05-90	—	—	—
Tanzania / <i>Tanzanie</i>	28-05-88	—	—	—
Ukraine	—	05-12-06	01-07-07	—
United Kingdom / <i>Royaume-Uni</i>	31-12-90	—	—	—
United States of America / <i>Etats-Unis d'Amérique</i>	28-12-90	—	—	—

**UNIDROIT CONVENTION ON STOLEN OR ILLEGALLY EXPORTED CULTURAL OBJECTS**  
**CONVENTION D'UNIDROIT SUR LES BIENS CULTURELS VOLES OU ILLICITEMENT EXPORTES**

**Adoption:** Place / *Lieu*: Rome  
Date: 24-06-1995

**Entry into force:** Yes / *Oui* ≈ Date: 01-07-1998  
**Entrée en vigueur:** Conditions: 5 ratifications (Art. 12)

**Depositary / Dépositaire:** Italian Government / *Gouvernement italien*

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES
Afghanistan	—	23-09-05	01-03-06	D: Art. 16
Argentina / <i>Argentine</i>	—	03-08-01	01-02-02	D: Art. 16
Azerbaijan / <i>Azerbaïdjan</i>	—	06-06-03	01-12-03	D: Art. 16
Bolivia / <i>Bolivie</i>	29-06-96	13-04-99	01-10-99	D: Art. 16
Brazil / <i>Brésil</i>	—	23-03-99	01-09-99	D: Art. 16
Burkina Faso	24-06-95	—	—	—
Cambodia / <i>Cambodge</i>	24-06-95	11-07-02	01-01-03	D: Arts. 3(5), 16
China / <i>Chine</i>	—	07-05-97	01-07-98	D: Arts. 3(5), 16
Côte d'Ivoire	24-06-95	—	—	—
Croatia / <i>Croatie</i>	24-06-95	20-09-00	01-03-01	D: Art. 16
Cyprus / <i>Chypre</i>	—	02-03-04	01-09-04	—
Ecuador / <i>Equateur</i>	—	26-11-97	01-07-98	—
El Salvador	—	16-07-99	01-01-00	D: Art. 16
Finland / <i>Finlande</i>	01-12-95	14-06-99	01-12-99	D: Arts. 13(3), 16
France	24-06-95	—	—	—
Gabon	—	12-05-04	01-11-04	—
Georgia / <i>Géorgie</i>	27-06-95	—	—	—
Greece / <i>Grèce</i>	—	19-07-07	01-01-08	D: Art. 16
Guinea / <i>Guinée</i>	24-06-95	—	—	—
Guatemala	—	03-09-03	01-03-04	D: Arts. 3(5), 16
Hungary / <i>Hongrie</i>	24-06-95	08-05-98	01-11-98	D: Arts. 3(5), 16

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Iran (Islamic Rep. of) / Iran (Rép. islamique d')	-	22-06-05	01-12-05	D: Art. 16
Italy / Italie	24-06-95	11-10-99	01-04-00	D: Arts. 13(3), 16
Lithuania / Lituanie	24-06-95	04-04-97	01-07-98	D: Art. 16
Netherlands / Pays-Bas	28-06-96	-	-	D: Arts. 3(5), 13(3)
New Zealand / Nouvelle-Zélande	-	16-11-06	01-05-07	D: Art. 16
Nigeria / Nigéria	-	10-12-05	01-06-06	-
Norway / Norvège	-	28-08-01	01-03-02	D: Arts. 13(3), 14, 16
Pakistan	27-06-96	-	-	-
Paraguay	13-06-96	27-05-97	01-07-98	D: Art. 16
Peru / Pérou	28-06-96	05-03-98	01-09-98	D: Art. 16
Portugal	23-04-96	19-07-02	01-01-03	D: Art. 16
Romania / Roumanie	27-06-96	21-01-98	01-07-98	D: Art. 16
Russian Fed. / Féd. de Russie	29-06-96	-	-	-
Senegal / Sénégal	29-06-96	-	-	-
Slovakia / Slovaquie	-	16-06-03	01-12-03	D: Art. 16
Slovenia / Slovénie	-	08-04-04	01-10-04	D: Art. 16
Spain / Espagne	-	21-05-02	01-11-02	D: Arts. 3 (5),13(3), 16
Switzerland / Suisse	26-06-96	-	-	-
Zambia / Zambie	24-06-95	-	-	-

**CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT  
CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES  
PORTANT SUR DES MATERIELS D'EQUIPEMENT MOBILES**

**Adoption:** Place: Cape Town / Lieu: Le Cap  
Date: 16-11-2001

**Entry into force:** Yes / Oui ≈ Date: 01-04-2004

**Entrée en vigueur:** Conditions: 3 ratifications but only as regards a category of objects to which a Protocol applies / mais seulement à l'égard d'une catégorie de biens à laquelle un Protocole s'applique (Art. 49(1))

**Depositary / Dépositaire:** UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES
Afghanistan	-	25-07-06	01-11-06	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Albania/ Albanie	-	30-10-07	01-02-08	D: Arts. 39(1)(a)-(b), 54(2)
Angola	-	30-04-06	01-08-06	D: Arts. 39(1)(a), 40, 54(2)
Bangladesh	-	15-12-08	01-04-09	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Burundi	16-11-01	-	-	-
Canada	31-03-04	-	-	-
Cape Verde / Cap Vert	-	29-09-07	01-01-08	D: Arts. 39(1)(a), 40, 53, 54(2)
Chile / Chili	16-11-01	-	-	-
China / Chine	16-11-01	-	-	-
Colombia / Colombie	-	19-02-07	01-06-07	D: Arts. 39(1)(a), 54(2)
Congo	16-11-01	-	-	-
Cuba	16-11-01	-	-	-
Ethiopia / Ethiopie	16-11-01	21-11-03	01-04-04	D: Arts. 39(1)(a), 40, 54(2)
France	16-11-01	-	-	-
Germany / Allemagne	16-11-01	-	-	D
Ghana	16-11-01	-	-	-
India / Inde	-	31-03-08	01-07-08	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Indonesia / Indonésie	-	16-03-07	01-07-07	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Ireland / Irlande	-	29-07-05	01-11-05	D: Arts. 39(1)(a)-(b), 54(2)
Italy / Italie	06-12-01	-	-	-
Jamaica / Jamaïque	16-11-01	-	-	-
Jordan / Jordanie	16-11-01	-	-	-
Kenya	16-11-01	13-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Lesotho	16-11-01	-	-	-
Luxembourg	-	27-06-08	01-10-08	D: Arts. 53, 54(2)
Malaysia / Malaisie	-	02-11-05	01-03-06	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. OU RESERVES
Mexico / Mexique	-	31-07-07	01-11-07	D: Arts. 39(1)(a)-(b), 50, 53, 54(2), 60
Mongolia / Mongolie	-	19-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 53, 54(2)
Nigeria / Nigéria	16-11-01	16-12-03	01-04-04	D: Arts. 39(1)(a) <sup>+</sup> , 40 <sup>+</sup> , 53 <sup>+</sup> , 54(2)
Oman	-	21-03-05	01-07-05	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Pakistan	-	22-01-04	01-05-04	D: Arts. 39(1)(a)-(b), 39(4), 40, 52, 53, 54(2)
Panama	11-09-02	28-07-03	01-04-04	D: Arts. 39(1)(a)-(b), 39(4), 50, 53, 54(2)
Saudi Arabia / Arabie saoudite	12-03-03	27-06-08	01-10-08	D: Art. 54(2)
Senegal / Sénégal	02-04-02	09-01-06	01-05-06	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
South Africa / Afrique du sud	16-11-01	18-01-07	01-05-07	D: Arts. 39(1)(a)-(b), 40, 54(2)
Sudan / Soudan	16-11-01	-	-	-
Switzerland / Suisse	16-11-01 (ad ref.)	-	-	-
Syrian Arab Republic / République arabe syrienne	-	07-08-07	01-12-07	-
Tanzania / Tanzanie	16-11-01	-	-	-
Tonga	16-11-01	-	-	-
Turkey / Turquie	16-11-01	-	-	-
Ukraine	09-03-04	-	-	-
United Arab Emirates / Emirats arabes unis	-	29-04-08	01-08-08	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
United Kingdom / Royaume-Uni	16-11-01	-	-	D
United States of America / Etats-Unis d'Amérique	09-05-03	28-10-04	01-02-05	D: Arts. 39(1)(a)-(b), 54(2)
Zimbabwe	-	13-05-08	01-09-08 **	-

\* Affected by withdrawal and/or subsequent declaration / Fait l'objet d'un retrait ou d'une déclaration subséquente.

\*\* Subject to Article 49(1) / Sous réserve de l'article 49(1).

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT  
ON MATTERS SPECIFIC TO AIRCRAFT EQUIPMENT**

**PROTOCOLE PORTANT SUR LES QUESTIONS SPECIFIQUES AUX MATERIELS D'EQUIPEMENT  
AERONAUTIQUES A LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES  
PORTANT SUR DES MATERIELS D'EQUIPEMENT MOBILES**

**Adoption:** Place: Cape Town / Lieu: Le Cap  
Date: 16-11-2001

**Entry into force:** Yes / Oui ≈ Date: 01-03-2006

**Entrée en vigueur:** Conditions: 8 ratifications (Art. XXVIII(1))

**Depositary / Dépositaire:** UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. OU RESERVES
Afghanistan	-	25-07-06	01-11-06	D: Arts. XXIX, XXX(1), (2), (3)
Albania/ Albanie	-	30-10-07	01-02-08	D: Arts. XIX, XXX(1)
Angola	-	30-04-06	01-08-06	D: Art. XXX(1), (2), (3)
Bangladesh	-	15-12-08	01-04-09	D: Arts. XXIX, XXX(1), (2), (3)
Burundi	16-11-01	-	-	-
Canada	31-03-04	-	-	-
Cape Verde / Cap-Vert	-	26-09-07	01-01-08	D: Art. XXX(1), (2), (3)
Chile / Chili	16-11-01	-	-	-
China / Chine	16-11-01	-	-	-
Colombia / Colombie	-	19-02-07	01-06-07	D: Art. XXX(1), (2), (3)
Congo	16-11-01	-	-	-
Cuba	16-11-01	-	-	-
Ethiopia / Ethiopie	16-11-01	21-11-03	01-03-06	D: Art. XXX(1), (2), (3)
France	16-11-01	-	-	-
Germany / Allemagne	16-11-01	-	-	D
Ghana	16-11-01	-	-	-

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India / <i>Inde</i>	-	31-03-08	01-07-08	D: Art. XXX(1), (2), (3)
Indonesia / <i>Indonésie</i>	-	16-03-07	01-07-07	D: Art. XXX(1), (2), (3)
Ireland / <i>Irlande</i>	-	23-08-05	01-03-06	D: Art. XXX(1), (2)
Italy / <i>Italie</i>	06-12-01	-	-	-
Jamaica / <i>Jamaïque</i>	16-11-01	-	-	-
Jordan / <i>Jordanie</i>	16-11-01	-	-	-
Kenya	16-11-01	13-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Lesotho	16-11-01	-	-	-
Luxembourg	-	27-06-08	01-10-08	D: Art. XXX(1), (2), (3)
Malaysia / <i>Malaisie</i>	-	02-11-05	01-03-06	D: Art. XXX(1), (2), (3) <sup>+</sup>
Mexico / <i>Mexique</i>	-	31-07-07	01-11-07	D: Arts. XIX(1), XXX(1), (3)
Mongolia / <i>Mongolie</i>	-	19-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Nigeria	16-11-01	16-12-03	01-03-06	D: Art. XXX(1) <sup>+</sup> , (2) <sup>+</sup> , (3) <sup>+</sup>
Oman	-	21-03-05	01-03-06	D: Arts. XXIX, XXX(1), (2), (3)
Pakistan	-	22-01-04	01-03-06	D: Arts. XXIX, XXX(1), (2), (3)
Panama	11-09-02	28-07-03	01-03-06	D: Art. XXX(1), (2), (3)
Saudi Arabia / <i>Arabie saoudite</i>	12-03-03	27-06-08	01-10-08-	-
Senegal / <i>Sénégal</i>	02-04-02	09-01-06	01-05-06	D: Arts. XXIX, XXX(1), (2), (3)
South Africa / <i>Afrique du sud</i>	16-11-01	18-01-07	01-05-07	D: Art. XXX(1), (2), (3)
Sudan / <i>Soudan</i>	16-11-01	-	-	-
Switzerland / <i>Suisse</i>	16-11-01 ( <i>ad ref.</i> )	-	-	-
Tanzania / <i>Tanzanie</i>	16-11-01	-	-	-
Tonga	16-11-01	-	-	-
Turkey / <i>Turquie</i>	16-11-01	-	-	-
Ukraine	03-03-04	-	-	-
United Arab Emirates / <i>Emirats arabes unis</i>	-	29-04-08	01-08-08	D: Arts. XIX, XXIX, XXX(1),(2),(3)
United Kingdom / <i>Royaume-Uni</i>	16-11-01	-	-	D
United States of America / <i>Etats-Unis d'Amérique</i>	09-05-03	28-10-04	01-03-06	D: Arts. XIX(1), XXX(1)

\* Affected by withdrawal and/or subsequent declaration / *Fait l'objet d'un retrait ou d'une déclaration subséquente.*

**LUXEMBOURG PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ON MATTERS SPECIFIC TO RAILWAY ROLLING STOCK**

**PROTOCOLE DE LUXEMBOURG PORTANT SUR LES QUESTIONS SPECIFIQUES AU MATERIEL ROULANT FERROVIAIRE A LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES PORTANT SUR DES MATERIELS D'EQUIPEMENT MOBILES**

**Adoption:** Place / *Lieu*: Luxembourg  
Date: 23-02-2007

**Entry into force:** No / *Non*  
**Entrée en vigueur:** Conditions: 4 ratifications (Art. XXIII(1))

**Depositary / Dépositaire:** UNIDROIT

STATE / <i>ETAT</i>	SIGNATURE	RATIFICATION / ACCESS. / <i>ADHES.</i>	ENTRY INTO FORCE / <i>ENTREE EN VIGUEUR</i>	DECL. OR RESERV. / <i>DECL. OU RESERVES</i>
Gabon	23-02-07	-	-	-
Italy / <i>Italie</i>	23-02-07	-	-	-
Luxembourg	23-02-07	-	-	-
Switzerland / <i>Suisse</i>	23-02-07	-	-	-

## ANNEXE III

**IMPLEMENTATION OF INSTRUMENTS BASED ON  
WORK CONDUCTED WITHIN UNIDROIT <sup>(\*)</sup>**

**A. INTERNATIONAL INSTRUMENTS IN FORCE ADOPTED UNDER THE AUSPICES OF OTHER ORGANISATIONS AND BASED ON UNIDROIT DRAFTS OR CONVENTIONS**

1. **Convention on the Contract for the International Carriage of Goods by Road (CMR)**, adopted in Geneva in 1956 under the auspices of the Economic Commission for Europe of the United Nations. The Convention, which entered into force in 1961, is based on the draft Convention on the Contract for the International Carriage of Goods by Road (CMR) which was transmitted by UNIDROIT to the Economic Commission for Europe of the United Nations in 1952.

*Contracting States:* Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Ireland, Italy, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mongolia, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom and Uzbekistan.

2. **UNESCO Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict**, which entered into force in 1956. The Convention is based on the draft UNIDROIT completed in 1951.

*Contracting States:* Albania, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Rep. of), Iraq, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Yemen and Zimbabwe.

3. **International Convention of 1961 for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations**, adopted under the auspices of ILO, UNESCO and WIPO and which entered into force in 1964. The Convention is very largely based on the preliminary draft Convention for the Protection of Interpreting and Performing Artists, as well as of Manufacturers of Phonographic Records and other phonograms and on the preliminary draft Convention for the Protection of Radio Broadcasts.

*Contracting States:* Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Barbados, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mexico, Moldova, Monaco, Montenegro, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, St. Lucia, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the Former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Venezuela and Viet Nam.

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(\*) Based on information available to the Secretariat as of 31 December 2008.

4. **Hague Convention of 1958 concerning the Recognition and Enforcement of Decisions relating to Maintenance Obligations towards Children**, which entered into force in 1962. This Convention was prepared on the basis of the draft Convention on the Recognition and Enforcement abroad of Maintenance Obligations, a first draft of which had been drawn up by UNIDROIT in 1938 and work on which was completed in 1949 when it was transmitted to the Department for Social Affairs of the United Nations. After being revised by a United Nations committee of experts, the draft was recommended to States under a Resolution of the Economic and Social Council at its XVIIth session for use as a model in the drawing up of bilateral conventions or uniform laws for separate adoption by each State.

*Contracting States:* Austria, Belgium, China (for the Special Administrative Region of Macao only), Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Liechtenstein, Netherlands, Norway, Portugal, Slovakia, Spain, Suriname, Sweden, Switzerland and Turkey.

5. **European Convention of 1962 on the Liability of Hotel-keepers concerning the Property of their Guests**, adopted under the auspices of the Council of Europe and which entered into force in 1967. The Convention is based on the draft uniform law on the hotelkeeper's liability for damage to or destruction or theft of his guests' property, the drafting of which was completed by UNIDROIT in 1934.

*Contracting States:* Belgium, Bosnia and Herzegovina, Croatia, Cyprus, France, Germany, Ireland, Italy, Lithuania, Luxembourg, Malta, Montenegro, Poland, Serbia, Slovenia, the former Yugoslav Republic of Macedonia and United Kingdom.

6. **Benelux Treaty of 1955 on Compulsory Insurance against Civil Liability in respect of Motor Vehicles**

*and*

**European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles**, adopted in 1959 under the auspices of the Council of Europe, which entered into force in 1969. These two instruments are based on the draft uniform rules on the compulsory insurance of motorists, the drafting of which was completed by UNIDROIT in 1937.

*Contracting States to the 1959 Convention:* Austria, Denmark, Germany, Greece, Norway, Sweden and Turkey.

7. **European Convention on Establishment of 1955**, adopted under the auspices of the Council of Europe and which entered into force in 1965. The Convention is based on the draft Convention on the reciprocal treatment of nationals as between member States of the Council of Europe, the drafting of which was completed by UNIDROIT in 1951.

*Contracting States:* Belgium, Denmark, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Turkey and United Kingdom.

8. **Protocol No. 1 concerning the Rights in rem in Inland Navigation Vessels** annexed to the 1965 Convention on the Registration of Inland Navigation Vessels which was adopted under the auspices of the Economic Commission for Europe of the United Nations and to which Austria, Croatia, France, Luxembourg, Netherlands, Switzerland and Yugoslavia are Contracting Parties. The Protocol is based on the draft Convention concerning rights in rem in boats in inland navigation, the drafting of which was completed by UNIDROIT in 1960. The Convention and Protocol No. 1 entered into force in 1982.

*The Contracting States to Protocol No. 1* are Austria, Belarus, Croatia, France, Luxembourg, Montenegro, Netherlands, Serbia and Switzerland.

9. **Protocol No. 2 concerning Attachment and Forced Sale of Inland Navigation Vessels** annexed to the 1965 Convention on the Registration of Inland Navigation Vessels, adopted under the auspices of the Economic Commission for Europe of the United Nations. The Protocol is based on the draft Protocol on attachment and forced sale of inland navigation vessels, the drafting of which was completed by UNIDROIT in 1962. Protocol No. 2 entered into force in 1982.

*The Contracting States to Protocol No. 2* are Austria, Belarus, Croatia, France, Luxembourg, Montenegro and Serbia.

10. **United Nations Convention on Contracts for the International Sale of Goods**, adopted at Vienna in 1980 and which entered into force in 1988. This Convention is based on the Convention relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods



(ULFIS) and the Convention relating to a Uniform Law on the International Sale of Goods (ULIS), adopted at The Hague at a diplomatic Conference in 1964 (Sections A 1 and 2 above).

*Contracting States:* Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Honduras, Hungary, Iceland, Iraq, Israel, Italy, Japan, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Luxembourg, Mauritania, Mexico, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Singapore, Slovakia, Slovenia, Spain, St. Vincent and the Grenadines, Sweden, Switzerland, Syrian Arab Republic, the Former Yugoslav Republic of Macedonia, Uganda, Ukraine, United States of America, Uruguay, Uzbekistan and Zambia.

11. **Convention on the Contract for the International Carriage of Passengers and Luggage by Road (CVR)**, adopted in Geneva in 1973 under the auspices of the Economic Commission for Europe of the United Nations. The Convention is based on the draft Convention on the Contract for the International Carriage of Passengers and Luggage by Road (CVR), the drafting of which was completed by UNIDROIT in 1969. The Convention entered into force in 1994.

*Contracting States:* Bosnia and Herzegovina, Croatia, Czech Republic, Latvia, Montenegro, Serbia, Slovakia and Ukraine.

**B. INTERNATIONAL INSTRUMENTS NOT YET IN FORCE ADOPTED UNDER THE AUSPICES OF OTHER ORGANISATIONS AND BASED ON UNIDROIT DRAFTS**

1. **Convention relating to the Limitation of the Liability of Owners of Inland Navigation Vessels (CLN)**, adopted in Geneva in 1973 under the auspices of the Economic Commission for Europe of the United Nations. The Convention is based on the draft Convention relating to the Limitation of the Liability of Owners of Inland Navigation Vessels (CLN), the drafting of which was completed by UNIDROIT in 1970. The Russian Federation is the sole Contracting State.
2. **Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN)**, adopted in Geneva in 1976 under the auspices of the Economic Commission for Europe of the United Nations. The Convention is based on the draft Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN), the drafting of which was completed by UNIDROIT in 1972. The Russian Federation is the sole Contracting State.
3. **European rules for investment funds**, which were in 1972 recommended by the Committee of Ministers of the Council of Europe as a model law for the member States of the Council of Europe. The rules are based on the preliminary draft model law on investment funds, UNIDROIT's drawing up of which was completed in 1969.
4. **European Convention providing a Uniform Law on Arbitration**, adopted in 1966 under the auspices of the Council of Europe. The Convention is based on the preliminary draft uniform law on arbitration in private law matters in international relations, UNIDROIT's drawing up of which was completed in 1954. Belgium is the sole Contracting State.
5. **European Convention of 1973 on Civil Liability for Damage caused by Motor Vehicles**, adopted under the auspices of the Council of Europe. The Convention is based on the draft of a uniform law on the civil liability of motorists, UNIDROIT's drawing up of which was completed in 1938.
6. **United Nations Convention on International Multimodal Transport of Goods**, adopted in Geneva in 1980. The origin of the Convention is to be found in the draft Convention on Contracts for the Combined International Carriage of Goods, UNIDROIT's drawing up of which was completed in 1965. The UNIDROIT draft also provided one of the bases for the draft Convention on the International Combined Carriage of Goods (TCM), drawn up at a round table convened by UNIDROIT at the request of the Economic Commission for Europe of the United Nations in 1969 and 1970, which was itself revised at meetings convened jointly by the Intergovernmental Maritime Consultative Organisation (IMCO) and the Economic Commission for Europe of the United Nations. The Contracting States are: Burundi, Chile, Georgia, Lebanon, Liberia, Malawi, Mexico, Morocco, Rwanda, Senegal and Zambia.

7. **Convention on Civil Liability for Damage caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels (CRTD)**, adopted in Geneva in 1989 under the auspices of the Economic Commission for Europe of the United Nations. The Convention is based on the draft articles for a Convention on civil liability for damage caused during carriage of dangerous goods by road, rail and inland navigation vessels, UNIDROIT's drawing up of which was completed in 1986. Liberia is the sole Contracting State.
  8. **United Nations Convention on the Liability of Operators of Transport Terminals in International Trade**, adopted in Vienna in April 1991. The Convention is based on the preliminary draft Convention on Operators of Transport Terminals, UNIDROIT's work on which was completed in 1983. The Contracting States are: Egypt, Gabon, Georgia and Paraguay.
  9. **Additional Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR) concerning the electronic consignment note (e-CMR)**, adopted in Geneva in 2008. The Additional Protocol is based on a joint proposal submitted by UNIDROIT and UNCITRAL.
- C. EUROPEAN COMMUNITY DIRECTIVE BASED ON A PRELIMINARY DRAFT UNIDROIT CONVENTION**
- Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State.**
- D. UNIFORM RULES PUBLISHED BY THE INTERNATIONAL CHAMBER OF COMMERCE AND BASED ON A DRAFT UNIDROIT CONVENTION**
- Uniform Rules for a Multimodal Transport Document** first published by the International Chamber of Commerce in 1973 and subsequently revised. The origin of the Rules is the same as that of the United Nations Convention on International Multimodal Transport of Goods (see above Section C. 6.).
- E. INTERNATIONAL INSTRUMENTS BASED ON PRELIMINARY STUDIES PREPARED BY UNIDROIT**
1. **European Convention on Products Liability in regard to Personal Injury and Death of 27 January 1977.**  
No State is a Party to this Convention.
  2. **Resolution (78)3 on Penalty Clauses in Civil Law** adopted by the Committee of Ministers of the Council of Europe on 20 January 1978.

**ANNEXE IV**

**DEPOSITORY LIBRARIES FOR UNIDROIT DOCUMENTATION**

- Argentina: Corte Suprema de Justicia de la Nación, Secretaría de Investigación de Derecho comparado  
<<http://www.csjn.gov.ar>>
- Australia: National Library of Australia <<http://www.nla.gov.au/>>
- Austria: Universität Wien, Universitäts Bibliothek, Fachbereichsbibliothek Rechtswissenschaften  
<<http://www.ub.univie.ac.at/fb-rewi/>> (replacing the Österreichische Nationalbibliothek)
- Belgium: Ministry of Justice <<http://www.just.fgov.be/>>
- Bolivia: Biblioteca Central de la Cancillería de la República <<http://www.rree.gov.bo>>
- Brazil: Serviço de Biblioteca e documentação - SBD, Universidad de São Paulo, Faculdade de Direito  
<<http://143.107.2.22/fdusp/biblioteca.htm>>
- Bulgaria: Bulgarian National Library "St. Cyril and St. Methodius" <<http://www.nationallibrary.bg/>>
- Canada : Nahum Gelber Law Library, McGill University <<http://www.mcgill.ca/law-library/>>; University of British Columbia Law Library <<http://www.library.ubc.ca/law/>>
- Chile: Diplomatic Academy <<http://www.minrel.gov.cl/webMinRel/home.do?sitio=1>>
- China: Ministry of Trade (MOFCOM) <<http://english.mofcom.gov.cn/>>
- Colombia: Biblioteca Luis Angel Arango <<http://www.lablaa.org>>
- Czech Republic: Library of the International Law Department, Ministry of Industry and Trade  
<<http://www.mpo.cz>>
- Egypt: Documentation Center, General Directorate of International and Cultural Co-operation, Ministry of Justice, Cairo
- Estonia: National Library of Estonia <<http://www.nlib.ee/>>
- Finland: Eduskunnan Kurjasto <<http://www.eduskunta.fi/kirjasto/>>
- France: Bibliothèque Inter-universitaire Cujas <<http://www-cujas.univ-paris1.fr>>
- Germany: Staatsbibliothek zu Berlin, Abteilung Amtsdrukschriften und Internationaler Amtlicher Schriftentausch <<http://staatsbibliothek-berlin.de/>>
- Greece: Library of the Hellenic Institute of International and Foreign Law, Athens
- Holy See: Biblioteca della Facoltà di Giurisprudenza, Libera Università Maria Ss. Assunta, Rome  
<<http://www.lumsa.it/Lumsa/>>
- Hungary: Library of the Hungarian Parliament <<http://www.ogyk.hu>>
- India: Library of the Indian Society of International Law <<http://www.isil-aca.org/library.htm>>
- Ireland: National Library of Ireland <<http://www.nli.ie/>>
- Latvia: Department of European and International Law, Ministry of Justice of the Republic of Latvia  
<<http://www.tm.gov.lv/lv/>>
- Luxembourg: Bibliothèque Nationale <<http://www.bnl.lu/>>; University of Luxembourg  
<[http://www.uni.lu/l\\_universite/bibliotheque](http://www.uni.lu/l_universite/bibliotheque)>
- Malta: Library Services, University of Malta <<http://www.lib.um.edu.mt/>>
- Mexico: Instituto de Investigaciones Jurídicas, Universidad Nacional Autónoma de México  
<<http://www.unam.mx>>; Academia Mexicana de Derecho Internacional Privado y Comparado, México City; Biblioteca Loyola, Universidad Iberoamericana Tijuana  
<<http://www.loyola.tij.uia.mx>>
- Netherlands: Library of the Ministry of Justice, The Hague <<http://www.minjus.nl/>>
- Norway: Det juridiske fakultetsbibliotek, Universiteitsbiblioteket i Oslo <<http://www.ub.uio.no/ujur/>>
- People's Republic of China: Ministry of Commerce (MOFCOM) <<http://english.mofcom.gov.cn/>>
- Poland: Sejm Library <<http://bib.sejm.gov.pl>>

- Portugal: Serviço de Biblioteca e Documentação Diplomática do Ministério dos Negócios Estrangeiros - Instituto Diplomático <<http://www.min-NESTRANGEIROS.pt/mne/>>; Gabinete de Documentação e Direito Comparado, Procuradoria Geral da República <<http://www.gddc.pt/>>
- Republic of Korea: Library of the Institute for Foreign Affairs and National Security (IFANS), Seoul
- Romania: Biblioteca Nationala <<http://www.bibnat.ro/>>
- Russian Federation: Library of the Russian Academy of Foreign Trade <<http://eng.vavt.ru/>>
- Slovak Republic: Právnická fakulta Trnavskej Univerzity <<http://www.truni.sk/>>
- Slovenia: Library of the Faculty of Law, University of Maribor <<http://www.pf.uni-mb.si/knjiznica/>>
- South Africa: Library of the Department of Justice, Directorate: Internal Affairs, Pretoria
- Spain: Universidad San Pablo CEU <<http://www.ceu.es>>
- Sweden: Library of the Swedish Parliament <<http://www.riksdagen.se/>>
- Switzerland: Library of the Swiss Institute of Comparative Law <<http://isdc.ch>>
- Turkey: Library, Banca ve Ticaret Hukuku Arastirma Enstitüsü, Hukuk Fakültesi, Ankara <<http://bthae.ankara.edu.tr/>>
- United Kingdom: Library of the Institute of Advanced Legal Studies <<http://ials.sas.ac.uk/>>
- United States of America: Arthur W. Diamond Law Library Columbia University in the City of New York <<http://www.law.columbia.edu/library/>>; Underwood Law Library, Dedman School of Law, Southern Methodist University <<http://library.law.smu.edu/>>
- Uruguay: Facultad de Derecho de la Universidad de la República <<http://www.fder.edu.uy/biblioteca/Biblioteca.htm>>