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Item No. 9 on the agenda: Promotion of UNIDROIT instruments

(Memorandum prepared by the Secretariat)

<i>Summary</i>	<i>Report on promotional activities for several instruments adopted under UNIDROIT auspices</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to take note of the activities reported and to confirm the priority given to promotional activities</i>
<i>Mandate</i>	<i>Work Programme 2011-2013</i>
<i>Priority</i>	<i>High</i>
<i>Related documents</i>	<i>UNIDROIT 2013 – C.D. (92) 2; C.D.(92)4(a) rev. and (b); C.D.(92) 13 and 13 Add.</i>

The promotion of all UNIDROIT instruments should be regarded as indispensable and, as such, should enjoy the highest priority in terms of human and financial resources devoted to that activity. While the Secretariat should, in an ideal world, cover all the instruments prepared and adopted by the Organisation, it is compelled, for lack of resources, to establish priorities in its promotional activities and resort, as much as possible, to partnerships with other interested Organisations. The following paragraphs suggest several priority areas for the triennial period 2014-2016.

- UNIDROIT Principles of International Commercial Contracts 2010
- Cape Convention and its Aircraft Protocol
- UNIDROIT Convention on Substantive Rules for Intermediated Securities
- UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and UNESCO/UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects
- Convention providing a Uniform Law on the Form of an International Will

Moreover, UNIDROIT has been designated as Depositary of the most recent Conventions. These functions must be regarded as indispensable and as such, should enjoy the highest priority in terms of allocation of human and financial resources.

I. UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS 2010

a. Conferences, seminars, courses

The UNIDROIT Principles d'UNIDROIT 2010 formed the subject of presentations at events organised for the benefit of relevant academic and commercial circles (see the list for 2012 and Annex I below). In addition, the following presentations have already taken place 2013:

- on 18 January 2013, an international Symposium entitled "*Assessing the CISG and Other International Endeavors to Unify International Contract Law: Has the Time Come for a New Global Initiative to Harmonize and Unify International Trade?*" was organised at Villanova University School of Law (Pennsylvania, United States of America). Ms Anna Veneziano represented UNIDROIT and spoke on "*Pros and Cons of the Soft Law Approach to the Unification of International Commercial Contract Law in the UNIDROIT Experience*". Mr Henry Gabriel also made a presentation on the subject entitled "*UNIDROIT as a Source for Global Sales Law*". The Acts of the Symposium will be published in the *Villanova Law Review* in May 2013;
- from 11 to 13 mars 2013, Ms Anna Veneziano represented UNIDROIT at the 4th *ASEAN Government Legal Officers Programme's Workshop on the Harmonization of the Trade Laws of ASEAN Member States (Arbitration and International Sale of Goods)* organised at the *Attorney General's Office* in Singapour. After a general overview of UNIDROIT's activities, she gave a talk on the practical application of the UNIDROIT Principles;
- on 8 April 2013, Mr M.J. Bonell participated in the 28th *ICC/SIA Joint Symposium of Arbitrators* in Paris entitled "*Interpretation of the contract by arbitrators*", where he spoke on "*Implied Terms, Good faith and Arbitration*".

b. Application of the Principles

UNIDROIT has prepared a set of Model Clauses, with explanations, for the benefit of contract parties wishing to include more detailed indications in their contract as to the way in which the UNIDROIT Principles should be applied in the event of a dispute (see UNIDROIT 2013 – C.D.(92) 4(a) rev.). These Clauses were elaborated by a restricted Working Group made up of eminent international experts in the field of private international law and arbitration. The Group met in Rome on 12 and 12 February 2013. The Governing Council will be invited to adopt the Model Clauses at its 92nd session (May 2013) and the Secretariat intends to bundle the promotion of the Model Clauses with that of the UNIDROIT Principles.

In particular, the Secretariat plans to publish the Model Clauses, with its explanations, in a paper-based leaflet and to place them online on the Institute's Internet website, so as to ensure the widest possible publicity. In addition, the Secretariat will transmit the Model Clauses to interested circles (magistrates, arbitrators, lawyers, company lawyers, etc.) worldwide, and invite their comments and observations.

c. Publications

The Secretariat also received a large number of requests for authorisation to publish the UNIDROIT Principles 2010 (black letter rules), in whole or in part (see the list in Annex I below).

Moreover, 2012 saw the publication of the Chinese, Spanish and Italian language versions of the full text of the UNIDROIT Principles 2010. Arab, Indonesian, Persian, Russian and Ukrainian language versions of the full text of the UNIDROIT Principles 2010 are being prepared. The black letter rules of the UNIDROIT Principles 2010 are also available in German, Italian, Japanese, Portuguese and Russian.

d. Endorsement of the UNIDROIT Principles of Commercial Contracts by UNCITRAL

At its 45th session held in New York from 25 June to 6 July 2012, the United Nations Commission on International Trade Law (UNCITRAL) unanimously endorsed the 2010 edition of the UNIDROIT Principles (see Report of the Commission on the work of its forty-fifth session (A/67/17), 2012, paras. 137-140) and recommended their use, where appropriate, for their intended purposes as set out in the Preamble.

e. UNILEX

The practical uses made of the UNIDROIT Principles has continued to be monitored systematically. At the end of December 2012, UNILEX, the database on international case law and bibliography relating to the United Nations Convention on the International Sale of Goods and to the UNIDROIT Principles, <<http://www.unilex.info>>, contained 141 court decisions and 167 arbitral awards referring to the UNIDROIT Principles.

II. CAPE TOWN CONVENTION AND AIRCRAFT PROTOCOL

a. State of ratification

UNIDROIT has been designated Depository of the Cape Town Convention in accordance with Article 62(1) of the Convention and under Article XXXVII(1) of the Aircraft Protocol, which entered into force on 1 March 2006. On 20 April 2013, the Convention had 57 Contracting States and the Aircraft Protocol 51 Contracting States (see Annex II below).

Since the last session of the Governing Council, the following six States have deposited their instruments of ratification or accession to the Convention and to the Aircraft Protocol: Bahrain, Canada, Congo, Madagascar, Myanmar and Ukraine.

b. Conferences, seminars

On 10 and 11 September 2012, a regional conference was organised by the John Hopkins University, School of Advanced International Studies (SAIS) on "*Harmonization of the Law: the Hague Conference, UNIDROIT and UNCITRAL*" at the Beirut Arab University. Ms Anna Veneziano represented UNIDROIT at the event and gave a talk on "*Hard Law v. Soft Law in International Commercial Transactions: the Examples of the Cape Town Convention and the UNIDROIT Principles*".

Le *Cape Town Convention Academic Project* held its first annual conference in Oxford on 5 and 6 September 2011, for the benefit of academics and practising lawyers (see the Conference Programme, Annex III below) Eminent experts presented different aspects of the Cape Town Convention, such as its impact on law and practice of electronic commerce, its impact on the Blue

Sky case as well as interim relief and insolvency provisions. The discussion also addressed the use of the Cape Town Convention in teaching international and transnational law, and proposed an economic assessment of the Cape Town Convention and of international commercial law in general. Mr Martin Stanford gave a talk entitled "*The Contents of the Space Protocol and the Differences between it and the Aircraft and Rail Protocols*", and the presentation by Ms Anna Veneziano (who had yet not at the time taken up her duties as Deputy Secretary-General) focused on the comments on an article presented by Mr Gilles Cuniberti on "*Comparison of relief pending final determination and traditional interim relief*".

c. Revised Official Commentary

The revised edition of the Official Commentary to the Cape Town Convention and the Aircraft Protocol (in English) is expected to be published in July 2013. The finishing touches will be added after the meeting of the ICAO Council which will be invited to approve the Sixth edition of the International Registry for Aircraft Equipment.

III. UNIDROIT CONVENTION ON SUBSTANTIVE RULES FOR INTERMEDIATED SECURITIES

a. State of ratification

The UNIDROIT Convention on Substantive Rules for Intermediated Securities ("the Geneva Securities Convention") was adopted during the final session of the diplomatic Conference for the adoption of a Convention on substantive rules for intermediated securities (Geneva, 5-9 October 2009). UNIDROIT has been designated as Depositary of the Convention in accordance with Article 48(1). On 20 April 2013, the Convention had one Signatory State, Bangladesh.

b. Follow-up of the Convention

In its Resolution No. 3, adopted at the closing of the final session, the diplomatic Conference requested UNIDROIT, in its capacity as Depositary of the Convention, to make all appropriate efforts to organise activities with a view to promoting awareness and understanding of the Convention and assessing its continued effectiveness in light of relevant contemporary developments in market circumstances and trends in market regulation, and also with a view to encouraging the Convention's early entry into force and its signature, ratification, acceptance.

Follow-up of the Geneva Securities Convention is the task, in particular, of the Committee on Emerging Markets Issues, Follow-up and Implementation (hereinafter: the Committee). During the two sessions it has had so far (Rome in 2010 and Rio de Janeiro in 2012), the Committee discussed the way in which the Geneva Securities Convention had been received from the point of view of its implementation and its incorporation into national law. Most of the States represented at these meetings indicated that they were working on new legislation in the financial markets field, and that some of the projected reforms were heavily influenced by the Geneva Securities Convention (Switzerland, in particular), with a view to optimising the Convention's application in future. Some States indicated that they were awaiting the publication of the Official Commentary before seriously considering ratification of the Convention (South Africa, in particular); other States sought the Secretariat's assistance to improve their legislation in this area (Cameroon, for example). The member States of the European Union indicated that their position with regard to the Convention largely depended on the European Commission which was currently engaged in intense legislative activity in this area. The European Commission representative confirmed that the work was progressing apace and addressed subjects that went well beyond what the Geneva Securities Convention proposed. She did, however, indicate that the Commission regarded its work as complementary to the Convention, not as a substitute, and that the Commission was due to

finalise its proposals by the end of 1912. They would then be discussed by the 27 member States, followed by the European Parliament. The Secretariat is now awaiting publication of these proposals.

c. Official Commentary

The revised final version of the Official Commentary was published by the Oxford University Press in March 2012 and was presented during the second meeting of the Emerging Markets Committee in Rio de Janeiro on 27 and 28 March 2012. A copy of the Commentary was presented to those of the Commentary's authors who were present at the meeting. The French language version of the Commentary for its part was published in June 2012 by Schulthess (Geneva), LGDJ (Paris) and Thémis (Montreal).

d. Future work and co-operation with other organisations

It was pointed out during the Committee's discussions on the work that might be carried out by UNIDROIT to promote the Geneva Securities Convention and on its work in the field of capital markets in general, that the financial markets community, and the regulators most of all, were actively engaged in consultations at international level, and that UNIDROIT's involvement, in the shape of the Geneva Convention and its work on compensation, showed that private law aspects were important, a point that tended to be overlooked by regulators. The Geneva Securities Convention was of interest to regulators and Governments since it helped to reduce systemic risk, and it was suggested that UNIDROIT promote the Convention as an assessment standard (such as the *Financial Accounting Standards Board* might do in other areas), much as the Secretariat intended to do with regard to the compensation principles with the International Monetary Fund.

Moreover, in view of the request for technical assistance expressed by some States wishing to incorporate some of the issues dealt with in the Geneva Securities Convention into their own legislation, and in view of the quality of the experts that make up the Committee, it was suggested that UNIDROIT set up a network of experts willing and able to assist these States, with a view to possible ratification/accession to the Convention. In order to do so, UNIDROIT should co-operate with the International Monetary Fund (IMF), the European Bank for Reconstruction and Development (EBRD) or indeed the World Bank, so that the expertise developed by each of these organisations as well as their know-how and special resources can be put to good use.

UNIDROIT has been invited to manage the "*Community of Practice for the Development of Securities Law and Capital Markets*" in the context of the Global Forum platform accommodated by the World Bank (http://globalforumljd.org/docs/news/GFLJD_Progress_Report.pdf). Talks with the World Bank are in progress.

IV. UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and UNESCO/UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects

a. State of ratification

The 1995 Convention entered into force in 1998 and on 20 April 2013 had 33 States Parties (see Annex IV below). Since the last session of the Governing Council, Colombia has deposited its instrument of accession (14 June 2012).

The attendance of a UNIDROIT representative at the regional workshops organised by UNESCO in 2012 and at those that have taken place in 2013 so far, has made it possible to re-

activate ratification procedures or to instigate studies with this in mind, in particular in Africa (Côte d'Ivoire, Guinea, Liberia, Senegal, Zambia, Zimbabwe). Angola is expected to deposit its instrument of accession shortly. Likewise, in South-East Europe, Bosnia-Herzegovina has published its accession law to the Convention in the Official Bulletin – international agreements – No. 4/12 and is now drafting the compulsory declaration before depositing its instrument with the Italian Government, Depositary of the Convention; the FYROM has closed its accession procedure and is expected to deposit its instrument in due course.

b. Special Committee to review the practical operation of the 1995 Convention

Following the approval by the Governing Council at its 91st session (2012) of a request by the President of UNIDROIT to convene a meeting of the special committee to review the practical operation of the Convention, set up under Article 20 of the Convention, for the first time since the Convention was adopted, the committee met in Paris at the UNESCO headquarters on 19 June 2012, on the eve of the 2nd Meeting of States Parties to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (20 and 21 June), as well as of the 18th session of the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (22 June). It was felt to be a good idea to hold these meetings at the same time, given the complementarity of the two normative instruments. The UNIDROIT meeting attracted some 180 participants from over 60 States.

The meeting offered an opportunity to explain which international claims mechanisms are available for cultural property outside the international instruments so as to better understand the benefits offered by the 1995 Convention mechanisms and to assess the Convention's impact beyond the number of ratifications/accessions (see the programme in Annex V below). It also gave States a chance to exchange views on their experiences, to compare practices and to discuss any difficulties encountered in implementing the Convention. UNESCO's Director-General, Ms Irina Bokova, noted that the four days' debates on the effectiveness of instruments and tools to combat illicit trafficking in cultural objects enabled States to express their points of view on the national and international situation in this area and to assist the Secretariats of the two organisations in devising strategies for the years to come.

On this occasion, the Secretary-General agreed to honour the request made by several States to have such meetings more often and to link them, where possible, to the new follow-up mechanism set up by UNESCO for its 1970 Convention.¹ UNESCO has decided to convene a meeting of States Parties every other year, starting in 2013, and will set up a subsidiary committee which will meet once a year. That committee will be charged, among other things, with the promotion of the objectives set out in the 1970 Convention, to exchange good practices and to submit recommendations and guidelines to further the implementation of the Convention. The two meetings will take place in Paris from 1 to 4 July 2013.

c. Seminars, conferences

The UNIDROIT Secretariat has in recent months received a considerable number of requests for information on the 1995 Convention and on the UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects. One reason for this influx has been the increase in trafficking in cultural objects. UNIDROIT's excellent collaboration with other organisations in the cultural property area has in recent years largely compensated for its lack of resources. At the insistence of the member States and with the help of UNESCO's Emergency Fund, UNESCO

¹ The Colombian Ministry of Culture welcomes the prospect of joint meetings on the UNESCO and UNIDROIT Conventions to take place every other year, starting in 2013 (see comments on the draft Work Programme for the period 2014-2016, UNIDROIT 2013 – C.D.(92) 13 Add., p. 10).

organised a series of regional seminars in 2012 in which UNIDROIT was invited to participate (see the list of meetings in Annex VI below). Other seminars are planned in the months to come, organised by UNESCO (in Morocco, for one) or by member States (in particular, the Third International Expert Conference on the Return of Cultural Objects, organised by the Greek Ministry of Culture, which will take place at Olympus in October 2013).

Two major conferences were organised in March 2013, at the initiative of two members of the Governing Council:

- The first of these symposia was organised by Professor Harmathy at Eötvös Loránd University on 8 March 2013 in Budapest, on “Stolen or Illegally Exported Cultural Objects and the Protection of Cultural Heritage” (see programme in Annex VII below);
- The second seminar was organised by Mr Sánchez Cordero in Mexico from 21 to 23 March 2013. This seminar, sponsored by UNESCO, UNIDROIT, the International Association of Legal Sciences, the Ministry of Foreign Affairs, the Instituto de Investigaciones jurídicas (UNAM) and the Mexican Center of Uniform Law, was entitled “The Globalization of the Protection of Cultural Heritage. The 1970 Convention: New Challenges” (see programme in Annex VIII). A round-table discussion, in which UNIDROIT participated, took place at the Colegio Nacional.

The Libyan Ministry of Culture has asked UNIDROIT to take part in a seminar on the protection of the Libyan heritage, co-organised by UNESCO, in Tripoli from 27 to 29 April 2013. Libya wishes to become better acquainted with the 1995 Convention with a view to possible accession. The seminar will be followed by an inter-ministerial meeting on 30 April which the UNIDROIT representative has been invited to attend.

At a meeting in Riga organised by the Latvian Ministry of Justice on another subject, the Latvian authorities informed the Secretary-General of their interest in organising, together with UNIDROIT, an important conference on the protection of cultural property in 2014, when Riga will be the European Culture Capital

Moreover, the Ministry of Culture of Colombia has asked for two workshops to be organised on the subject in the Andean region, with Colombia hosting one of them (see the comments of the Colombian Government on the draft UNIDROIT Work Programme for the triennium 2014-2016 (UNIDROIT 2013 – C.D.(92) 13 Add, p. 10).

d. Future work and collaboration

In the wake of the many seminars that have been held on UNIDROIT’s instruments on cultural property, it has become apparent that the relevant **documentation** should be made available in other languages, that the explanatory report must be revised, that more articles must be published and more detailed documents prepared on the concept of due diligence, to name but one example. The Institute’s heavy work programme and its lack of financial resources and staff considerably hamper the Secretariat’s efforts in this field. The Secretariat has nevertheless undertaken a comparison and analysis of the principal features of the existing international instruments dealing with the return of cultural objects, which will be submitted for comments to the organisations under the auspices of which the other instruments were adopted (UNESCO, Commonwealth Secretariat, European Union), with a view to joint publication (like that published in 2012, together with the Hague Conference and UNCITRAL, on securities. A similar publication on the notion of due diligence would be equally appropriate.

UNIDROIT has been invited to be one of the ten members of the Consultative Committee of the first worldwide platform for research and exchange on illicit traffic, the “**International Observatory**

on Traffic in Cultural Goods” launched by the International Council of Museums together with other major partners (UNESCO, INTERPOL, etc.). UNIDROIT will be invited to participate in the Committee’s meetings, which are to be held in Paris, twice a year for the next two years.

UNIDROIT was one of the institutional partners that was closely involved in the preparation of a “Study on preventing and fighting illicit trafficking in cultural goods in the **European Union**” – October 2011 – carried out by CECOJI-CNRS at the behest of the European Commission, with a view, in particular, to revising Directive 93/7/CEE. The study formed one of the foundations for the conclusions adopted by the Council in 2011 on the prevention of and fight against criminal activities related to cultural objects, stressing, among others, the importance of the 1995 Convention which, in conjunction with the 1970 UNESCO Convention, constitute important instruments to strengthen the protection of the world cultural heritage. It recommended that member States reflect upon the possibility of ratifying the 1995 UNIDROIT Convention, and that the European Commission involve the competent parties concerned in establishing an expert group in the framework of the 2011-2014 Work Programme for culture with a view to preparing a toolkit for use in the fight against traffic and theft of cultural goods. The expert group should begin work in 2013. Moreover, the vice-President of the Commission, Mr Antonio Tajani, proposed on 19 February 2013 to strengthen the mechanism for the return of cultural property available to member States, since the legislation currently in force has proved inadequate for the purpose. It is interesting to note that proposals aimed at facilitating the return of cultural goods that have been illegally removed from the territory of a member State all tend toward the provisions included in the 1995 UNIDROIT Convention, i.e., an extension of the definition of cultural objects covered, an extension of the period within which a request for restitution may be made; in the event of the restitution being ordered by a national court, the possessor of the object in question claiming compensation must prove that it exercised due diligence at the time of acquisition and that it ascertained its legal origin.

UNIDROIT continues to collaborate as much as possible with other organisations (INTERPOL, United Nations Office on Drugs and Crime - NODC) and is trying to develop other partnerships (in particular with the International Centre for the Study of the Preservation and Restoration of Cultural Property-ICCROM – in Rome which is seeking to become active in the fight against illicit trafficking in cultural goods).

UNIDROIT had the privilege of welcoming Ms Jihon Kim of the Korean National Committee for UNESCO, to the Institute where she spent three months, on secondment, studying the 1995 Convention and organising wide-ranging international research on the various international instruments dealing with the return or restitution of cultural goods, which will be co-ordinated by UNIDROIT and should be completed by the end of 2013. Ms Jihon benefited from the collaboration of the principal officer in charge of follow-up of the Convention, and from the assistance of the Library, which proved to be an invaluable working tool.

V. Convention providing a Uniform Law on the Form of an International Will

The Convention providing a Uniform Law on the Form of an International Will was adopted at Washington on 26 October 1973 (hereinafter: “the 1973 Washington Convention”) and currently has 11 States Parties. The Secretariat takes the view that the time is propitious to seek greater political attention for the Convention given the spectacular increase in immigration rates in recent years. If the Governing Council were to agree, the Secretariat would like to approach other international Organisations that might be interested in this area with a view to developing a joint promotion strategy.

ANNEX I**Presentations of the UNIDROIT Principles 2010 (in 2012)**

The UNIDROIT Principles 2010 were presented at a number of events to interested academic and business circles.

- A Colloquium on "A new transnational law of obligations? The UNIDROIT Principles 2010" was held on 3 February 2012 at the University of Geneva. After a general presentation of the UNIDROIT Principles 2010 by C. Chappuis, the new provisions on Illegality, Restitution, Plurality of obligors and of obligees and Conditions were presented by M.J. Bonell, C. Chappuis, M. Fontaine, B. Fauvarque-Cosson, respectively. Finally, P. Tercier and J.-P. Vulliet spoke on the use of the UNIDROIT Principles in arbitration.
- On 10 February 2012 a Colloquium on "Les Principes d'UNIDROIT 2010: Une nécessité dans les contrats internationaux" was held in Paris at the Grand'Chambre de la Cour de cassation. Following the welcome address by the President of the French Cour de cassation, V. Lamanda, and a general presentation of the UNIDROIT Principles 2010 by D. Tricot and by J. A. Estrella Faria, papers were presented by C. Jauffret-Spinosi on "Les méthodes d'élaboration des Principes", by C. Kessedjian on "Quelles portes d'entrée dans les Principes?", by B. Fauvarque-Cosson on "Les Principes et la convergence des droits", by B. Mercadal on "Les principales innovations des Principes", and by E. Jolivet on "Les Principes dans les sentences arbitrales". The conclusions were drawn by D. Tricot.
- An international Symposium in celebration of the 25th anniversary of the foundation of the law journal *Diritto del commercio internazionale* and of the publication of the Italian version of the UNIDROIT Principles 2010 was held in Rome on 17 and 18 February 2012 on the theme "The UNIDROIT Principles 2010: Towards a 'Global' Law of International Commercial Contracts". On the first day of the Symposium, held at Villa Aldobrandini, following the welcome addresses by J.A. Estrella Faria, Secretary-General of UNIDROIT, F. Bonelli, Director in Chief, *Diritto del commercio internazionale* and S. M. Carbone, the Italian member of the Governing Council, papers were presented by M.J. Bonell on "The UNIDROIT Principles 2010: An Overview", by S. M. Carbone and F. De Ly on "The UNIDROIT Principles as the Law Applicable to International Commercial Contracts: A Valid Alternative to Domestic Laws", by G. Alpa and A. Veneziano on "The UNIDROIT Principles and the Proposal for a Regulation on a Common European Sales Law", by F. Bonelli and J. Ramberg on "The UNIDROIT Principles and the Vienna Convention on Contracts for the International Sale of Goods" and by U. Draetta and F. Dessemontet on "The UNIDROIT Principles and Long Term Contracts". On the second day the Symposium was held at the seat of the Italian Bar Association, and consisted of a round table on two themes: "The UNIDROIT Principles in International Commercial Arbitration Practice" with the participation of E. Brödermann, A. Crivellaro, P. Galizzi, A. Komarov and F. Mazza; and "The Use of the UNIDROIT Principles by Domestic and International Courts" with the participation of F. Ferrari, A. Hartkamp, D. Phillippe and L. Radicati di Brozolo. The Symposium ended with the concluding remarks of the President of UNIDROIT, A. Mazzoni.
- On 21 March 2012 at the Appeal Court of Quebec in Montreal, under the patronage of the Chief Justice of Quebec, the Hon. Nicole Duval Hesler, a Conference was held on "Les Principes d'UNIDROIT 2010: Un outil indispensable dans la négociation et la rédaction de contrats commerciaux internationaux", with the participation of M. Fontaine as guest speaker, and of L. Masson, President of the Bar of Quebec, K. Sabo, A.-M. Trahan, N. Duval Hesler, E. Darankoum, S. Deinman, B. Colas and C. Richter.

- On 10 April 2012 an international symposium was held at the University of Bogota, Colombia, entirely devoted to the UNIDROIT Principles 2010. Following a presentation by F. Hinestrosa Forero, papers were presented by A. Zapata on “El papel de los Principios de UNIDROIT en las fuentes del Derecho Mercantil Internacional”, by P. Perales Viscasillas on “Incidencia de los Principios de UNIDROIT en el Arbitraje Internacional”, by M. Rodríguez on “Innovaciones de los Principios de UNIDROIT 2010”, by W. Namen on “Proyección de los Principios de UNIDROIT en la jurisprudencia colombiana”, and by D. Peña on “Articulación de los Principios UNIDROIT con instrumentos de derecho uniforme en el caso del comercio electrónico” and a panel discussion was held on the theme “Los Principios UNIDROIT y el Derecho Colombiano” with the participation of J. Oviedo Albán, J. P. Cárdenas and J. Rodríguez.
- On 11 April the Secretary General of UNIDROIT attended a meeting of U.N. Legal Advisers held in Paris at which he explained the advantages to U.N. organisations and agencies of choosing the UNIDROIT Principles as the law governing contracts entered into with private parties.
- On 9 May a meeting in New York of the Arbitration Committee of the Dispute Resolution Section of the New York State Bar Association was hosted by Richard Mattiaccio, Partner at Squire Sanders Law Firm, and entirely devoted to the UNIDROIT Principles.
- In the context of the Madrid Moot held from 28 May to 1 June 2012 <<http://www.mootmadrid.es>> the UNIDROIT Principles 2010 were used as the law governing the contract.
- On 27 and 28 August M.J. Bonell presented the UNIDROIT Principles 2010 in the course of a summer programme for Ph.D. candidates at the University of Aarhus in Denmark.
- On 10-11 September 2012, a regional conference organised by the John Hopkins University, School of Advanced International Studies (SAIS) on “Harmonization of the Law: the Hague Conference, UNIDROIT and UNCITRAL” was held at the Beirut Arab University. A. Veneziano as a speaker representing UNIDROIT delivered a paper on “Hard Law v. Soft Law in International Commercial Transactions: the Examples of the Cape Town Convention and the UNIDROIT Principles”.
- On the occasion of the Annual Meeting of the Chinese European Legal Association held in Munich on 17 September M.J. Bonell discussed with some 150 lawyers from several European countries and from China the possible use of the UNIDROIT Principles 2010 in international contract and arbitration practice.
- From 2 to 4 October M.J. Bonell gave nine lectures on selected items of the UNIDROIT Principles 2010 in the context of a Master course on Multi-cultural Legal Education at the University of Fribourg in Switzerland.
- On 8 October a group of Kazakh lawyers, accompanied by A. Komarov, met at UNIDROIT. Presentations were made by M.J. Bonell and A. Veneziano.
- On 8 October at the “Shipping and the Law 2012” Conference organised in Naples, Italy, by the Studio Legale Lauro, P. Galizza presented a paper on “UNIDROIT Principles 2010: A New Law for the International Commerce and the Shipping Market”.
- On 24 and 25 October 2012, the law firm Cuatrecasas Gonçalves Pereira organised a conference in Madrid at which the President and the Secretary General of UNIDROIT presented the UNIDROIT Principles 2010.
- On 8 to 10 November 2012, the Secretary-General of UNIDROIT attended the Annual Congress of the American Association of Private International Law (ASADIP) at which he made a presentation on the UNIDROIT Principles 2010.

- On 20 November the Italian Association of In-house Counsel organised a Colloquium on the UNIDROIT Principles 2010 in Milan under the Chairmanship of A. Mazzoni, at which presentations were made by M.J. Bonell, A. Crivellaro, P. Galizza and L. Radicati di Brozolo.

Requests for permission to publish the UNIDROIT Principles 2010 (black letter rules) or a selection thereof have been made by:

- A. Huala (Faculty of Law Universitas Padjadjaran in Bandung, Indonesia): the black letter rules, with an introduction to the Principles in Indonesian, in a compilation of documents on international contract agreements;
- N. B. Cohen (Brooklyn Law School): the black letter rules in the 2011 edition of the statutory/treaty supplement to "Cases and Materials on Contracts (University Casebook)" (Eds. Farnsworth, Young, Sanger, Cohen, and Brooks)
- E. Reiley (University of San Francisco School of Law): Articles 2.1.11(2), 2.1.19, 2.1.20, 2.1.21, 2.1.22, 6.2.3, 7.2.2 and 7.4.13) in "The American Legal System for Foreign Lawyers" (Eds. Reiley and de la Vega);
- J. Oviedo Albán (Universidad de la Sabana, Bogota, Colombia): the black letter rules in a collection of course materials;
- J. O. Rodner (Rodner, Martínez & Asociados, Caracas) : Chapter 9 on Assignment (black letter rules and comments);
- Avizandum Publishing (Edinburgh): the black letter rules in "Avizandum Legislation on the Scots Law of Obligations";
- Lextenso editions (Paris): the black letter rules in "Joly Contrats internationaux" (Ed. V. Heuzé);
- Routledge Law (Abingdon, U.K.): the black letter rules in a collection of course materials;
- M. Schope (Indiana International & Comparative Law Review): the black letter rules in "Einhorn & Emmert, International Business Transactions – Documents", 2nd ed. to be sold by non profit Council on International Law and Politics;
- Ex Tuto Publishing (Copenhagen, Denmark): the black letter rules in a Danish Commentary on the UNIDROIT Principles by Professor Erik Werlauff.

ANNEX II

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

(as of 20 April 2013 / au 20 avril 2013)

Adoption: Place: Cape Town / *Lieu*: Le Cap
Date: 16.11.2001

Entry into force / *Entrée en vigueur*: Date: 01.03.2006 (ex Art. 49(1))

Contracting States / Etats contractants: 57

Depositary / *Dépositaire*: UNIDROIT

STATE / <i>ETAT</i>	SIGNATURE	RATIFICATION (RT) ACCEPTANCE / <i>ACCEPTATION</i> (AC) APPROVAL / <i>APPROBATION</i> (AP) ACCESSION / <i>ADHESION</i> (AS)	DECLARATIONS	ENTRY INTO FORCE / <i>ENTREE EN VIGUEUR</i>
Afghanistan		25.07.2006 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.11.2006
Albania / <i>Albanie</i>		30.10.2007 (AS)	Arts. 39(1)(a), 39(1)(b), 54(2)	01.02.2008
Angola		30.04.2006 (AS)	Arts. 39(1)(a), 40, 54(2)	01.08.2006
Bangladesh		15.12.2008 (AS)	Arts 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.04.2009
Bahrain / <i>Bahreïn</i>		27.11.2012 (AS)	39(1)(a), 39(1)(b), 40, 54(2)	01.03.2013
Belarus / <i>Bélarus</i>		28.06.2011 (AS)	Art. 54(2)	01.10.2011
Brazil / <i>Brésil</i>		30.11.2011 (AS)	Arts. 39(1)(a), 39(1)(b), 39(4), 53, 54(2)	01.03.2012
Burundi	16.11.2001			
Cameroon / <i>Cameroun</i>		19.04.2011 (AS)	Arts 39(1)(a), 40, 52, 53, 54(2)	01.08.2011
Canada	31.03.2004	21.12.2012 (RT)	Arts 39(1)(a), 39(1)(b), 39(4), 52, 53, 54(2), 60	01.04.2013
Cape Verde / <i>Cap-Vert</i>		26.09.2007 (AS)	Arts. 39(1)(a), 40, 53, 54(2)	01.01.2008
Chile / <i>Chili</i>	16.11.2001			
China / <i>Chine</i>	16.11.2001	03.02.2009 (RT)	Arts. 39(1)(a), 39(1)(b), 39(4), 40, 50, 53, 54(1), 54(2), 55	01.06.2009
Colombia / <i>Colombie</i>		19.02.2007 (AS)	Arts. 39(1)(a), 54(2)	01.06.2007
Congo	16.11.2001	25.01.2013 (AC)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.05.2013
Costa Rica		26.08.2011 (AS)	Art. 53	01.12.2011†
Cuba	16.11.2001	28.01.2009 (RT)	Art. 54(2)	01.05.2009
Ethiopia / <i>Ethiopie</i>	16.11.2001	21.11.2003 (RT)	Arts. 39(1)(a), 40, 54(2)	01.03.2006
European Union / <i>Union européenne</i> ††		28.04.2009 (AS)	Arts. 48(2), 55	01.08.2009
Fiji / <i>Fidji</i>		05.09.2011 (AS)	Art. 54(2) *	01.01.2012
France	16.11.2001			
Gabon		16.04.2010 (AS)		01.08.2010†
Germany / <i>Allemagne</i> (with declaration at signature / <i>avec déclaration à la signature</i>)	17.09.2002			
Ghana	16.11.2001			

India / <i>Inde</i>		31.03.2008 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.07.2008
Indonesia / <i>Indonésie</i>		16.03.2007 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 53, 54(2)	01.07.2007
Ireland / <i>Irlande</i>		29.07.2005 (AS)	Arts. 39(1)(a), 39(1)(b), 54(2)	01.03.2006
Italy / <i>Italie</i>	06.12.2001			
Jamaica / <i>Jamaïque</i>	16.11.2001			
Jordan / <i>Jordanie</i>	16.11.2001	31.08.2010 (RT)	Arts. 39(1)(a), 54(2)	01.12.2010
Kazakhstan		21.01.2009 (AS)	Arts. 39(1)(a), * 39(1)(b), * 39(4), * 40, * 53, * 54(2) *	01.05.2009
Kenya	16.11.2001	13.10.2006 (RT)	Arts. 39(1)(a), * 39(1)(b), 40, 53, 54(2)	01.02.2007
Latvia / <i>Lettonie</i>		08.02.2011 (AS)	Art. 54(2)	01.06.2011
Lesotho	16.11.2001			
Luxembourg		27.06.2008 (AS)	Arts. 53, 54(2)	01.10.2008
Madagascar		10.04.2013 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 53, 54(2)	01.08.2013
Malaysia / <i>Malaisie</i>		02.11.2005 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 53, 54(2)	01.03.2006
Malta **/ <i>Malte</i> **		01.10.2010 (AS)	Arts. 39(1)(a), 39(4), 40, 53, 54(2)	01.02.2011
Mexico / <i>Mexique</i>		31.07.2007 (AS)	Arts. 39(1)(a), 39(1)(b), 50, 53, 54(2), 60	01.11.2007
Mongolia / <i>Mongolie</i>		19.10.2006 (AS)	Arts. 39(1)(a), 39(1)(b), 53, 54(2)	01.02.2007
Mozambique		30.01.2012 (AS)		01.05.2012 †
Myanmar		03.12.2012 (AS)	Arts. 39(1)(a), 40, 52, 53, 54(2)	01.04.2013
Netherlands, Kingdom of the 1 **/ <i>Pays-Bas, Royaume des</i> 1 **		17.05.2010 (AS)	Arts. 39(1)(a), 39(1)(b), 52, 53, 54(2)	01.09.2010
New Zealand / <i>Nouvelle-Zélande</i>		20.07.2010 (AS)	Arts. 39(1)(a), 52, 53, 54(2), 55	01.11.2010
Nigeria	16.11.2001	16.12.2003 (RT)	Arts. 39(1)(a), * 40, * 53, * 54(2) *	01.03.2006
Norway / <i>Norvège</i>		20.12.2010 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 54(2), 55	01.04.2011
Oman		21.03.2005 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.03.2006
Pakistan		22.01.2004 (AS)	Arts. 39(1)(a), 39(1)(b), 39(4), 40, 52, 53, 54(2)	01.03.2006
Panama	11.09.2002	28.07.2003 (RT)	Arts. 39(1)(a), 39(1)(b), 39(4), 50, 53, 54(2)	01.03.2006
Russian Federation / <i>Fédération de Russie</i>		25.05.2011 (AS)	Arts. 39(1)(a), 39(1)(b), 53, 54(2)	01.09.2011
Rwanda		28.01.2010 (AS)	Arts. 39(1)(a), 40, 52, 53, 54(2)	01.05.2010
Saudi Arabia / <i>Arabie saoudite</i>	12.03.2003	27.06.2008 (RT)	Art. 54(2)	01.10.2008
Senegal / <i>Sénégal</i>	02.04.2002	09.01.2006 (RT)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.05.2006
Seychelles		13.09.2010 (AS)		01.01.2011 †
Singapore / <i>Singapour</i>		28.01.2009 (AS)	Arts. 39(1)(a), 39(1)(b), 39(4), 53, 54(2)	01.05.2009
South Africa / <i>Afrique du sud</i>	16.11.2001	18.01.2007 (RT)	Arts. 39(1)(a), 39(1)(b), 40, 54(2)	01.05.2007
Sudan / <i>Soudan</i>	16.11.2001			

Switzerland / <i>Suisse</i>	16.11.2001 <i>ad referendum</i>			
Syrian Arab Republic / <i>République arabe syrienne</i>		07.08.2007 (AS)		01.12.2007 [†]
Tajikistan / <i>Tadjikistan</i>		31.05.2011 (AS)	Art. 54(2)	01.09.2011
Togo		27.01.2010 (AS)	Arts. 39(1)(a),* 39(1)(b),* 40,* 53,* 54(2) *	01.05.2010
Tonga	16.11.2001			
Turkey / <i>Turquie</i>	16.11.2001	23.08.2011 (RT)	Arts. 39(1)(a), 39(1)(b), 40, 50, 54(2)	01.12.2011
Ukraine	09.03.2004	31.07.2012 (RT)	Arts. 50, 53, 54(2)	01.11.2012
United Arab Emirates / <i>Émirats arabes unis</i>		29.04.2008 (AS)	Arts. 39(1)(a), 39(1)(b), 40, 52, 53, 54(2)	01.08.2008
United Kingdom / <i>Royaume-Uni</i> (with declaration at signature / <i>avec déclaration à la signature</i>)	16.11.2001			
United Republic of Tanzania / <i>République-Unie de Tanzanie</i>	16.11.2001	30.01.2009 (RT)	Art. 54(2)	01.05.2009
United States of America / <i>Etats- Unis d'Amérique</i>	09.05.2003	28.10.2004 (RT)	Arts. 39(1)(a), 39(1)(b), 54(2)	01.03.2006
Zimbabwe		13.05.2008 (AS)		01.09.2008 [†]

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

** This State has provided UNIDROIT with information about its laws and policies in relation to the Convention: see www.unidroit.org/english/conventions/mobile-equipment/information-contractingstates.htm // *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de la législation et des politiques applicables aux matières couvertes par la Convention: voir www.unidroit.org/french/conventions/mobile-equipment/information-contractingstates.htm*

† Subject to / *sous réserve de*: Convention Article 49(1)

†† Regional Economic Integration Organisation / *Organisation régionale d'intégration économique*: Convention Article 48

1. Accession for the Netherlands Antilles and Aruba / *Adhésion pour les Antilles néerlandaises et Aruba.*

**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**

(as of 20 April 2013 / au 20 avril 2013)

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

Entry into force: Date: 01.03.2006 (ex [Art. XXVIII\(1\)](#))
Entrée en vigueur:

Contracting States / Etats contractants: 51

Depositary / Dépositaire: UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION (RT) ACCEPTANCE / ACCEPTATION (AC) APPROVAL / APPROBATION (AP) ACCESSION / ADHESION (AS)	DECLARATIONS	ENTRY INTO FORCE / ENTREE EN VIGUEUR
Afghanistan		25.07.2006 (AS)	Arts. XXIX, XXX(1), (2), (3)	01.11.2006
Albania / Albanie		30.10.2007 (AS)	Arts. XIX, XXX(1)	01.02.2008
Angola		30.04.2006 (AS)	Arts. XXX(1), (2), (3)	01.08.2006
Bangladesh		15.12.2008 (AS)	Arts. XXIX, XXX(1), XXX(2), XXX(3)	01.04.2009
Bahrain / Bahreïn		27.11.2012 (AS)		01.03.2013
Belarus / Bélarus		27.09.2011 (AS)		01.01.2012
Brazil / Brésil		30.11.2011 (AS)	Arts. XIX, XXX(1), XXX(2), XXX(3)	01.03.2012
Burundi	16.11.2001			
Cameroon / Cameroun		19.04.2011 (AS)		01.08.2011
Canada	31.03.2004	21.12.2012 (RT)	Arts. XXIX, XXX(1), (2), (3)	01.04.2013
Cape Verde / Cap-Vert		26.09.2007 (AS)	Arts. XXX(1), (2), (3)	01.01.2008
Chile / Chili	16.11.2001			
China / Chine	16.11.2001	03.02.2009 (RT)	Arts. XIX, XXIX, XXX(1), XXX(2), XXX(3)	01.06.2009
Colombia / Colombie		19.02.2007 (AS)	Art. XXX(1), (2), (3)	01.06.2007
Congo	16.11.2001	13.03.2013 (AC)		01.05.2013
Cuba	16.11.2001	28.01.2009 (RT)		01.05.2009
Ethiopia / Ethiopie	16.11.2001	21.11.2003 (RT)	Arts. XXX(1), (2), (3)	01.03.2006
European Union / Union européenne ††		28.04.2009 (AS)	Arts. XXVII(2), XXX(5)	01.08.2009
Fiji / Fidji		30.05.2012 (AS)	Arts. XXX(1), (2), (3)	01.09.2012
France	16.11.2001			
Germany / Allemagne	17.09.2002			
		(with declaration at signature / avec déclaration à la signature)		
Ghana	16.11.2001			
India		31.03.2008 (AS)	Arts. XXX(1), (2), (3)	01.07.2008
Indonesia / Indonésie		16.03.2007 (AS)	Arts. XXX(1), (2), (3)	01.07.2007
Ireland / Irlande		23.08.2005 (AS)	Arts. XXX(1), (2)	01.03.2006
Italy / Italie	06.12.2001			
Jamaica / Jamaïque	16.11.2001			
Jordan / Jordanie	16.11.2001	31.08.2010 (RT)	Arts. XXX(1), (2), (3)	01.12.2010
Kazakhstan		01.06.2011 (AS)	Arts. XXX(1), (2), (3)	01.10.2011

Kenya	16.11.2001	13.10.2006 (RT)	Arts. XXX(1), (2), (3)	01.02.2007
Latvia / Lettonie		08.02.2011 (AS)		01.06.2011
Lesotho	16.11.2001			
Luxembourg		27.06.2008 (AS)	Arts. XXX(1), (2), (3)	01.10.2008
Madagascar		10.04.2013(AS)	Arts. XXX(1), (2), (3)	01.08.2013
Malaysia / Malaisie		02.11.2005 (AS)	Arts. XXX(1), (2), (3)*	01.03.2006
Malta **/ Malte **		01.10.2010 (AS)	Art. XXX(1)	01.02.2011
Mexico / Mexique		31.07.2007 (AS)	Arts. XIX, XXX(1), (3)	01.11.2007
Mongolia / Mongolie		19.10.2006 (AS)	Arts. XXX(1), (2), (3)	01.02.2007
Myanmar		03.12.2012 (AS)	Arts. XXIX, XXX(1), (2), (3),	01.04.2013
Netherlands, Kingdom of the 1 **/ Le Royaume des Pays-Bas 1 **		17.05.2010 (AS)	Arts. XXIX, XXX(1), (2)	01.09.2010
New Zealand / Nouvelle-Zélande		20.07.2010 (AS)	Arts. XXIX, XXX(1), (3), (5)	01.11.2010
Nigeria	16.11.2001	16.12.2003 (RT)	Arts. XXX(1),* (2),* (3)*	01.03.2006
Norway / Norvège		20.12.2010 (AS)	Arts. XXX(1), (3), (5)	01.04.2011
Oman		21.03.2005 (AS)	Arts. XXIX, XXX(1), (2), (3)	01.03.2006
Pakistan		22.01.2004 (AS)	Arts. XXIX, XXX(1), (2), (3)	01.03.2006
Panama	11.09.2002	28.07.2003 (RT)	Arts. XXX(1), (2), (3)	01.03.2006
Russian Federation / Fédération de Russie		25.05.2011 (AS)	Art. XXX(3)	01.09.2011
Rwanda		28.01.2010 (AS)	Arts. XXIX, XXX(1), (2), (3)	01.05.2010
Saudi Arabia / Arabie saoudite	12.03.2003	27.06.2008 (RT)		01.10.2008
Senegal / Sénégal	02.04.2002	09.01.2006 (RT)	Arts. XXIX, XXX(1), (2), (3)	01.05.2006
Singapore / Singapour		28.01.2009 (AS)	Arts. XXX(1),* (3)	01.05.2009
South Africa / Afrique du sud	16.11.2001	18.01.2007 (RT)	Arts. XXX(1), (2), (3)	01.05.2007
Sudan / Soudan	16.11.2001			
Switzerland / Suisse	16.11.2001 ad referendum			
Tajikistan / Tadjikistan		31.05.2011 (AS)	Arts. XXX(1), (3)	01.09.2011
Togo		01.12.2011 (AS)	Arts. XXX(1), (2), (3)	01.04.2012
Tonga	16.11.2001			
Turkey / Turquie	16.11.2001	23.08.2011 (RT)	Arts. XXX(1), (2), (3)	01.12.2011
Ukraine	03.03.2004	31.07.2012 (RT)	Arts. XIX, XXX(1), XXX(3)	01.11.2012
United Arab Emirates / Émirats arabes unis		29.04.08 (AS)	Arts. XIX, XXIX, XXX(1), XXX(2), XXX(3)	01.08.2008
United Kingdom / Royaume-Uni (with declaration at signature / avec déclaration à la signature)	16.11.2001			
United Republic of Tanzania / République-Unie de Tanzanie	16.11.2001	30.01.2009 (RT)	Arts. XXX(1),* (2),* (3)*	01.05.2009
United States of America / Etats-Unis d'Amérique	09.05.2003	28.10.2004 (RT)	Arts. XIX, XXX(1)	01.03.2006

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

** This State has provided UNIDROIT with information about its laws and policies in relation to the Aircraft Protocol: see www.unidroit.org/english/conventions/mobile-equipment/information-contractingstates.htm // *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de la législation et des politiques applicables aux matières couvertes par le Protocole aéronautique: voir www.unidroit.org/french/conventions/mobile-equipment/information-contractingstates.htm*

†† Regional Economic Integration Organisation / *Organisation régionale d'intégration économique*: Protocol / *Protocole* Article XXVII

1. Accession for the Netherlands Antilles and Aruba / *Adhésion pour les Antilles néerlandaises et Aruba.*

ANNEX III

**Cape Town Convention Academic Project - 1st Conference
5th and 6th September 2012**

The Cube, Law Faculty St Cross Building, Oxford University

Wednesday 5th September

- 11.45 am Registration (open until 2pm)
- 12.30 pm Buffet lunch
- 2pm Welcome: Professor Jeffrey Wool, AWG, Freshfields and University of Washington
- 2.15 pm *Lex situs revisited: effect of the CTC on the Blue Sky case*: Mr William Glaister, Clifford Chance.
Comment: Professor Robert Stevens, University of Oxford.
Chair: Professor Sir Roy Goode, University of Oxford
- 3.45pm Tea
- 4pm *The CTC and the law and practice of electronic commerce*: Ms Roksana Moore, University of Southampton.
Comment: Mr Rob Cowan, Aviareto Limited; and Professor Teresa Rodriguez de las Heras Balle, Charles III University of Madrid.
Chair: Professor Jeffrey Wool, AWG, Freshfields and University of Washington
- 5.30pm Summary of day
- 7pm Drinks, followed by dinner at Harris Manchester College.
Speaker: Professor Sir Roy Goode, University of Oxford

Thursday 6th September

9. 00am Coffee, with a summary presentation on the *content of the Space Protocol and differences between it and the Aviation and Rail Protocols* by Martin Stanford, UNIDROIT
- 9.30am *The insolvency provisions: historical and economic perspectives*: Ms Kristin van Zwieten, University of Cambridge.
Comment: Dr Oren Sussmann, University of Oxford.
Chair: Professor Jeffrey Wool, AWG, Freshfields and University of Washington
- 11am Coffee
- 11.15am *Comparison of relief pending final determination and traditional interim relief*: Professor Gilles Cuniberti, University of Luxembourg.
Comment: Prof. Anna Veneziano, University of Teramo.
Chair: Professor Jeffrey Wool, AWG, Freshfields and University of Washington
- 1pm Buffet lunch
- 2pm *Economic assessment*: Professor Jeffrey Wool, AWG and Freshfields.
Comment: Dr Frederique Dahan, European Bank of Reconstruction and Development Chair:
Professor Sir Roy Goode, University of Oxford
- 3.30pm Tea
- 3.45pm *Use of CTC in teaching International Law*: Professor Brian Havel, De Paul University, University of Oxford.
Comment: Mr Max Ganado, Ganado & Associates.
Chair: Professor Sir Roy Goode, University of Oxford
- 5.15pm *Closing remarks*: Professor Jeffrey Wool, AWG, Freshfields and University of Washington

ANNEX IV

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

(as of 20 April 2013 / au 20 avril 2013)

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)

Contracting States / Etats contractants: 33

Depository / Dépositaire: Italian Government / *Gouvernement italien*

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECLARATIONS
Afghanistan	-	23-09-05	01-03-06	Art. 16
Argentina / <i>Argentine</i>	-	03-08-01	01-02-02	Art. 16
Azerbaijan / <i>Azerbaïdjan</i>	-	06-06-03	01-12-03	Art. 16
Bolivia / <i>Bolivie</i>	29-06-96	13-04-99	01-10-99	Art. 16
Brazil / <i>Brésil</i>	-	23-03-99	01-09-99	Art. 16
Burkina Faso	24-06-95	-	-	-
Cambodia / <i>Cambodge</i>	24-06-95	11-07-02	01-01-03	Arts. 3(5), 16
China / <i>Chine</i>	-	07-05-97	01-07-98	Arts. 3(5), 16
Colombia / <i>Colombie</i>	-	14-06-12	01-01-12	-
Côte d'Ivoire	24-06-95	-	-	-
Croatia / <i>Croatie</i>	24-06-95	20-09-00	01-03-01	Art. 16
Cyprus / <i>Chypre</i>	-	02-03-04	01-09-04	Art. 16
Denmark / <i>Danemark</i>	-	01-01-11	01-07-11	Art. 14(1), 16
Ecuador / <i>Equateur</i>	-	26-11-97	01-07-98	Arts. 3(5), 16
El Salvador	-	16-07-99	01-01-00	Art. 16
Finland / <i>Finlande</i>	01-12-95	14-06-99	01-12-99	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	Arts. 3(5), 13(3), 16
Guinea / <i>Guinée</i>	24-06-95	-	-	-
Guatemala	-	03-09-03	01-03-04	Arts. 3(5), 16
Hungary / <i>Hongrie</i>	24-06-95	08-05-98	01-11-98	Arts. 3(5), 16
Iran (Islamic Rep. of / <i>Rép. islamique d')</i>	-	22-06-05	01-12-05	Art. 16
Italy / <i>Italie</i>	24-06-95	11-10-99	01-04-00	Arts. 13(3), 16
Lithuania / <i>Lituanie</i>	24-06-95	04-04-97	01-07-98	Art. 16
Netherlands / <i>Pays-Bas</i>	28-06-96	-	-	Arts. 3(5), 13(3)
New Zealand / <i>Nouvelle-Zélande</i>	-	16-11-06	01-05-07	Art. 16
Nigeria / <i>Nigéria</i>	-	10-12-05	01-06-06	-
Norway / <i>Norvège</i>	-	28-08-01	01-03-02	Arts. 13(3), 14, 16
Pakistan	27-06-96	-	-	-
Panama	-	26-06-09	01-12-09	Arts. 3(5), 16
Paraguay	13-06-96	27-05-97	01-07-98	Art. 16
Peru / <i>Pérou</i>	28-06-96	05-03-98	01-09-98	Art. 16
Portugal	23-04-96	19-07-02	01-01-03	Art. 16
Romania / <i>Roumanie</i>	27-06-96	21-01-98	01-07-98	Art. 16
Russian Fed. / <i>Féd. de Russie</i>	29-06-96	-	-	-
Senegal / <i>Sénégal</i>	29-06-96	-	-	-
Slovakia / <i>Slovaquie</i>	-	16-06-03	01-12-03	Art. 16
Slovenia / <i>Slovénie</i>	-	08-04-04	01-10-04	Art. 16
Spain / <i>Espagne</i>	-	21-05-02	01-11-02	Arts. 3(5), 13(3), 16
Sweden / <i>Suède</i>	-	28-06-11	01-12-11	Arts. 16, 13(3)
Switzerland / <i>Suisse</i>	26-06-96	-	-	-
Zambia / <i>Zambie</i>	24-06-95	-	-	-

ANNEX V

**Special Committee to review the practical operation of the 1995 UNIDROIT
Convention on Stolen or Illegally Exported Cultural Objects
1st meeting
Paris, UNESCO Headquarters, Room II**

Tuesday, 19 June 2012

PROGRAMME

9 a.m. – 10 a.m. Arrival and registration of participants

10 a.m. – 10.20 a.m.	Opening session
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Welcome address – José Angelo Estrella Faria, Secretary General, UNIDROIT

Opening remarks– Francesco Bandarin, Assistant Director-General for Culture, UNESCO

Representative of the Italian Government, Depositary of the Convention

10.20 a.m. – 1 p.m.	The 1995 Convention: a necessary and complementary instrument
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Chairman *Alberto MAZZONI, President, UNIDROIT*

10.20 a.m. – 10.35 a.m. International claims for restitution outside the framework of the 1970 and 1995 instruments – genesis of the 1995 Convention – *Maria VICIEN-MILBURN, Legal Adviser and Director, UNESCO Office of International Standards and Legal Affairs*

10.35 a.m. – 11.35 a.m. Why African States must embrace the 1995 UNIDROIT – *Folarin SHYLLON, Professor, Law Faculty of the University of Ibadan, Nigeria*

The UNIDROIT cultural Convention. The unfulfilled tasks – *Jorge SANCHEZ CORDERO, Director of the Mexican Centre of Uniform Law, member of the UNIDROIT Governing Council*

Arab States and the 1995 UNIDROIT Convention – *Ridha FRAOUA, Doctor of Law, Expert in cultural heritage legislation*

11.35 a.m. – 12 a.m. Observations/Questions of participants/Discussions

12 a.m.– 12.30 a.m.	Governments, non governmental institutions and civil society - an indispensable partnership
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The role of museums – *Julien ANFRUNS, Director General of the International Council of Museums (ICOM)*

The Illicit Antiquities Trade. Raising Public Awareness – *Staffan LUNDEN, member of the Research Group Global Heritage Studies, School of Global Studies, University of Gothenburg, Sweden*

12.30 a.m. – 1 p.m. Observations/Questions of participants/Discussions

1 p.m. – 3 p.m. *Lunch break*

3 p.m. – 6 p.m.	The 1995 UNIDROIT Convention: a strong influence
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Chairman *José Angelo Estrella Faria, Secretary General, UNIDROIT*

3 p.m. – 3.15 p.m. Causes and consequences of the absence of ratification by France of the 1995 UNIDROIT Convention – *Corinne HERSHKOVITCH, Borghèse associés - Avocat au barreau de Paris, France*

3.15 p.m. – 4.15 p.m. *Round table on the influence of the 1995 UNIDROIT Convention (good practices, national legislations of States non Parties, case law, international instruments)*

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| Speakers | <ul style="list-style-type: none"> ♦ Keun-Gwan LEE, Professor, Seoul National University, Rep. of Korea ♦ Flora VAN REGTEREN ALTENA, Department for Cultural Heritage, Ministry of Education, Culture and Science, the Netherlands ♦ Marc-André RENOLD, Professor, University of Geneva ♦ Manlio FRIGO, Professor, University of Milan |
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4.15 p.m. – 5.15 p.m. Observations/Questions of participants/Discussions

5.15 p.m. – 5.45 p.m. Is the 1995 UNIDROIT Convention still a valid multilateral instrument? – *Lyndel PROTT, Honorary Professor, University of Queensland, Australia*

5.45 p.m. – 6 p.m.	Closing session
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Conclusive remarks Alberto Mazzoni, President, UNIDROIT

ANNEX VI**Promotion of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and the UNESCO/UNIDROIT Model Provisions Defining State Ownership of Undiscovered Cultural Objects, in 2012 and early 2013**

2012

- International Conference on the return of cultural objects, organised by the Saudi Commission for Tourism and Antiquities, Riyadh, February
- International Conference on “Trans-border movements of cultural objects ” organised by the Hellenic Society for Law and Archeology (HSLA), Athens, 19 May 2012
- Meeting of the intergovernmental expert group (open membership) on the protection against trafficking in cultural objects, organised by UNODC, Vienna, 27-29 June 2012
- 1st meeting of the committee to review the practical operation of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, Paris (UNESCO headquarters), 19 June 2012
- 2nd Conference of States Parties to the 1970 UNESCO Convention, Paris, and 21 June 2012
- 18th session of the UNESCO intergovernmental Committee to promote the return of cultural objects to their country of origin or their restitution in the event of appropriation, Paris, 22 June 2012
- Regional workshop (strengthening police and customs capacity, local management of the heritage, development of inventories) for countries in West-Africa organised by UNESCO, Dakar, September 2012
- Regional workshop for countries in Central America and the Andean region (analysis of legislation; proposals for joint action proposition actions by legal, police and customs operators; emphasis on archaeological, religious and baroque objects, organised by UNESCO, Lima, October 2012
- Regional workshop for countries in Southern Africa (follow-up to the workshop in Namibia in 2011) organised by UNESCO, Gaborone, November 2012
- Regional workshop for countries in South-East Europe organised by UNESCO, Gaziantep, November 2012
- Regional workshop for countries in the Caribbean (promotion of international conventions, training of future officers in the efficient use of operational tools; development of strategies to improve co-operation between institutions), organised by UNESCO, Saint Lucia, December 2012

2013

- National seminar on the fight against illicit trafficking of cultural objects, organised by the authorities of the Sultanate of Oman in order to their understanding of the 1970 UNESCO Convention and the 1995 UNIDROIT Convention, with a view to accession, Muscat, February 2013
- Regional seminar on the protection of the Syrian heritage, organised by UNESCO with the neighbouring countries with a view to strengthening the legal protection of cultural objects and to fighting illicit trafficking, aggravated by armed conflict in the region, Amman, February 2013

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- Seminar sponsored by UNESCO, UNIDROIT, the International Association of Legal Sciences, the Mexican Ministry of Culture, the *Instituto de Investigaciones jurídicas* (UNAM) and the Mexican Center of Uniform Law, entitled “The globalization of the protection of cultural heritage. The 1970 UNESCO Convention and the 1995 UNIDROIT Convention. New Challenges”, Mexico, March 2013
 - Symposium on the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and the protection of the cultural heritage, organised by the Law Faculty of Eötvös Loránd University, Budapest, March 2013
 - 22nd session of the Commission for the Prevention of Crime and Criminal Justice, UNODC, Vienna, April 2013
 - Seminar on preventing and fighting illicit trafficking in cultural goods in Libya, organised by the Libyan Ministry of Culture and UNESCO, Tripoli, April 2013

ANNEX VII**SYMPOSIUM on the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects
and the Protection of Cultural Heritage****8 March, 2013, Budapest**

9.00 Opening remarks (Dean of the Faculty of Law)

Prof. Attila Harmathy, Member of the Governing Council of UNIDROIT greets the public

Prof. Dr. Dr. h.c. Kurt Siehr, Max Planck Institute for Comparative and International Private Law
Hamburg

The UNIDROIT Convention and Unclaimed Property without Provenance

Prof. Zoltán Csehi, Eötvös Loránd University

Private Law Rules in the UNIDROIT Convention

Prof. Avv. Manlio Frigo, Lawyer, Università degli Studi di Milano

An Outlook on the Effective and Potential Impact of the UNIDROIT Convention

11.00 – 11.20 Coffee Break

Mrs. Boglárka Borbély, Legal Counsel, Museum of Fine Arts

*Complementarity between the 1995 UNIDROIT and the 1970 UNESCO Conventions, and the
Application of these Conventions in the Museum Practice*

Mr. Nout van Woudenberg, Legal Counsel, Ministry of Foreign Affairs of the Kingdom of the
Netherlands

State Immunity and Cultural Objects on Loan

Associate Prof. Sarolta Szabó, Pázmány Péter Catholic University

State Immunity and Looted Art before the US Courts

Prof. Miklós Király, Eötvös Loránd University

Some Comments on the Latest Amendment to the Hungarian Cultural Heritage Law

13.00 Lunch

15.00 'Secret treasures': Visit to the Institute of Archeological Sciences (ELTE, Faculty of
Humanities), at the Invitation of Prof. Pál Raczky, Director of the Institute

ANNEX VIII

Mexican Seminar

**The Globalization of the Protection of Cultural Heritage
The 1970 Convention: New Challenges**

Mexico, 21-23 March 2013

Venue: Auditorium Guillermo Floris Margadant, Instituto de Investigaciones Jurídicas, National University Autonomous of Mexico (UNAM)

Sponsoring institutions: UNIDROIT, UNESCO, Mexican Ministry of Foreign Affairs, International Association of Legal Sciences, Instituto de Investigaciones Jurídicas (UNAM), Mexican Center of Uniform Law

- THURSDAY, 21 March 2013 -	
8h30	Registration.
9h00	Inauguration. Dr. Max Alberto Diener Salas, <i>Legal Counselor. Mexican Ministry of Foreign Affairs</i> Dr. Héctor Fix Fierro, <i>Director of the Instituto de Investigaciones Jurídicas. Universidad Nacional Autónoma de México</i> Dr. Ergun Özsunay, <i>President of the International Association of Legal Science</i> Dr. Edouard Planche, UNESCO. Dra. Marina Schneider, UNIDROIT. Dr. Jorge Sánchez Cordero, <i>Director of the Mexican Center of Uniform Law</i>
9h30h	The Challenges of the Restitution of Cultural Objects. The Mexican Perspective. <i>Dr. Max Alberto Diener Salas, Legal Counselor. Mexican Ministry of Foreign Affairs.</i>
10h00	The 1970 Convention: Insights, Circumspections and Outlooks <i>Dr. James Nafziger. Chairman of the Cultural Heritage Committee. International Law Association.</i>
11h00	The 1970 Convention. The New Age in the Protection of Cultural Objects <i>Dr. Lyndel V. Prott, University of Queensland. Australia.</i>
12h00	Questions and answers
15h00	The UNIDROIT Cultural Convention. An Indispensable Tool in the Protection of Cultural Heritage <i>Dr. Marina Schneider. UNIDROIT</i>
16h00	The Subsidiary Committee. New Proposals. <i>Dr. Blanca Alva Guerrero. General Director of Supervisory and Control. Ministry of Culture. Republic of Peru.</i>
17h00	The Protection of Cultural Heritage. The Mesoamerican Perspective. <i>Dr. Alfonso Ortiz Sovalbarro. Permanent Delegate to UNESCO. Republic of Guatemala.</i>
19h00	Round Table in El Colegio Nacional.

- FRIDAY, 22 March 2013 -	
9h00	The 1970 Convention. The Canadian Experience <i>Dr. Robert Paterson. Professor. University of British Columbia. Vancouver. Canada.</i>
10h00	Implementing the 1970 UNESCO Convention: The U.S. Experience. <i>Dr. Maria Kouroupas. Director, Cultural Heritage Center Bureau of Educational and Cultural Affairs, U.S. Department of State.</i>
11h00	Panel "The Fight against the Illicit Trafficking of Cultural Property: Good Practices in the United States of America". <i>Mr. Lawrence Kaye Ms Maria-Claudia Jiménez. Partners. Herrick, Feinstein, LLP. Art Law Group. New York, NY. United States of America.</i>
12h00	A Protected War: the Fight against the Illicit Trafficking of Cultural Property in China <i>Dr. Ye ZHU. Division Director of the International Organizations of the State Administration of Cultural Heritage (SACH) of the Popular Republic of China.</i>
13h30	Lunch
15h00	"Toward a more harmonious and effective implementation of the 1970 UNESCO Convention in East Asia" <i>Dr. Lee Keun-GWAN. Professor, College of Law, Seoul National University</i>
16h00	The necessary evolution of Mexican Law under the new paradigm of the 1972 UNESCO Convention in order to strengthen the fight against the illicit trafficking of Cultural Property. <i>Dr. Ernesto Becerril Miró. General Secretary of ICOMOS Mexico and Vice President of the Scientific International Committee of Legal, Financial and Administrative Affairs of ICOMOS</i>
17h00	Community, State and Individuals in Property of Cultural Objects <i>Dr. Antonio Gambaro. Professor. University of Milano.</i>
18h00	The Trade of Cultural Property in the Age of Global Institutions <i>Dr. Francesca Fiorentini. Professor. University of Trieste.</i>
- SATURDAY, 23 March 2013 -	
9h00	Antecedents and Enforcement of the Tradition of the Protection of Libraries and National Archives in Mexico <i>Dr. Adriana Berruecos. Fellow. Instituto de Investigaciones Jurídicas. UNAM.</i>
10h00	Codes of Professional Ethics and the Role of the Art Market in the Fight against Illicit Trafficking of Cultural Property <i>Dr. Jérôme Fromageau. Doyen. Université Jean Monnet. Paris.</i>
11h00	The Challenges and New Perspectives of the 1970 UNESCO Convention <i>Edouard Planche. UNESCO.</i>
12h00	Summary Report. <i>Dr. Mauro Bussani. Scientific Director of the International Association of Legal Science.</i>

