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Item No. 6 on the Agenda : ALI/UNIDROIT Principles of Transnational Civil Procedure

(memorandum prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Publication of the ALI/UNIDROIT Principles of Transnational Civil Procedure</i>
<i>Action to be taken</i>	<i>None</i>
<i>Related document</i>	<i>Study LXXVI - Doc. 13</i>

1. Following the completion of the draft Principles of Transnational Civil Procedure by the Joint ALI/UNIDROIT Working Group in May 2003, and examination of it by the Steering and Revisions Committee set up by the UNIDROIT Governing Council at its 82nd session, the final draft was submitted to the UNIDROIT Governing Council at its 83rd session in April 2004. The Governing Council unanimously approved the draft subject to minor amendments in the light of the comments made by some of its members.
2. The final draft of the Principles of Transnational Civil Procedure was also submitted to the Annual Meeting of the American Law Institute held in Washington, D.C. in May 2004 where it was unanimously approved subject to minor changes resulting from the discussion at the Meeting.
3. In November 2004, the Co-rapporteurs, G. Hazard Jr. and R. Stürner, assisted by A.Gidi (Secretary to the Joint ALI/UNIDROIT Working Group), produced the reviewed and final version of the Principles of Transnational Civil Procedure. The French language version has been prepared by Ms F. Ferrand (Member of the Joint ALI/UNIDROIT Working Group). The ALI/UNIDROIT Principles of Transnational Civil Procedure with the accompanying official comments are contained in UNIDROIT 2005 – Study LXXVI – Doc. 13.
4. The Rules of Transnational Civil Procedure, which constitute a Reporters' study only and as such were not submitted to the competent organs of UNIDROIT and the ALI for approval, appear as an Annex to the Principles.
5. Both the Principles of Transnational Civil Procedure and the Rules of Transnational Civil Procedure are being published in their integral version (black letter rules and comments) in a single volume by Cambridge University Press and will be distributed on a commercial basis by the publisher. UNIDROIT and the ALI are joint holders of the copyright.
6. ALI and UNIDROIT are considering how best to promote the Principles. As far as UNIDROIT is concerned an important initiative is the publication of a special issue of the

Uniform Law Review devoted to the instrument. The issue will contain contributions by a number of experts from Africa, the Americas, Australia and Europe as well as the texts of the black letter rules and the comments of the Principles.

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