



UNIDROIT RESEARCH SCHOLARSHIP PROGRAMME

Implementation Report for 2018 *



I – Background

The UNIDROIT Research Scholarship Programme bridges two concerns that are closely connected to the core activity of UNIDROIT: 1 - furthering the general objectives of UNIDROIT, *i.e.* harmonising and modernising private law, with a particular attention to developing countries and countries in economic transition; and 2 - promoting legal research in a Library which is renowned for its holdings relating to private international law and located at the seat of a pioneering organisation in the field of private law harmonisation.

The Programme was launched in 1993 and, since its beginning, has hosted 380 researchers (civil servants, academics, judges and practitioners) from 64 countries. In addition to the advantages for the beneficiaries and the legal community in their countries of origin, the Programme also has important institutional effects, in that it opens doors for UNIDROIT to new contacts, often at the highest level, both in its member States and in non-member States. This improves the exchange of information between the Institute and the legal community in these countries and increases UNIDROIT's opportunities to publicise its activities.

The scholarship programme provides beneficiaries with the opportunity to carry out research in the library. Assistance is provided by UNIDROIT staff in the form of logistic support, bibliographical guidance and, depending on the particular research project, the organisation of exchange meetings with staff members. In addition, whenever possible, researchers have the opportunity to attend the meetings organised at UNIDROIT as guests. However, UNIDROIT does not provide academic supervision as such. A certificate is issued at the end of the research period.

* UNIDROIT 2018 - Study LXV/Scholarships – Impl. 29

II – Financial resources for the Programme in 2018

According to the General Assembly's decision at its 2012 session, the Scholarship Programme has relied entirely on voluntary contributions since 2014.

The sources of funding of the Programme in 2017 are as follows:

- ❖ The Scholarship general fund (carry over from 2017 and grant from Members of the Governing Council on a personal basis)
- ❖ Transnational Law & Business University (TLBU) (carry over from 2017)
- ❖ The UNIDROIT Foundation (carry over from 2017 and grant received in 2018)
- ❖ The Ministry of Commerce of the People's Republic of China (carry over from 2017 and grant received in 2018)

A table reporting the amounts received and how they have been spent can be found in Annex I. Annex II notes the Treasurer's Conclusions, which certify the financial report of the Scholarship Programme in 2018.

III – Objectives and selection procedure

The Programme is publicised on the UNIDROIT Internet webpage, and by the Secretariat also among member and non-member States, Governing Council members and correspondents, as well as academic institutions in targeted countries. Academic institutions that have a cooperation agreement with UNIDROIT are welcome to present candidates. Beneficiaries are selected under the guidance of the Secretary-General based upon any requirements set by donors, and according to the main following criteria/considerations:

- (a) the subject matter and the presentation of the research project, in particular its connection with UNIDROIT past or present activities (subjects on the current Work Programme, or adopted instruments, and in general dealing with private law in the broadest sense);
- (b) the potential application of the undertaken research in promoting legislation, academic dissemination, judicial application;
- (c) the profile of the candidate based on his/her academic and professional qualifications, the references provided to take best advantage of the scholarship opportunity
- (d) additional considerations include the objective of achieving the widest possible geographical distribution as far as the beneficiaries' countries of origin are concerned (bearing in mind the aim of hosting scholars both from member States to enhance their participation in the Institute's activity and from non-member States to build networks to disseminate UNIDROIT'S work)

Funding received from donors is exclusively allocated to scholars to support local expenses in Rome (accommodation and local expenses). Other expenses related to the management of the programme (staff and library documentary resources) rely upon the UNIDROIT general budget. Candidates admitted as invited scholars receive either a full scholarship or – most often - a partial scholarship when – as they are encouraged to do so - they can rely on personal funding or complementary sponsorship from their institution of origin, or other third party donor. The Secretariat devotes particular attention to ensuring that financial resources are used as efficiently as possible.

Although candidates are welcome to apply on an individual basis, cooperation agreements are in place for joint scholarships with a number of academic institutions. Cooperation agreements generally provide for a competitive selection procedure within the partner institution, and may imply shared expenses or full coverage by the partner institution.

Cooperation agreements have been implemented with: Universidad Argentina de la Empresa (UADE) (Argentina); Universidad de los Andes, Universidad de Talca and Pontificia Universidad Católica de Valparaíso (Chile); University of International Business and Economics, Beijing and Zhongnan University of Economics and Law (ZUEL), Wuhan (PR China); Universidad Externado (Colombia); Cairo University Faculty of Law and the Egyptian State Council (Egypt); Islamic Azad University – Science and Research Branch, Tehran (Iran); TLBU Graduate School of Law (Republic of Korea); Nagoya University (Japan); Babes Bolyai University (Romania); University of Johannesburg (South Africa); University of Oxford - Faculty of Law - Commercial Law Centre at Harris Manchester College (United Kingdom); Loyola University Chicago (USA/Italy),

In 2018, the Programme hosted 10 scholars from 7 countries (see the list in Annex III).

The beneficiaries' summary research reports in 2018 are available in a related document available in electronic format only and accessible through this [link](#). Although very diverse, the Secretariat believes that they bear witness to the benefits deriving from the research opportunity. One ought to bear in mind that these reports are of a descriptive, non-scientific nature, and that the academic results are in the form of articles, theses, books, teaching material etc. In most cases, the candidates have helped forge or strengthen co-operation networks with universities and research centres, and generally contribute to the promotion of UNIDROIT instruments worldwide.

IV – Perspectives

The Secretariat recalls that this Programme has proven to be an efficient means of underpinning the Organisation's harmonisation work and should be seen as forming an integral part of the Institute's mission.

The Secretariat expresses its gratitude to all donors in 2018 and hope that they will wish to renew their financial commitment, and that new donors may join them, so as to maintain the scheme's financial potential and enable a satisfactory number of candidates to be presented and accepted into the Programme.

(end of text - 3 annexes attached)

UNIDROIT RESEARCH SCHOLARSHIP PROGRAMME 2018

(Amounts are expressed in Euros)

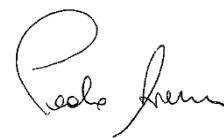
Sponsors	Funding in 2018	Allocation 2018	Grants allocated to scholars
Scholarship General Fund			
Carry over 2017	3.405,73	Ms KLUCZNIK Hanna (Poland)	1.200,00
Transnational Law and Business University (TLBU), Seoul, carry over 2017	2.547,64	Ms CASTRO PINZON Adriana (Colombia)	1.500,00
Grant UNIDROIT Governing Council Members (May 2018)	4.156,00	Ms JAGIELSKA-BURDUK (Poland)	1.200,00
Total funding at Dec. 2018	10.109,37	Total expenditure in 2018	3.900,00
		Available for 2019	6.209,37
UNIDROIT Foundation			
Carry-over 2017	4.871,53	Mr DESCHAMPS Maël (France)	1.000,00
Grant 2018 (20 April 2018)	3.600,00	Ms MARYATMO Olivia N. (Indonesia)	1.500,00
		Ms PEREIRA DE ANDRADE Priscilla (Brazil)	1.500,00
		Ms BOCHAROVA Natalia (Russia)	1.200,00
Total funding at Dec. 2018	8.471,53	Total expenditure in 2018	5.200,00
		Available for 2019	3.271,53
		Total funding available for 2019	9.480,90
MOFCOM PR China			
Carry-over 2017	36.600,00	Ms ZHANG Wanlu (PRC)	1.200,00
Grant 2018 (13 July 2018)	20.000,00	Mr DIAO Weimin (PRC)	4.000,00
		Ms GUO Yu (PRC) (<i>in 2018</i>)	3.625,95
Total funding at Dec. 2018	56.600,00	Total expenditure in 2018	8.825,95
		Available for 2019	47.774,05

ANNEX II**CONCLUSIONS**

The Treasurer:

- having found that the receipts and payments recorded in the table in Annex I are in conformity with the supporting vouchers and that they correspond with the balance held in the Institute's bank account with the UNICREDIT Banca di Roma, that is to say EURO account n° 000400757613, relating to the Institute's dedicated bank account for the UNIDROIT Scholarship Programme.
- expresses the opinion that the financial report for the Programme in 2018 may be approved.

Rome, 10 January 2019



Paolo Aversa
Treasurer

ANNEX III

UNIDROIT SCHOLARSHIPS PROGRAMME

Scholars selected under the Programme for 2018

1.	Ms MARYATMO Olivia Natasha	Indonesia	Bachelor of Laws, Universitas Gadjah Mada, Yogyakarta	UNIDROIT Foundation	The legality of customary land as an object of agricultural land Contract in Indonesia (5 January to 16 March 2018)
2.	Mr DESCHAMPS Mael	France	Master Candidate, Sciences Po, Paris	UNIDROIT Foundation	Agricultural land investment contracts (8 January to 30 March 2018)
3.	Ms ZHANG Wanlu	PRC	PhD Candidate, International Institute of Air and Space Law, Leiden University	Ministry of Commerce of the People's Republic of China (MOFCOM)	The Principal Effect of Ratification of the MAC Protocol on China: Benefits and Legal Challenges (8 January to 30 March 2018)
4.	Ms Priscila PEREIRA DE ANDRADE	Brasil	PhD, Université Paris 1 Pantheon-Sorbonne	UNIDROIT Foundation	New trends in Agricultural Investment Land Contracts: the contribution of UNIDROIT to the implementation of environmental protection clauses (5 February - 27 April 2018)
5.	Ms Hanna KLUCZNIK	Poland	PhD Candidate, University of Silesia in Katowice	UNIDROIT Scholarship General Fund	International instruments of securing the interest of the creditor (9 April to 18 May 2018)
6.	Ms BOCHAROVA Nataliya	Russian Federation	PhD, Associate Professor, Moscow State University	UNIDROIT Foundation	The doctrine of res judicata before foreign courts and international arbitral tribunals (14 May to 22 June 2018)
7.	Ms CASTRO PINZON Adriana	Colombia	PhD Candidate, Universidad Externado de Colombia	UNIDROIT Scholarship General Fund	Uniform conflict of laws rules for transnational electronic commerce activities as the tool to overcome tension with public policy (order public) (22 May to 20 July 2018)

8.	Mr DIAO Weimin	PRC	Professor, Deputy Director of Civil Aviation Law Research Center, Beijing	Ministry of Commerce of the People's Republic of China (MOFCOM)	Application of the Cape Town Convention and improvement of the Chinese Law on Aircraft Leasing (10 September to 10 December 2018)
9.	Ms JAGIELSKA-BURDUK Alicja	Poland	PhD, Assistant Professor, University of Opole	UNIDROIT Scholarship General Fund	Special Status of Cultural Goods in International Trade and Commercial Law (8 October to 7 December 2018)
10.	Ms GUO Yu	PRC	PhD, Associate Professor, Law School, Beijing University	Ministry of Commerce of the People's Republic of China (MOFCOM)	Legal Structure for Electronic Delivery in International Trade (19 November 2018 - 15 February 2019)