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The year 2013 saw two additions to the list of instruments developed and adopted by UNIDROIT in the course of its long, productive history: the Model Clauses for Use by Parties of the UNIDROIT Principles of International Commercial Contracts and the Principles on the Operation of Close-out Netting Provisions. Different as they are in both purpose and drafting process, these two soft-law instruments are live evidences, each on its own way, of typical features of UNIDROIT working methods that continue to affirm the Organisation's vital and distinguished position among rules-making intergovernmental organisations in the area of private law: solid research and sound preparatory work thanks to the continued involvement of outstanding international experts; responsiveness to the actual needs of international legal practice; flexibility in devising the appropriate drafting process to produce the expect result; and effective cooperation with both State and non-State actors in an atmosphere of pragmatism and open dialogue, with due attention to technical quality, economic reality and public policy.

Two ongoing projects also testify to UNIDROIT's particular talent to establish and nurture partnerships with other organisations, both public and private: the work on drafting a Legal Guide on Contract Farming, which in 2013 formally became a joint-venture between UNIDROIT and the Rome-based UN organisations for food and agriculture, in particular the Food and Agricultural Organization of the United Nations (FAO) and the International Fund for Agricultural Development (IFAD) and the joint project with the European Law Institute to develop model rules on transnational civil procedure to implement the ALI/UNIDROIT Principles in the European context.

The year 2013 closed with the approval by the General Assembly of the Work Programme for the triennium 2014-2016 and the election of the new Governing Council, which will steer the work of this Organisation in the next five years.

I may, at this juncture, renew my congratulations to the newly-elected members of the Governing Council and place on record my respect and esteem for the departing Council members, whom I had the privilege to serve, and on whose devotion to this house I am certain to still be able to count in the future.

The former Governing Council also honoured me with the renewal of my appointment for a second term as UNIDROIT Secretary-General. I see this decision as a sign of appreciation by the Council of the good work done by the staff of the Institute, and it is on their behalf that I have the privilege to pledge to the newly-elected Council and the UNIDROIT member States our loyalty and commitment in the years to come.

JOSÉ ANGELO ESTRELLA FARIA
Secretary-General

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I. ADMINISTRATION AND ORGANISATION

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

1. *Presidency and Governing Council*

The 92nd session of the *Governing Council* ¹ was held in Rome from 8 to 10 May 2013 under the chairmanship of the President of the Institute, Mr Alberto Mazzoni. The Governing Council, after approving the Secretary-General's report on the activity of the Institute in 2012, renewed Mr Arthur Hartkamp's appointment as First Vice-President, and appointed Professor Ioannis Voulgaris as Second Vice-President until its 93rd session.

Having expressed the desirability of involving all member States in the assessment of the progress made in the implementation of the Work Programme, the Governing Council accordingly decided, at its 90th session (Rome, 9-11 May 2011) to make systematic use of the authority given to it by article 16 of the UNIDROIT Regulations to request representatives of member Governments that have no nationals sitting on the Council to attend its meetings in a consultative capacity. 16 such Member States were represented at the 92nd session of the Council.

The Governing Council unanimously accepted the President's recommendation, in accordance with Article 8 of the Statute, to extend the appointment of the Secretary-General for a second term.

The Governing Council took note of the presentation of the document "Management Report for the period 2008-2013 and Implementation of the Strategic Plan" and thanked the Secretariat for the cost-savings and administrative efficiencies achieved in this period.

On the occasion of his retirement as President of the Foundation, the Governing Council also expressed its profound appreciation to Sir Roy Goode for his dedicated leadership of the Foundation and for his generous devotion of time and expertise to the Foundation and to the work of the Institute. The Governing Council welcomed the appointment of Mr Jeffrey Wool as incoming President of the Foundation.

The Governing Council took note of the proposed Work Programme for the triennium 2014 – 2016 and Comments received from member States and UNIDROIT Correspondents, and agreed to recommend to the General Assembly the adoption of the Work Programme with an indication of the level of priority.

When discussing the draft budget for 2014, the Council commended the positive impact of cost-saving measures and management efficiencies have had over the past five years – achieved in a period in which there had been no increase in the unit of contribution by member States, despite significant inflationary pressures during the same period – and expressed its unanimous support for the proposed budget and the revised budget format.

* This report covers the activities of UNIDROIT from 1 January to 31 December 2013.

¹ Current composition of the Governing Council: Mr Michael Kaase Aondoakaa (Nigeria), Mr Hans-Georg Bollweg (Germany), Ms Núria 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 Jametti (Switzerland), Mr Ricardo Luis Lorenzetti (Argentina), Mr Lyou Byung-Hwa (Republic of Korea), Mr Mo John Shijian (People's Republic of China), Mr Didier Opertti Badán (Uruguay), Ms Kathryn Sabo (Canada), Mr Jorge Sánchez Cordero Davila (Mexico), Ms Rachel Sandby-Thomas (United Kingdom), Mr Biswanath B. Sen (India), Mr Stanislaw J. Soltysinski (Poland), Mr Itsuro Terada (Japan), Mr Daniel Tricot (France), Mr Ioannis Voulgaris (Greece).

2. General Assembly and Finance Committee

The 72nd session of the General Assembly was held in Rome on 5 December 2013 under the presidency of Mr Hideo Fukushima, Minister, Embassy of Japan in Italy, and was attended by the diplomatic representatives in Italy of 59 member States and one observer. The Secretary-General outlined the work of the Organisation in 2013.

The General Assembly elected the members of the Governing Council for the next five years. The following candidates were elected: Stefania Bariatti (Italy), Radu Bogdan Bobei (Romania), Hans-Georg Bollweg (Germany), Nuria Bouza Vidal (Spain), Baiba Broka (Latvia), B. Bahadır Erdem (Turkey), Henry D. Gabriel (United States of America), Arthur S. Hartkamp (Netherlands), Monique Jametti (Switzerland), Hideki Kanda (Japan), Miklós Király (Hungary), Alexander S. Komarov (Russian Federation), Antti T. Leinonen (Finland), Lyou Byung-Hwa (Republic of Korea), José Antonio Moreno Rodriguez (Paraguay), Jan Lambert Neels (South Africa), Monika Pauknerová (Czech Republic), Wojciech Popiołek (Poland), Jorge Sánchez Cordero Davila (Mexico), Rachel Sandby-Thomas (United Kingdom), Álvaro Sandoval Bernal (Colombia), Shi Jingxia (People's Republic of China), Daniel Tricot (France), Spyridon Vrellis (Greece) and Roger Wilkins (Australia).

The General Assembly adopted the Work Programme of the Organisation for the triennial period 2014-2016 as proposed by the Secretariat and approved by Governing Council generally, with some minor modification relating to the priority status of some projects,² as follows:

A. Legislative activities

1. International Commercial Contracts:
 - (a) Issues relating to long-term contracts: *
 - (b) Issues relating to multilateral contracts: *
2. Secured transactions
 - (a) Implementation of Rail and Space Protocols: ***
 - (b) Preparation of other Protocols to the Cape Town Convention
 - (1) Agricultural, mining and construction equipment: **
 - (2) Ships and maritime transport equipment: *
 - (3) Off-shore power generation and similar equipment: *
3. Transactions on Transnational and Connected Capital Markets
Legislative Guide on Principles and Rules capable of enhancing trading in securities in emerging markets: **
4. Liability for Satellite-based Services: *
5. Private law and development
 - (a) Contract Farming: ***
 - (b) Possible work in private law and agricultural development: *
6. Legal aspects of social business: *
7. Transnational civil procedure - formulation of regional rules: *

B. Implementation and promotion of UNIDROIT instruments

1. Depositary functions: ***
2. Promotion of UNIDROIT instruments: ***

² * Low priority / ** Medium priority / *** High priority

C. Non-legislative activities

1. UNIDROIT Library and Depository Libraries: ***
2. Information resources and policy: ***
3. Internships and scholarships: ***

During the debate on financial issues, the Assembly approved the Accounts for the 2012 financial year as well as the adjustments to the 2013 budget. The General Assembly also adopted the draft budget for 2014.

The *Finance Committee*³ met twice in 2013. The 72nd session was held on 13 March 2013 under the chairmanship of Ms Katharina Wieser (Austria); the 73rd session, which took place on 26 September 2013, appointed Mr Wu Cong (People's Republic of China) as the new Chairperson, upon the departure of Ms Katharina Wieser. The Committee was requested to give an opinion on certain financial issues submitted for scrutiny by the General Assembly.

3. Secretariat

On 31 December 2013 the Secretariat was made up of 18 members, of which seven professional staff (Category A), eight administrative, library and secretarial staff (Category B), three technical support staff (Category C) and one consultant.

Mr José Angelo Estrella Faria's appointment as Secretary-General was extended for a second term of five years.

Mr John Wilson, Senior Officer, left the Secretariat at the end of December 2013.

B. DIPLOMATIC CONFERENCES, STUDY GROUPS AND EXPERT COMMITTEES

The following meetings were organised by the Institute in 2013:

1. Legal Guide on Contract Farming

First meeting of the Working Group for the preparation of a Legal Guide on Contract Farming (Rome, 28 to 31 January 2013)

Second meeting of the Working Group for the preparation of a Legal Guide on Contract Farming (Rome, 3 to 6 June 2013)

2. Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock

Meeting of the Negotiating Committee established by the Preparatory Commission for the establishment of the International Registry (Rome, 4 and 5 February 2013)

Meeting with OTIF to discuss the establishment of a definitive Supervisory Authority body (Bern, 22 to 24 May 2013)

3. Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets

Preparatory Commission for the establishment of the International Registry (Rome, 6 and 7 May 2013)

³ The Finance Committee is currently (term of three years commencing on 1 January 2012) composed of the following member States: Austria, Canada, France, Germany, India, Islamic Republic of Iran, Italy, Japan, Mexico, Romania, Russian Federation, Spain, Switzerland, United Kingdom and United States of America. Those States the contribution of which had increased by more than three units of contribution as a result of the new contributions chart were also invited to consider becoming members.

4. Netting of financial instruments

Second session of the UNIDROIT Committee of governmental experts on the enforceability of close-out netting provisions (Rome, 4-8 March 2013).

5. UNIDROIT Principles of International Commercial Contracts

Working Group for the preparation of Model Clauses for use by parties of the UNIDROIT Principles of International Commercial Contracts (Rome, 11 and 12 February 2013)

6. Principles and rules capable of enhancing trading in securities in emerging markets

3rd post conference session of the Committee on Emerging Markets Issues, Follow-Up and Implementation established by the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities (Istanbul, 11 to 13 November 2013).

C. RELATIONS WITH GOVERNMENTS

On 31 December 2013, UNIDROIT had 63 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, Indonesia, 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, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Turkey, United Kingdom, United States of America, Uruguay and Venezuela.

The Secretariat continues consultations with a few non-member States with a view to their possible accession to the UNIDROIT Statute.

From 11 to 13 March 2013, the Deputy Secretary General of UNIDROIT, 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 Singapore. After a general overview of UNIDROIT's activities, she gave a talk on the practical application of the UNIDROIT Principles.

While in Asia for a meeting of the World Farmers' Organisation (Niigata, 14 and 15 April 2013), the Secretary-General, Mr José Angelo Estrella Faria, paid a visit on 16 April to the Ministry of Justice and the Bank of Japan. He also took this opportunity to visit Vietnam where he met Directors of various Ministries in Hanoi (Transport, Culture, sports and tourism, Justice) to exchange on institutional matters and UNIDROIT's activities in general (17 to 19 April 2013).

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

On 9 and 10 April 2013, the Secretary-General of UNIDROIT attended the meeting of the Council on General Affairs and Policy of the Hague Conference of Private International Law. He also attended, on 8 April 2013, a Conference organised for the 120th anniversary celebration entitled "The Hague Conference at 120: Today and the Future".

The Secretary-General attended the Second International Conference on Microfinance organised by the United Nations Commission of International Trade Law (UNCITRAL) on 17 and 18 January 2013. He also attended the 46th session of UNCITRAL which took place in Vienna from 22 to 26 July 2013.

E. CO-OPERATION WITH OTHER INTERNATIONAL ORGANISATIONS

To facilitate and promote cooperation between the United Nations and UNIDROIT, the Institute decided in 2012 to request the status of observer in the United Nations and the Italian Government volunteered to sponsor such request. The Permanent Representative of Italy to the United Nations made a request for the inclusion of the item in the agenda of the 68th session of the General Assembly (May 2013). The matter was discussed at the 11th meeting of the 6th Committee on October 16 and supported by other UNIDROIT member States. On 16 December 2013, the General Assembly adopted Resolution 68/121 granting UNIDROIT observer status with the United Nations.

In the course of the period under review, the Institute was represented at several meetings organised by other international organisations including the American Association of Private International Law (ASADIP), the European Commission, the European Parliament, the Food and Agriculture Organization of the United Nations (FAO), the Hague Conference on Private International Law, the Intergovernmental Organisation for International Carriage by Rail (OTIF), the International Bar Association (IBA), the International Development Law Organization (IDLO), the International Finance Corporation (IFC), the International Fund for Agricultural Development (IFAD), the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), the United Nations Commission on International Trade Law (UNCITRAL), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Office on Drugs and Crime (UNODC), the World Bank and the World Farmers' Organisation.

Members of the Secretariat also participated in various 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. *Transactions on international and connected capital markets*

a. **Adoption of the Principles on the Operation of Close-out Netting**

The UNIDROIT General Assembly, at its 67th session in 2010, assigned the highest level of priority to the development of a set of Principles on Close-Out Netting.⁴ Close-out netting is used in the financial markets for the reduction of counterparty credit risk. It allows market participants to reduce their outstanding mutual obligations (and the risks in their contractual relations), to a single, net exposure, in relation to each of their counterparties. Consequently, the operation of close-out netting agreements reduces the risk that the inability of one market participant to meet its obligations can spread to its counterparties--creating or increasing the counterparty's financial difficulties--and possibly leading to a chain of failures or difficulties across the board (contagion effect). Thus, netting reduces systemic risk, reduces costs for the institutions and increases the liquidity in the market.⁵

Drafting of the Principles was initially entrusted to a Study Group,⁶ which submitted a draft to the Governing Council at its 91st session in May 2012. The Council, in turn, endorsed a proposal to convene a Committee of governmental experts for consideration and finalisation of the draft Principles on the Operation of Close-out Netting.⁷ The Committee of governmental experts met in October 2012 and March 2013 and approved a revised set of Draft Principles on the Operation of Close-Out Netting Provisions,⁸ which it forwarded for adoption by the Governing Council at its 92nd session in May 2013.⁹

The Council commended the Committee for completion of the Principles and adopted them and their accompanying comments and requested the Secretariat to take steps to promote the wide-spread dissemination and national implementation of the Principles. On this latter mandate, the Secretariat has published the *Principles on the Operation of Close-Out Netting Provisions*, which it has begun to disseminate.

b. **Legislative Guide on Principles and Rules capable of enhancing trading in securities in emerging markets**

The diplomatic Conference that adopted the UNIDROIT Convention on Substantive Rules for Intermediated Securities in 2009, as part of its activities to promote implementation of the Convention and to promote local application of issues relevant to its subject-matter, established a Committee on Emerging Markets Issues, Follow-Up and Implementation ("CEM"). The UNIDROIT General Assembly, in turn, included the drafting of a "legislative guide containing principles and rules capable of enhancing securities trading in emerging markets" in the UNIDROIT Work Programme, and assigned that task to the CEM.

The CEM has met on three occasions. The first meeting took place in Rome in 2010 to discuss the feasibility of a legislative guide. The second meeting took place in Rio de Janeiro in 2012 to discuss possible legislative measures to implement the Convention and incorporate it into domestic law. The Governing Council took note, with great interest, of the results of the first two

⁴ UNIDROIT 2013 – A.G. (67) 9 rev.

⁵ For a detailed analysis of the operation of close-out netting provisions, see, Ole Böger, "Close-out netting provisions in private international law and international insolvency law, Unif. L. Rev., Vol. 18, No. 2, 2013, 232-261 and Unif. L. Rev., Vol. 18, No. 3, 2013.

⁶ UNIDROIT 2011 Study LXXVIII C – Doc. 4, and, UNIDROIT 2011 Study LXXVIII C - Doc. 9.

⁷ UNIDROIT 2012 – C.D. (91) 15.

⁸ UNIDROIT 2012 C.G.E./Netting/1/Report, and UNIDROIT 2013 C.G.E./Netting/2/Report.

⁹ UNIDROIT 2013 – C.D. (92) 6(a).

meetings of the Committee, and elevated the priority given to the work on drafting the Legislative Guide at its 92nd session in 2013, encouraging the Committee to establish the scope, content and methodology for that future instrument.

The third meeting of the CEM, hosted by the Capital Markets Board of Turkey, took place in November 2013, in Istanbul, to establish the scope for a legislative guide and to propose a methodology and time-table for completion of that instrument.

2. UNIDROIT Principles of International Commercial Contracts

a. Adoption of Model Clauses for Use by Parties of the UNIDROIT Principles of International Commercial Contracts

At its 91st session in May 2012 the UNIDROIT Governing Council, following a proposal submitted by Don Wallace Jr. (Georgetown University School of Law; President of the American Foundation of International Uniform Law), decided to set up a restricted Working Group for the preparation of Model Clauses for use by parties intending to indicate in their contract more precisely in what way they wish to see the UNIDROIT Principles of International Commercial Contracts used during the performance of the contract or when a dispute arises.

A Working Group was set up composed of internationally renowned experts in the field of private international law and arbitration: Don Wallace (Chairman), Klaus Peter Berger (Institut für Bankrecht, Universität zu Köln), Michael Joachim Bonell (Rapporteur), Neil B. Cohen (Brooklyn Law School), Yves Derains (Derains & Gharavi, Paris), Lauro Gama Jr. (Catholic University of Rio de Janeiro PUC-RIO), Toby Landau Q.C.(Essex Court Chambers, London), Alexander Komarov (Russian Academy of Foreign Trade, Moscow) and William W. Park (Boston University).

The Working Group held its first session in Rome from 11 to 12 February 2013. The session was also attended by numerous Observers: Eckart Brödermann (Managing Director, Chinese European Arbitration Center (CEAC) Hamburg), Andrea Carlevaris (Secretary General, ICC International Court of Arbitration), Simon Manner (representing Francesca Mazza, Secretary General of the German Institute of Arbitration), Geneviève Saumier (Faculty of Law, McGill University). The Working Group was seized of a position paper with draft Model Clauses prepared by the Rapporteur Michael Joachim Bonell. After an extensive discussion of the various issues raised in that paper, the Group agreed on a revised set of Model Clauses and asked the Rapporteur to prepare accompanying Comments.

The draft Model Clauses and accompanying Comments prepared by the Rapporteur were sent to Members and Observers of the Group for their observations and for circulation among interested circles (judges, arbitrators, lawyers, in-house counsel, etc.) in their respective countries.

A revised version of the draft Model Clauses and Comments was submitted to the UNIDROIT Governing Council at its 92nd session and was unanimously adopted by it.

The Model Clauses, in their English and French versions, have been published by the Secretariat in paper-based booklets as well as posted on the Institute's website. They have also been sent in electronic form to arbitration centers and associations worldwide as well as to national bar associations and judiciaries so as to give them the widest possible publicity.

b. UNILEX

Monitoring of the use in practice of the UNIDROIT Principles continues on a systematic basis. By the end of December 2013, 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 172 arbitral awards and 163 court decisions referring in one way or another to the Principles.

3. Private law and development

a. Promoting investment in agricultural production: Preparation of legal guide on contract farming

Following the Secretariat's proposal to open a new line of work in the field of private law and development, particularly in the field of investment and agricultural production, the Governing Council made the recommendation to the General Assembly which endorsed it at its 67th session (1 December 2010) to include this subject in the UNIDROIT Work Programme. Building upon the contributions made at a Colloquium on "Promoting investment in agricultural production: private law aspects", which was held at the seat of UNIDROIT from 8 to 10 November 2011 as well as on consultations with potential partner multilateral organisations – in particular with the United Nations Rome-based organisations specialised in food, agricultural and development –, the Governing Council at its 91st session (Rome, 7-9 May 2012) decided on the course of action as regards future subjects that may be developed in the area of private law and agricultural development.

As the first subject to be addressed, the Council agreed that UNIDROIT could usefully contribute its contract law expertise to the development of contract farming by preparing a legal guide on contract farming operations. Contract farming refers to a particular modality of agricultural production based on an agreement between a farmer and another party – typically an agribusiness company. This modality is increasingly applied in food and non-food (for example bio-fuel) supply chains at the global level. Under the parties' agreement, which is designated under the Guide as an "agricultural production contract," the farmer would undertake to produce and deliver agricultural commodities in accordance with contractor's specifications, while the contractor would undertake to acquire the product for a price and would generally provide a certain degree of guidance for the production through, for example, the supply of inputs and the provision of technical advice. While a number of countries have adopted specific acts to govern such transactions, under most legal systems such complex contracts are not typified: they are therefore regulated by the parties themselves, in accordance with the mandatory and default rules of the applicable law.

In view of the interest of the subject, the Governing Council decided to authorise the establishment of a Working Group for the preparation of a legal guide on contract farming, inviting also multilateral Organisations working for agricultural development, in particular the Food and Agriculture Organization (FAO), the International Fund for Agricultural Development (IFAD) and other interested international organisations to participate in its work. Furthermore, the Governing Council decided that this topic should be given high priority in the UNIDROIT Work Programme. In accordance with the Governing Council's decision, the Secretary-General of UNIDROIT set up a Working Group for the preparation of a Legal Guide on Contract Farming composed of contract law experts representing different jurisdictions and legal backgrounds, relying also upon the active cooperation of partner multilateral organisations and including an appropriate representation of agricultural producers and of the private sector.

The Working Group held its first meeting on 28-31 January 2013¹⁰ with the participation of the following members: Prof. Fabrizio Cafaggi (European University Institute, Italy); Mr Eduardo A. Chiziane (Eduardo Mondlane University, Faculty of Law, Maputo, Mozambique); Prof. Marcel Fontaine (emeritus, Catholic University of Louvain Law School, Belgium); Prof. Henry Gabriel (Elon University School of Law, Greensboro, USA – *UNIDROIT Governing Council member, Chairman of the Working Group*); Prof. Horacio Roitman (University of Cordoba Faculty of Law, Argentina); Prof. Paripurna P. Sugarda (University of Gadjah Mada Faculty of Law, Yogyakarta, Indonesia). The following intergovernmental organisations were represented as observers: the Food and Agriculture Organization (FAO), the International Fund for Agricultural Development (IFAD), the World Food Programme (WFP), the World Bank / International Finance Corporation. Observers attended in representation of the professional and trade interests, *i.e.* the World Farmers' Organization (WFO) and from one agribusiness company.

¹⁰ For the report on the First meeting of the UNIDROIT Working Group, see: UNIDROIT 2013, Study 80 A – Doc. 2 (accessible at: <http://www.unidroit.org/english/documents/2012/study80a/wg01/s-80a-02-e.pdf>).

At its first meeting, the Group agreed on the general approach to contract farming under the project and discussed the envisaged addressees and outcome of the project. It was decided that the Guide will be primarily addressed to the parties – and more broadly, to stakeholders in the contract farming relationship – for the purpose of providing advice and guidance throughout the relationship, from negotiation to conclusion, from performance to breach or termination of the contract. The future Guide would offer an analysis of substantive law issues which are involved in agricultural production contracts. It would identify problem areas and possible solutions in light of trade usages and legislation. It could serve as a “good practice” reference by providing guidance for parties engaged in contract farming operations during the negotiation and drafting of contracts, thus helping to build trust between the parties and support mutually beneficial relationships. The future Guide could also serve as a reference in the context of the formulation of public governance instruments to sustain agricultural development. In view of its various potential applications, the future Guide could provide an additional tool available to international organisations and bilateral cooperation agencies as well as nongovernmental organisations engaged in strategies and programs in support of contract farming in developing countries.

The Working Group also considered the types of transaction to be covered by the Guide and proceeded to a general discussion of the prospective content of the Guide, based on the following draft structure: Introduction; Parties to the contract; Contract form and contract formation; Parties’ obligations; Non-performance, excuses and remedies; Duration and renewal of the contract; Applicable law and Dispute resolution. At this meeting, there was an initial allocation of chapters to be drafted by members of the Working Group and the UNIDROIT Secretariat.

Based on its high level expertise on contract farming theory and practice and in view of the potential usefulness of the future Guide for its field operations at country level, FAO expressed its interest in participating in the project as co-author of the Guide, an instrument which it could help disseminating and implementing in capacity-building programmes once adopted.

The Working Group held its second meeting on 3-5 June 2013¹¹ with the participation of Prof. Fabrizio Cafaggi, Mr Eduardo A. Chiziane, Prof. Marcel Fontaine, Prof. Henry Gabriel (*Chairman of the Working Group*) and Prof. Paripurna P. Sugarda who had participated in the first meeting and, in addition, of Prof. A. Bryan Endres (University of Illinois, USA). In addition to FAO as partner organisation, observers from IFAD and WFP (intergovernmental organisations) and WFO and one agribusiness company (professional and trade interests) participated in the meeting.

At its second meeting, the Group examined the first drafts relating to the Introduction (Study 80 A – Doc. 3) and Chapter I – Parties to the contract (Study 80 A – Doc. 4) prepared by the UNIDROIT Secretariat; to Chapter III: Contractor’s obligations (Study 80 A – Doc. 5 prepared by Prof. Gabriel) and Producer’s obligations (Study 80 A – Doc. 6 prepared by Prof. M. Fontaine).

Based on the feedback and comments received during the second meeting of the Working Group, the Introduction, Chapter I and Chapter III were substantially revised by the Rapporteurs during the second half of 2013. In addition, preliminary drafts for the remaining chapters of the Guide were completed by the Rapporteurs during the second half of 2013. The full collection of chapter drafts will be reviewed in detail by the members of the Working Group during the third Working Group meeting to be held on 3-7 March 2014.

Based on the recognition of contract farming as one business model which can deliver benefits to producers and the rural sector, in particular supporting the inclusion of smallholder farmers in the value chains, IFAD has actively participated in the preparation by UNIDROIT of the future Legal Guide on contract farming since the outset. In consideration of the potential of the Guide to serve as a useful tool to inform field practices and be used in the implementation of its financing policies, IFAD awarded a grant to support UNIDROIT’s activities on contract farming in 2014. The grant, which is to be administered by FAO, will serve to fund two meetings of the Working Group, three stakeholder consultation meetings and a consultant to assist the Secretariat in the revision of the drafts and the preparation of the final publication.

¹¹ For the report on the Second meeting of the UNIDROIT Working Group, see: UNIDROIT 2013, Study 80 A – Doc. 7 (accessible at: <http://www.unidroit.org/english/documents/2013/study80a/wg02/s-80a-07-e.pdf>).

b. Possible future work on private law aspects of agricultural investment and financing

At its 92nd session in May 2013, the Governing Council reaffirmed its interest in possible future work on private law aspects of agricultural investment and financing (including land investment contracts, land tenure regimes, legal structure of agricultural enterprises and others) and encouraged the Secretariat to revisit these issues once the Legal Guide on Contract Farming is completed.

4. International Interests in Mobile Equipment

a. Space Protocol to the Cape Town Convention

Pursuant to Resolution 1 of the diplomatic Conference for the adoption of the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Space Assets (Berlin, 27 February - 9 March 2012), a Preparatory Commission was set up to act as Provisional Supervisory Authority for the establishment of the International Registry for Space Assets under the guidance of the UNIDROIT General Assembly.

The first session of the Preparatory Commission was held at the seat of UNIDROIT in Rome on 6 and 7 May 2013, under the Chairmanship of the delegate of Italy Mr Sergio Marchisio, professor and former Chairman of the Commission of the Whole at the Berlin Conference. The following States agreed to serve as members of the Preparatory Commission: Brazil, the People's Republic of China, the Czech Republic, France, Germany, India, Italy, the Russian Federation, Saudi Arabia, South Africa and the United States of America. A number of other participants and representatives of the financial and commercial world attended the session as observers. In particular, the International Telecommunication Union (ITU) accepted to join the Commission and confirmed its interest in considering the matter of its becoming the Supervisory Authority subject to the conditions already set forth in Resolution 2 of the Final Act of the Diplomatic Conference in Berlin.

The Preparatory Commission appointed two Working Groups, one entrusted with the development of rules for the International Registry for Space Assets (Chairman Mr Igor Porokhin) and the other with the drafting of a request for proposals for the selection of a Registrar (Chairman Mr Bernhard Schmidt-Tedd). The Commission invited Sir Roy Goode to produce, with the assistance of Secretariat of UNIDROIT and on the basis of comments received by the members of the Preparatory Commission, a first draft of the Registry Regulations accompanied by an Explanatory Memorandum clearly indicating the open points where input from industry and other experts would be most needed. Both documents were circulated in time to receive comments from delegates and observers and to prepare updated drafts for discussion at the second session of the Preparatory Commission, to be held in Rome on 27 and 28 February 2014.

Following the examples of the Aircraft and the Rail Protocols, the UNIDROIT Secretariat prepared a Declarations Memorandum specific to the Space Protocol, with the aim of offering a clear overview and explanation of all declarations available to prospective contracting States under the Space Protocol and consequently, facilitating the task of States adopting the Protocol. The document will soon be available.

b. Luxembourg Rail Protocol to the Cape Town Convention

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 5 Signatory States, 1 Signatory Regional Economic Integration Organisation, 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. Since its last full session in 2011, the Preparatory Commission had appointed a negotiating team to conduct negotiations with SITA SA for the conclusion of the contract with the Registrar. The negotiating team met at UNIDROIT's Headquarters in Rome with Aviareto and SITA representatives on 4 and 5 February 2013 and the Secretary-General, A. Veneziano and J. Wilson for the UNIDROIT

Secretariat. The meeting finalised the draft contract for the operation of the International Registry for international interests in mobile equipment (RegCo) with its annexes and attachments, as well as the Master Service Agreement and its schedules and the Software Security Agreement, but for a few open issues which needed further discussion within SITA's management. The negotiating team continued to pursue negotiations with SITA throughout 2013 with the view to solve the outstanding issues and send all documents for approval to the Preparatory Commission as a whole in early 2014. At the same time, issues relating to the establishment of a definitive Supervisory Authority body were discussed with the Intergovernmental Organisation for International Carriage by Rail (OTIF) through repeated contacts between UNIDROIT and OTIF and during a dedicated meeting held on 22-23 May 2013 at the OTIF Headquarters in Bern with the participation of the Secretary-General of UNIDROIT.

c. Possible future Protocol to the Cape Town Convention on agricultural, construction and mining equipment

At its 91st session (Rome, 7 – 9 May 2012), the Governing Council discussed future work on a possible fourth protocol to the Cape Town Convention on mining, agricultural and construction (MAC) equipment, a proposal that had originally been made in 2005 and which had formed the object of a discussion at the forum that the Secretariat had convened on 10 November 2011 on "Possible Benefits of Extending the Cape Town System to Agricultural, Mining and Construction Equipment".

At that session, the Secretariat informed the Council that, following the forum, it had received an offer from the *Center for Economic Analysis of Law (CEAL)* (Washington D.C.) to undertake an economic assessment of the proposed Protocol on a *pro bono* basis. The final text of the study, prepared by Mr Heywood Fleisig, Director of Research at the CEAL, was submitted to the Council in 2013.

The CEAL study examines the possible economic impact of the proposed Protocol on trade in mining, agricultural and construction equipment. According to the CEAL study, the Cape Town Convention has a positive economic impact on equipment financing because it reduces the risk of lending. It permits mobile equipment to serve as good collateral in jurisdictions where national laws do not. The study concludes that in countries that export or import the equipment concerned, in countries that have not yet modernised their secured transactions laws, or have only done so partially, more MAC equipment would be used to produce more mining, agricultural, and construction output. Countries that produce and export MAC equipment would thus experience an increase in the demand for the machinery they produce, which would have a ripple effect on the economy. Countries where the fourth protocol would ease financing constraints would purchase more MAC equipment and increase their GDP by producing more mining, agricultural, and construction output. Some countries that produce, use, import, and export MAC equipment would experience both effects.

The study also devoted attention to the concerns of the Governing Council regarding the extent to which financing of MAC equipment is provided by domestic (i.e. in-country) financial institutions or international institutions, and the need for information about the mobility of MAC equipment in practice, how it moves across borders and with what frequency. Other points included the question of the equipment being "uniquely identifiable", bearing in mind the number of potential categories/models of equipment within the scope of the protocol, and the absence of (uniform) system(s) of identification and the registration regime.

The Governing Council took note of the CEAL report, as well as of the expressions of support from several industry associations on its potential economic impact, and agreed to proceed with preliminary work on a potential Fourth Protocol on agricultural, mining and construction equipment.

The General Assembly endorsed the decision of the Council at its 92nd session in December 2013, with the proviso that the priority of the project should be kept at a medium level, one representative maintaining that agricultural, mining and construction equipment would not be a suitable type of collateral for a Cape Town-based Protocol since there was little evidence of its cross-border mobility, but would be more aptly covered by an instrument containing general rules on secured transactions.

In November 2013, the UNIDROIT Secretariat participated in the first *Issues Dialogue* organised by the State Department of the United States in Washington D.C., attended by experts and stakeholders to provide an overview of the structure and functioning of the Cape Town Convention system and to examine its adaptability to agricultural, mining and construction equipment. A second meeting will be held in Washington in January 2014.

d. Possible future Protocol to the Cape Town Convention on ships and maritime transport equipment

At its 92nd session (Rome, May 2013), the Governing Council took note of the report ¹² on a possible future Protocol on ships and maritime transport equipment which showed that the field of secured transactions concerning ships in a cross-border context is traditionally riddled with problems stemming from the lack of international harmonisation of national proprietary security law regimes concerning ships. The report also indicated that the preparation of a new Protocol to the Cape Town Convention covering ships and maritime equipment could be of enormous advantage to market participants in this field. The Governing Council requested the Secretariat prepare a feasibility study on whether satisfactory conditions exist to move forward with this work.

When adopting the UNIDROIT's Work Programme for 2014-2016 (December 2013), the General Assembly assigned low priority to this subject.

e. Possible future Protocol to the Cape Town Convention on off-shore power generation and similar equipment

In recent years, the generation of electricity by off-shore wind farms has developed into an important industry. Its relevance is expected to increase even more in the wake of rising demand for renewable energy sources. This in its turn creates enormous demand for financing and here, the availability of an efficient regime for proprietary security over off-shore wind power generation and similar equipment may be expected to reduce financing costs and increase the availability of secured credit.

At its 92nd session (Rome, May 2013), the Governing Council took note of the report on a possible future Protocol on off-shore wind power generation equipment ¹³ and, while the members agreed that there were significant legal issues to be addressed in the financing of this equipment, opinions varied on whether the Cape Town Convention system could be tailored to provide adequate solutions. The Governing Council encouraged the Secretariat to maintain a potential Protocol on off-shore wind power generation and similar equipment on its Work Programme. The General Assembly assigned low priority to this subject.

5. Transnational Civil Procedure – development of regional rules

The ALI / UNIDROIT Principles of Transnational Civil Procedure, prepared by a joint American Law Institute / UNIDROIT Study Group and adopted in 2004 by the Governing Council of UNIDROIT, aimed at reconciling the differences among various national rules of civil procedure, taking into account the peculiarities of transnational disputes as compared to purely domestic ones. They were accompanied by a set of "Rules of Transnational Civil Procedure", which were not formally adopted by either UNIDROIT or ALI, but constituted "the Reporters' model implementation of the Principles, providing greater detail and illustrating concrete fulfilment of the Principles". The Rules might be considered either for adoption "or for further adaptation in various legal systems," and along with the Principles could be considered as "a model for reform in domestic legislation".¹⁴

With the aim of resuming work on the development of the "Rules", UNIDROIT decided to focus on

¹² See document UNIDROIT 2013 – C.D. (92) 5 (c)/(d).

¹³ *Idem*.

¹⁴ Reporters' Study, Rules on Transnational Civil Procedure, Introductory Note, Cambridge University Press, 2006, 99.

regional implementation and on adapting the Principles to the peculiarities of specific legal systems. In this respect, the possibility of a joint project on the development of European rules of civil procedure was discussed within the framework of the institutional co-operation with the newly founded European Law Institute (ELI) the main task of which is to initiate, conduct and facilitate research, make recommendations and provide practical guidance in the field of European legal development.

On the part of the ELI, the joint ELI / UNIDROIT project was seen as a possible useful tool to avoid a fragmentary and haphazard growth of European civil procedural law, taking into account the emergence of a growing body of rules at European level in the field of procedural law, in the wake of the enlargement of the EU competences towards judicial co-operation. From the point of view of UNIDROIT, the project would support the promotion of the ALI / UNIDROIT Principles. It was further envisaged that it might represent a first attempt towards the development of other regional projects adapting the ALI / UNIDROIT Principles to the specificities of regional legal cultures, leading the way to the drafting of other regional rules.

At its 92nd session, the Governing Council took note of the proposal for future work in the field of transnational civil procedure and recommended that the General Assembly assigned medium priority to the project when adopting the Work Programme of the Institute for the triennium 2014-2016 (see UNIDROIT 2013 – C.D. (92) 17, 20, para. 111). At its 72nd session, the General Assembly approved the Work Programme for the triennium 2014-2016 but decided to lower the priority of the project (see UNIDROIT 2013 – A.G. (72) 9, 8, paras. 26-28).

The first joint ELI-UNIDROIT Workshop entitled “*From Transnational Principles to European Rules of Civil Procedure*”, in cooperation with the American Law Institute, was held in Vienna on 18 and 19 October 2013. Speakers were invited to provide an initial analysis of a series of different topics, ranging from service of process to enforcement, with a view to identifying the most promising issues and the most appropriate methodological approach for the project. The event was divided into a public conference which gave a general introduction for a wider audience and an expert seminar which discussed the foundation for the elaboration of a possible future project by ELI and UNIDROIT. In line with the specific nature of the endeavour, participation of leading academics but also practicing lawyers, judges and members of European institutions was considered to be a key element in the success of the Workshop.

Further activity was planned for 2014, within the framework of a specific Memorandum of Understanding to be concluded between UNIDROIT and ELI, in order to implement the Work Programme adopted at the 72nd session of the General Assembly.

6. *Third Party Liability for Global Navigation Satellite System (GNSS) Services*

Decision on work within UNIDROIT on the proposed project on Third Party Liability for Global Navigation Satellite System (GNSS) Services has been postponed until such time as stock has been taken of an impact assessment that the EU Commission is preparing on the need for a European regulation on the liability of GALILEO. The decision of the Commission whether or not to proceed with the drafting of a regulation would be based on that impact assessment. In 2011 when the preparation of the impact assessment was first voiced, it was expected to be issued in the first semester of 2012. The publication of the impact assessment has however repeatedly been postponed, first till November 2012, then to March 2013. In July 2013 the Secretariat was informed that the EU authorities had decided to put it on hold, pending clarification of the definition of the services that would be offered by GALILEO. Since then, no further information has been forthcoming as to the final publication of the impact assessment.

B. FOLLOW-UP OF INSTRUMENTS ADOPTED BY UNIDROIT

The Secretariat continued to do its utmost, in 2013, to promote the UNIDROIT Conventions and other instruments by presenting them at conferences or by publishing articles focussing on them.

Annex 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. UNIDROIT Principles of International Commercial Contracts

a. Promotion of the UNIDROIT Principles 2010

In the course of 2013 the UNIDROIT Principles 2010 were presented at a number of events to interested academic and business circles.

- 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). A. Veneziano represented UNIDROIT and presented a paper on “Pros and Cons of the Soft Law Approach to the Unification of International Commercial Contract Law in the UNIDROIT Experience”. H. D. Gabriel also made a presentation on the subject entitled “UNIDROIT as a Source for Global Sales Law”. The Acts of the Symposium have been published in the *Villanova Law Review*. Villanova Law Review Volume 58, Number 4 (accessible on-line at <http://lawweb2009.law.villanova.edu/lawreview/>)
- On 8 April 2013, M.J. Bonell was invited to attend the 28th ICC/SIA Joint Symposium of Arbitrators in Paris entitled “Interpretation of the contract by arbitrators” and to present a paper on “Implied Terms, Good faith and Arbitration”. In this context he referred to the relevant provisions of the UNIDROIT Principles as well as to decisions rendered world-wide applying these provisions.
- On 13 May 2013, a group of Russian lawyers, accompanied by A. Komarov, met at UNIDROIT. Presentations on the Institute’s Work Programme in general and on the UNIDROIT Principles in particular were made by M.J. Bonell and A. Veneziano.
- On 8 November 2013, a joint UNIDROIT/ICC-Italia/Associazione Italiana per l’Arbitrato Conference on “Innovative Solutions for the Choice of the Law Governing International Contracts” was held at UNIDROIT. M.J. Bonell presented a paper on the newly adopted Model Clauses for the use of the UNIDROIT Principles, while F. Bortolotti, Chairman of the ICC Commission on Commercial Law and Practice presented a paper on the ICC Model Contracts and the reference to the UNIDROIT Principles therein contained; the two presentations were followed by a Round Table discussion on “The growing acceptance of a-national solutions in international contracts, particularly by developing countries, chaired H.E. Ercüment Erdem, Vice-Chairman of the ICC Commission on Commercial Law and Practice, with the participation of A. Montanari (FATA), S. Catelani (DuPont de Nemours), E. Marcenaro (ENEL) and P. Galizzi (ENI).
- On 28 and 29 November 2013 J.A. Estrella Faria and A. Veneziano participated in the Workshop “Private Production of Transnational Law” organised at the European Law Institute in Florence, discussing, inter alia, the role of the UNIDROIT Principles as a source of law in international commercial contracts.

In the course of 2013 A. Veneziano gave two lectures on the UNIDROIT Principles: one on 12 June in the context of the Certificate Program on International Commercial Law and International Alternative Dispute Resolution – Pace Law School (on-line lecture) and another on 20 September in the context of the Master in Business and Company Law. European and international perspective at the LUISS University, Rome.

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

- Mel Eisenberg - and Steve Burton, *Contract Law: Selected Source Materials -- [...] Edition*
- Schlechtriem/Schwenzer (eds.), *Kommentar zum Einheitlichen UN-Kaufrecht – CISG, 6th ed.*
- Pack for the module 'Law of Agency', taught by Professor Francis Reynolds, for the Master of Laws programme of the Singapore Management University (SMU)'s School of Law Graduate Programmes Office
- Indira Carr / Miriam Goldby, *International Trade Law Statutes and Conventions 2013-2015* Routledge Law 2013
- James O. Rodner, *Transferencia del contrato y los Principios de UNIDROIT* (2013).

b. Different language versions of the UNIDROIT Principles 2010

In the course of 2013 the Japanese, Russian and Ukrainian versions of the integral text of the UNIDROIT Principles 2010 were published. The Arabic (due to be published in 2014), Indonesian, Persian, Portuguese, Slovak and Vietnamese translations of the integral version are underway. The black letter rules of the UNIDROIT Principles 2010 are now also available in German, Greek, Hungarian and Portuguese.

2. International Interests in Mobile Equipment

a. Cape Town Convention / Aircraft Protocol

UNIDROIT has been designated as the Depositary 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 both entered into force on 1 March 2006. As at 31 December 2013, there were 59 Contracting States to the Convention and 53 Contracting States to the Aircraft Protocol.

Between 1 January and 31 December 2013, the following 3 States deposited their instruments of ratification or accession to the Convention and Aircraft Protocol: Congo, Kuwait and Madagascar. Also during that period, Spain deposited its instrument of accession to the Convention (only), and Mozambique deposited its instrument of accession to the Aircraft Protocol (only).

In its capacity as Depositary, UNIDROIT publishes Depositary reports pursuant to Article 61(1) of the Convention¹⁵ and Article XXXVI(1) of the Aircraft Protocol.¹⁶ The last report covered the period 2010-2011,¹⁷ and the next, covering the period 2012-2013, will be published in the course of 2014 on the basis also of the report which will be submitted by the Supervisory Authority.

b. Cape Town Convention Academic Project

The Cape Town Convention Academic Project held its second annual Conference in Oxford on 9 and 10 September 2013, with the active participation of academics, practicing lawyers and governmental experts. Key issues regarding the practical application of the Cape Town Convention system were addressed, in particular the treatment of non-consensual interests (John Pritchard and Bryan Welch) and the provisions on intangible assets (Roy Goode and Peter Winship). In addition, more general topics were discussed, such as the Cape Town Convention and comparative law (Michel Deschamps

¹⁵ Article 61(1) of the Convention provides: "The Depositary shall prepare reports yearly or at such other times as the circumstances may require for the States Parties as to the manner in which the international regimen established in this Convention has operated in practice. In preparing such reports, the Depositary shall take into account the reports of the Supervisory Authority concerning the functioning of the international registration system."

¹⁶ Article XXXVI(1) of the Aircraft Protocol provides: "The Depositary, in consultation with the Supervisory Authority, shall prepare reports yearly, or at such other times as the circumstances may require, for the States Parties as to the manner in which the international regimen established in this Convention as amended by this Protocol has operated in practice. In preparing such reports, the Depositary shall take into account the reports of the Supervisory Authority concerning the functioning of the international registration system."

¹⁷ See the previous Reports on the UNIDROIT website at the following page:
<http://www.unidroit.org/depositary-2001capetown-aircraft>

and Philip Wood), the relationship between the Cape Town Convention and national law (Jeffrey Wool and Sandeep Gopalan), public service and the Cape Town Convention (Howard Rosen and Henry Gabriel) and a transactional approach to registrations with the International Registry (Rob Cowan and Marla Weinstein). The papers were published on-line and in the second issue of the *Cape Town Convention Journal*.

3. International Protection of Cultural Property

a. 1995 UNIDROIT Convention on Stolen or Illegally exported Cultural Objects

On 31 December 2013, there were 35 Contracting States of the *UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects* (cf. Annex II), Honduras being the latest State to accede to the Convention in 2013. Four instruments of accession are to be deposited with the Depositary. Ratification or accession procedures are in progress in other countries.

The UNIDROIT Secretariat has been increasingly called upon in recent years in connection with the 1995 Convention, owing, among other things, to the upsurge in trafficking in cultural objects. The Secretariat has pursued its efforts to publicise the Convention, within the limits of its budgetary resources for this item and with the financial assistance of the organisers, in particular UNESCO, by taking part – directly or otherwise – in a range of events.

It should in particular be noted that the meetings in 2013 that UNIDROIT participated in to promote the 1995 Convention took place in different parts of the world, namely in the Sultanate of Oman for a national seminar held in February 2013 (UNESCO), in Jordan for a regional training course on the protection of Syrian cultural property in February 2013 (UNESCO) (followed by a national seminar in Damascus in May 2013 where the decision has been taken to accede to the 1995 Convention), in Budapest for a Conference devoted to the 1995 Convention in March 2013, in Mexico City for a Conference entitled “*The Globalization of the Protection of Cultural Heritage – the 1970 Convention: New Challenges*” in March 2013 (UNESCO), in Rome at the first International Symposium on cultural diplomacy in June 2013, at Olympia for the *Third International Conference of Experts on the Return of Cultural Property* in October 2013, in Casablanca for a regional seminar for the countries of the Maghreb and Mauritania in November 2013 (UNESCO) and in Kathmandu for a regional international conference for the South East Asian countries in December 2013 (UNESCO). At the end of all these events recommendations were adopted inviting States to become parties to the UNIDROIT Convention. Lastly, UNIDROIT was invited to illustrate the 1995 Convention and its connection with the 1970 UNESCO Convention at Plenary Meetings of the French-speaking Electoral Group and the Asia and the Pacific (ASPAC) Electoral Group, in September and October 2013. Presentations to other Electoral Groups are scheduled for 2014.

To be stressed is also the importance in 2013 of partnerships and collaboration with other international organisations on the subject of cultural property, the activities relating to which have known a great upswing. In addition to the excellent long-standing collaboration with UNESCO, UNIDROIT has developed collaborations with

- the *Comando Carabinieri Tutela Patrimonio Culturale* – training course organised in Rome for Mongolian policemen and judges;

- the *United Nations Office on Drugs and Crime (UNODC)* – invitation to participate in a group of experts entrusted with the preparation of draft “*Guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property*” followed by participation in a committee of governmental experts in April 2013;

- the *European Union* – UNIDROIT was associated with a group of experts in the context of the Work Plan for Culture 2011-2014 to elaborate a “*toolkit on fight against illicit trafficking and theft*” by beginning with a consideration of possible guidelines for due diligence in October 2013; UNIDROIT was also invited to attend a workshop organised on the recast of the European Directive on the return of cultural objects unlawfully removed from the territory of a Member State in Brussels on 4 November to discuss the proposals of the European Parliament and of the Council;

- lastly, it continued its collaboration with other organisations such as *INTERPOL* (7th Working Meeting on the Illicit Trafficking in Cultural Property Stolen in Central and Eastern Europe, Riga, October 2013) or the International Council of Museums (*ICOM*) (participation in the creation of the *International Observatory on Illicit Traffic in Cultural Goods*);

- the *World Customs Organization (WCO)*: UNIDROIT has been invited to join the ARCHEO network which is a communication tool dedicated to real-time information exchange and cooperation in the field of protection of cultural property.

b. UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects

The Model Provisions, together with an Explanatory Report and a set of explanatory guidelines, are now at the disposal of the member States of the two promoting Organisations with a view to their being used, where appropriate, as a model in drafting new provisions to govern the State's ownership of undiscovered cultural objects, or to replace and/or adapt national legislation already in force.

The Model Provisions were extensively presented at the various national and regional training workshops organised together with UNESCO and other meetings and conferences on cultural property, as a tool aiming in particular at facilitating the implementation of the 1995 UNIDROIT Convention.

The Model Provisions, together with the 1995 Convention, in their English and French versions, have been published by the Secretariat in 2013 in a paper-based booklet.

4. Geneva Securities Convention

The Convention has one Signatory State, Bangladesh.

The Committee on Emerging Markets Issues, Follow-Up and Implementation established by the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities held its third post-conference meeting from 11 to 13 November 2013 in Istanbul, at the kind invitation of the Capital Markets Board of Turkey. The first day of the meeting was in the form of a Colloquium on financial markets entitled "Enhancing Financial Integrity: the Geneva Convention and the UNIDROIT Principles on Close-out Netting under National Law". In the second day, Committee members and observers meeting examined the reception given to the 2009 Geneva Securities Convention in the various countries, in particular in emerging countries, considered legislative measures to implement the Convention and incorporate it in domestic law as well as concrete proposals for its promotion. They also considered the scope for the future Legislative Guide on Principles and Rules capable of enhancing trading in securities in emerging markets guide and proposed a methodology and time-table for completion of that instrument.

During the Committee's discussion on possible future work by UNIDROIT to promote the Geneva Securities Convention and, in general, its work in the area of capital markets, it was pointed out that the financial markets community, and regulators in particular, were currently heavily engaged in international consultations and that UNIDROIT's involvement in this area, with the Geneva Convention and its work on netting, showed that private law aspects played an important role, a point that tended to be overlooked by regulators. Since the Geneva Securities Convention was germane to the interests of regulators and Governments in that, among other things, it reduced systemic risk, it was suggested that UNIDROIT envisage promoting the Convention as an assessment standard (such as might be done by the Financial Accounting Standards Board in other areas), similarly to the Secretariat's intentions for netting principles vis-à-vis the International Monetary Fund.

Moreover, in view of the request for technical assistance made by certain member States wishing to incorporate some of the issues addressed in the Geneva Securities Convention into their legislation, and given the quality of the experts that make up the Committee, it was suggested that UNIDROIT set in place a network of experts willing and able to assist these States with a view, if

possible, to ratification of, or accession to, the Geneva Securities Convention. In so doing, UNIDROIT should co-operate with the International Monetary Fund (IMF), the European Bank for Reconstruction and Development (EBRD) or the World Bank, so that the special expertise, competences and special resources of each of these bodies may be brought to bear on the matter.

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.

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

A. LEGAL CO-OPERATION PROGRAMME

The Legal Co-operation Programme UNIDROIT and member and non-member countries, with a view to achieving the statutory objectives of the Organisation. The Programme is designed above all for countries lacking sufficient resources to participate in the legal harmonisation process, in particular developing countries and countries in economic transition, and essentially focuses on the efforts undertaken to implement and disseminate the work of the Institute, and provides training and research opportunities for high-level jurists, by means of a Scholarships Programme. For the Organisation's institutional relations with Governments (visits and seminars in member and non-member countries), see *supra* p. 8.

1. Co-operation with partner organisations

The UNIDROIT Secretariat maintains close institutional co-operation links with a broad range of organisations with a universal or regional mandate. This includes the exchange of information and consultations with respect to topics of common interest, in particular in the framework of the Institute's legislative activities (see *supra*).

2. Research Scholarships Programme

Since it was first launched in 1993, the Research Scholarships Programme has enabled the Institute to host nearly 258 researchers from some 60 countries with a view to their conducting in-depth research on their chosen subject, provided it is in line with UNIDROIT's activities or at any rate involves uniform law, in the Institute Library for an average of two months.

In 2013, donations were received from the Transnational Law & Business University (TLBU), as well as from members of the UNIDROIT Governing Council. The funding received in 2012 has been used for research stays in 2013.

Eight researchers from five different countries were hosted in 2013 in accordance with the decision taken by Secretariat following the decision of the Governing Council, at its 92th session (Rome, May 2013) to remove the budgetary line item "Legal Co-operation Programme" from the budget (Chapter 7), and the fact that the convening, in the framework of the Governing Council, of a Scholarships Sub-committee accordingly served no further purpose. The following persons were hosted under the Programme:

Invited researchers

Ms Asma Agrebi (Tunisia), PhD Candidate, Faculté de droit et des sciences politiques de Tunis – Research on: "Les contrats cadres de distribution en droit international des investissements: les contrats de distribution sélective, les contrats de franchisage et les contrats de concession" – Partial grant from UNIDROIT (2 Jan. – 15 Feb. 2013)

Mr Pablo Iannello, (Argentina), Professor, Universidad Argentina de la Empresa – Research on: "The Geneva Convention on Intermediated Securities under an Argentinean Perspective" – Joint UADE/UNIDROIT scholarship (25 Jan. – 15 Mar. 2013)

Mr Peter Vishnevskiy (Russian Federation), Ph.D Candidate, National Research University "Higher School of Economics" – Research on: "Legal forms of international finance" – UNIDROIT scholarship (28 Feb. – 30 Apr. 2013)

Ms Wang Xu (People's Republic of China), Master, Transnational Law and Business University, Seoul, – Research on: "Securities holding and cross-border transactions under the Geneva securities Convention" – TLBU UNIDROIT scholarship (4 Mar. – 12 Apr. 2013)

Ms Duan Xiuli (People’s Republic of China), Master, Transnational Law and Business University, Seoul,- Research on: “Hardship in the PICC and in the Chinese contract law from a perspective of comparative study” –TLBU UNIDROIT scholarship (4 Mar. – 12 Apr. 2013)

Ms Nguyen Quynh Diep (Vietnam), Master, Transnational Law and Business University, Seoul,- Research on: “Comparison between the UNIDROIT Principles of International Commercial Contracts and Vietnamese commercial contract law” –TLBU UNIDROIT scholarship (1 Jun. – 12 Jul. 2013)

Mr Bui Duc Tien (Vietnam), Master, Transnational Law and Business University, Seoul,- Research on: “Remedies in agricultural production contracts: Legislation and practice in Vietnam” – TLBU UNIDROIT scholarship (1 Jun. – 12 Jul. 2013)

Mr Xiaoliang (People’s Republic of China), Phd Candidate, Wuhan University School of Law, Wuhan,- Research on: “Recast of China’s securities Law on selected aspects: Experiences from EU instruments” – TLBU UNIDROIT scholarship (3 Jun. – 31 Jul. 2013)

3. Collaborators, interns and researchers

Ms Jihon KIM, (Republic of Korea), Assistant Programme Specialist of the Culture & Communication Team, Korean National Commission for UNESCO, on Secondment conducted work on the 1970 UNESCO Convention and 1995 UNIDROIT Convention in relation to Korea from 14 January to 5 April 2013.

The following persons were welcomed as interns under an institutional cooperation with UNIDROIT:

- Mr Thomas Träschler (Austria), Mr Francisco Javier Munoz (Argentina) - New York University of Law
- Ms Amanda Souza (Canada) - Canadian Law Program at the University of Ottawa
- Ms Alessandra Zuin and Ms Giulia Cusin (Italy) - Dipartimento di Scienze Giuridiche del Linguaggio, dell’Interpretazione e della Traduzione of the Università degli Studi di Trieste.

The following students were welcomed as interns in the UNIDROIT Secretariat, in the UNIDROIT Library and to work on the UNILEX Database:

Mr Francisco José Trebuq (Argentina), Ms Marlene Brosch (Austria), Mr Carlos Fernando Pretto Reis (Brazil), Ms Anne-Laure Vaessen (Belgium), Mr Antony Dobrzensky (Canada), Mr Djamel El Akra (France), Ms Verena Frenz, Ms Jessica Beyer (Germany), Mr Alessandro Pulvirenti (Italy/Switzerland), Mr Marco Cappelletti (Italy), Mr Alex Shapiro (Israel), Ms Lee Jong-Hyeok (Korea), Ms Hyewon Lee (Korea), Mr Marcos Jaime Leyes (Mexico), Mr Mandakh Tsogtsiakhan (Mongolia), Ms Kate Morrison (New Zealand), Ms Yuanzhi Zhou (PRC), Ms Katarzyna Szczudlik (Poland), Ms Naylya Gaysina (Russian Federation), Ms Rocio Herrera Blanco (Spain), Ms Iryna Borisova, Ms Olga Nalvaichenko (Ukraine), Mr Derek Kulland and Mr Anthony Blackburn (United States of America).

The following persons were welcomed as independent researchers in the UNIDROIT Library:

Mr Kara Mouloud (Algeria), Mr Fabio Esborraz (Argentina), Mr Gustavo Santos Kulesza (Brazil), Ms Nelly Nyia Engon (Cameroon), Ms Eliana Mejia Chavarria (Colombia), Mr Bjorn Sandvik (Finland), Ms Maia Gogoladze (Georgia), Mr Philipp Paech (Germany), Ms Giuditta Cordero-Moss, Mr Lorenzo d’Alessio, Ms Benedetta Sirgiovanni, Ms Melanie Buchschwenter, Ms Martina Ciccarello, Mr Fabian Pfeifer, Ms Giovanna Polidori, Ms Michaela Severi, Mr Filip Fabbio (Italy), Mr Misfud Bonnici, Mr Alexander Cacchia Zammit (Malta), Mr El Mokhtar Bakkour (Morocco), Mr Chima Williams (Nigeria), Ms Rosario Espinosa Calabuig, Ms Yolanda Berguel Sainz de Baranda, Ms Remedios Aranda Rodriguez, Ms Isabel Mondejar Pena, Ms Maria del Pilar Perez Alavarez, Ms Maria del Rosario Diaz Romero, Ms Maria de la Gofii Rodriguez de Almeida, Mr Juan Pablo Rodriguez Delgado, Ms Concepcion Pablo-Romero Gil-Delgado (Spain), Mr Helmut Heiss, Mr Nicolas Kuonen (Switzerland), Mr Sieg Einselen (South Africa), Mr Duncan E. Alford, Ms Alison Rende, Ms Rachel Agius, Ms Jane Clyne (United States of America).

B. UNIDROIT ON INTERNET – www.unidroit.org

The UNIDROIT website has over the years proved to be the best and easiest introduction to the organisation. The time had however come to update the technology used and to modernise the presentation of the materials. It was therefore decided to prepare a new website, which was completed in the course of 2013 and is expected to go on the air in January 2014.

C. DEPOSITORY LIBRARIES FOR UNIDROIT DOCUMENTATION

To date, 51 libraries in 46 member States have been designated depositories for UNIDROIT documentation. For a list of Depository Libraries see Annex IV.

D. UNIDROIT LIBRARY

Library cooperation and Networking

The UNIDROIT Library continued in 2013 the cooperation strategy with other Roman and non-Roman libraries. The first library meeting took place at UNIDROIT in April 2011. The second meeting had to be postponed, and is now scheduled for June 2014. It will be organized together with the David Lubin Memorial Library of the Food and Agriculture Organization of the United Nations (FAO). The topic of the meeting will be “Networking (Second meeting of Roman Libraries)” and is aimed at strengthening cooperation and networking between the various libraries in Rome and at improving library services in times of general-saving policy in almost all institutions. The following libraries will be present: FAO, OEKM, *Biblioteca Hertziana*, *Biblioteca Vaticana*, *Académie Française*, *Beniculturali*, *Università La Sapienza*, ILO, ICCROM, ISS, *Banca d’Italia*, British School of Rome, *Pontificia Università S. Tommaso d’Aquino*, *Biblioteca della Corte Costituzionale*.

In 2013, a very fruitful collaboration programme was established with the Library of the *Biblioteca del Senato* in Rome, and with the Library of the *Università commerciale, Bocconi* in Milan. The idea is to share resources, in particular with regard to legal periodicals, which are very costly. This permits the UNIDROIT Library to save a great part of its budget and to use the available budgetary resources in particular for the acquisition of monographs.

In 2013, a collaboration programme was also continued with the Library of UNCITRAL thanks to which UNIDROIT now has access to EBSCO Academic Search Premier, which is a large database, and also online access to a variety of journals.

In order to improve the services offered by the Library - in particular the accessibility of books and periodicals - without actually purchasing the material, UNIDROIT amended its agreement with GVB - *Gemeinsamer Bibliotheksverbund* - enabling it to request books on loan as well as articles from various German and Austrian library networks.

Library management software upgrading

The Library’s software management system Aleph500 was upgraded to the latest version Aleph 21.1.1 without any interruption of services for the Institute’s scientific staff or the researchers.

Cataloguing

With regard to cataloguing, first steps were taken to establish a so called “Legal thesaurus”, which allows an even more precise search result in all languages. The project is very innovative and challenging as only a few libraries in the world do have a legal thesaurus in various languages.

Databases

UNIDROIT currently subscribes to the following electronic resources: HeinOnline, West Law International and Sistema Pluris On-Line, Beck-Online commercial law modules, LexisNexis Juris Classeur. Those databases cover civil law, common law and mixed jurisdictions and offer a wide range of research possibility for the researchers.

A multi user agreement for the two databases has recently been concluded on the basis of which they both will soon be available for UNIDROIT scientific staff and researchers at any time.

Acquisitions, donations, exchanges

In 2013, the Library's holdings increased by 1228 titles, 565 were purchased, 174 obtained on an exchange basis for a total value of € 12,155.00 and 489 other titles were received as a gift for a total value of € 25,130.00. The Library's acquisition policy has been very difficult due to the important rise in the price of publications. Fortunately, there were no further budget restrictions, and the Library has received an extra funding of € 40,000.00 from various Italian law firms. Thanks to this extra budgetary funding a wide range of essential monographs and other new publications could be acquired for the Library's collection in the relevant UNIDROIT's areas of law (such as contract farming, leasing, factoring, international sale of goods, agency, franchising, international protection of cultural property, etc.).

In 2013, as in previous years, the Library received donations in kind from the Max-Planck-Institute of Foreign Private and Private International Law in Hamburg, from the Library of the Department of Trade and Industry of Her Britannic Majesty's Government, by the Library of the Law Faculty of Lucerne University, and from the *Deutsche Forschungsgemeinschaft* (DFG).

In 2013, the Library was able to activate new exchange agreements. Due to the change of the publishing policy of the Institute's publication, the Uniform Law Review, the number of exchanges was limited to 80 exchanges for the library.

Changes of staff

Mrs Patricia Lemaire took over duty as a library assistant as of January 2013.

Visitors

The Library continues to attract readers from all over the world. Among the 1225 visitors in 2013, the 59 foreign guests came from 23 different countries.

E. PUBLICATIONS – THE UNIFORM LAW REVIEW

The year 2013 was the first of the publication of the Uniform Law Review by Oxford University Press. The transforming of the Review into a peer-reviewed publication is intended to improve both the quality and the standing of the Review, so as to ensure that academics of standing can continue to publish articles in the Uniform Law Review, as it is a journal that is classified among the periodicals that are taken into consideration for the evaluation of academic research. For this reason contacts are underway to ensure that the Uniform Law Review is registered among the quality reviews that count for evaluation purposes. Another question on the table is that of "Open Access": periodicals need to offer what is known as "open access" to share the knowledge they contain. Discussions on these two points were initiated with OUP in 2013.

The Review is available both on paper and online. Subscriptions can be to either or to both. As regards the sales of the Review in the year 2013, these remained at the levels of 2012 but are expected to increase in 2014. Broken down by region, the total number of sales (178) were divided as follows: paper version: 85 Europe, 41 North America, 18 rest of the world; online version: 8 Europe, 6 North America, 1 rest of the world, combined paper and online versions: 14 Europe, 4 North America, 1 rest of the world. The OUP has opened a section devoted to the Uniform Law Review on their website (<http://ulr.oxfordjournals.org/>) which contains also an electronic archive of all numbers of the Review back to 1973.

F. UNIFORM LAW FOUNDATION

In 2013 the *Uniform Law Foundation* contributed the sum of € 3,591.00 to the UNIDROIT Library.

ANNEX I

**LIST OF THE DOCUMENTS PUBLISHED BY THE UNIDROIT SECRETARIAT IN 2013
ON THE IMPLEMENTATION OF ITS WORK PROGRAMME**

The following documents relating to the implementation of the Institute's Work Programme were published in 2013, in English and French unless otherwise stated:

STUDY L - PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS

Working Group for the Preparation of Model Clauses (Rome, 11-12 February 2013)

Misc. 1 – Draft agenda

Misc. 2 rev. – List of participants

Doc. 1 – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (prepared by Mr M.J. Bonell, Professor Emeritus, University of Rome I; Consultant, UNIDROIT)

Doc. 2 – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (Comments by Professors Don Wallace Jr., William E. Park and Eckart Brödermann)

Doc. 2 Add. – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (Comments by Professor Klaus Peter Berger)

Doc. 2 Add. 2 – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (Comments by Professor Herbert Kronke)

Doc. 2 Add. 3 – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (Comments by Professor Lauro Gama Jr.)

Doc. 2 Add. 4 – Model Clauses for Use of the UNIDROIT Principles of International Commercial Contracts in Transnational Contract and Dispute Resolution Practice (Comments submitted by UNCITRAL)

Doc. 3 – Report on the meeting

Doc. 4 – Model Clauses for the use of the UNIDROIT Principles of International Commercial Contracts (March 2013)

Doc. 4 rev. – Model Clauses for the use of the UNIDROIT Principles of International Commercial Contracts (April 2013)

STUDY LXV - LEGAL COOPERATION PROGRAMME

Scholarships: Impl. 24 – Research Scholarships Programme. Implementation report for the financial year 2012

STUDY LXXIIJ- INTERNATIONAL INTERESTS IN SPACE PROPERTY

**Preparatory Commission for the establishment of the International Registry for Space Assets
pursuant to the Space Protocol**

FIRST SESSION, ROME, 6/7 MAY 2013

Doc. 1 – Annotated draft agenda

Doc. 2 – Provisional Rules of Procedure for the Preparatory Commission

Doc. 3 – ICAO Regulations adopted by the Supervisory Authority of the International Registry for aircraft objects established pursuant to the Aircraft Protocol to the Cape Town Convention

Doc. 4 – OTIF draft Regulations for the International Registry - Amended compared to draft issued May 2010 marked up by the Rail Working Group May 2012

Doc. 5 – Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock - Request for Proposals (RFP) for the International Registry

Doc. 6 – Summary report of the first session (Rome, 6/7 May 2013)

SECOND SESSION, ROME, 27/28 JANUARY 2014

Doc. 1 – Annotated draft agenda

Doc. 2 – Explanatory note to revised draft Regulations of the International Registry for space assets

Doc. 3 – Draft Space Regulations - Summary of points to be discussed at the second meeting of the Preparatory Commission, January 27-28, 2014 (draft prepared by the UNIDROIT Secretariat to the attention of Professor Sir Roy Goode, December 2, 2013)

Doc. 4 – Space Registry Regulations – revised draft (with annotations) (December, 2013)

STUDY LXXVIII B - EMERGING MARKETS ISSUES, FOLLOW-UP AND IMPLEMENTATION

Committee on emerging markets issues, follow-up and implementation established by the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated (Third meeting, Istanbul, 11-13 November 2013)

Doc. 1 – Annotated draft agenda

Doc. 2 – Annotated draft outline legislative guide on Principles and Rules capable of enhancing trading in securities in emerging markets

STUDY LXXVIII C - PRINCIPLES AND RULES ON THE NETTING OF FINANCIAL INSTRUMENTS

UNIDROIT Committee of governmental experts on the enforceability of close-out netting provisions (Second session, Rome, 4 - 8 March 2013)

W.P. 1 – Annotated draft agenda (Dec. 2012)

W.P. 2 – Draft Principles regarding the enforceability of close-out netting provisions (Dec. 2012)

W.P. 3 – Draft Principles regarding the enforceability of close-out netting provisions - Revision Notes - Explanatory notes on amendments to the text of the Draft Principles and to the commentary (Dec. 2012)

W.P. 4 – Joint proposal concerning Principles 3 and 4 submitted by the Governments of France, the United Kingdom and the United States of America

W.P. 5 – Comments (submitted by Governments)

W.P. 6 – Comments (submitted by Governments)

W.P. 7 – Comments (submitted by Governments)

W.P. 8 – Comments (submitted by Organisations)

W.P. 9 – Joint proposal concerning Principles 3 and 4 submitted by the Governments of Canada and France

W.P. 10 – Comments (submitted by Governments)

W.P. 11 – Draft Principles regarding the enforceability of close-out netting provisions (version revised by the Secretariat in the light of comments and decisions by the Committee)

W.P. 12 – Summary report for 4 March 2013

W.P. 13 – Summary report for 5 March 2013

W.P. 14 – Summary report for 6 March 2013

W.P. 15 – Summary report for 7 March 2013

W.P. 16 – Draft Principles regarding the enforceability of close-out netting provisions (version revised by the Secretariat in the light of comments and decisions by the Committee)

C.G.E./Netting/2/Report – Report (prepared by the UNIDROIT Secretariat)

STUDY LXXXXA – CONTRACT FARMING

UNIDROIT Working Group for the preparation of a Legal Guide on Contract Farming

FIRST MEETING, ROME, 28 – 31 JANUARY 2013

Inf. 1 rev. – Annotated draft agenda

Doc. 1 rev. – Preparation of a Legal Guide on Contract Farming – A preliminary outline of issues (prepared by the UNIDROIT Secretariat) (February 2013)

Doc. 1 Add. 1 – Contract Farming – Classification of pricing mechanisms and a review of price clauses By Heather E. Cochran, J.D. (University of Toronto) and Charline M. Hoefer LL.M. (University of Leiden and Amsterdam) (November 2012)

Doc. 1 Add. 2 – Contract Farming and Force majeure – A review of clauses in contracts prepared by Ms Tiphaine Guélou (Master II, Université Montesquieu, Bordeaux IV) (November 2012)

Doc. 1 Add. 3 – Contract Farming – a Review under a US Perspective by Caroline Johnson, Elon University School of Law (November 2012)

Doc. 1 Add. 4 – France: The “*Contrat d’intégration*” – An overview (prepared by the UNIDROIT Secretariat) (November 2012)

Doc. 1 Add. 5 – Contract Farming and Certification in Agricultural Production by Federica Midiri, LL.M., Georgetown University Law Center (November 2012)

Doc. 1 Add. 6 – Contract Farming in Canada – An overview by Heather E. Cochran, B.A. (Hons.) (University of Victoria), J.D. (University of Toronto) (November 2012)

Doc. 1 Add. 7 – Financial Aspects of Contract Farming an overview and a review of clauses in contracts by Brenna Ragghianti, Elon University School of Law.

W.P. Inf. 1 rev. – Annotated draft agenda

W.P. 1 rev. – Comments received by Professor Fabrizio Cafaggi (European University Institute)

W.P. 2 – Comments received by Professor Marcel Fontaine (Emeritus Professor of Law, Catholic University of Louvain Law School, Louvain-la-Neuve, Belgium)

W.P. 3 – Comments received from Mr Andrew W. Shepherd (Senior Technical Advisor for Market-Led Development, CTA - Technical Centre for Agricultural and Rural Co-operation (ACP-EU) Wageningen, The Netherlands) and Mr Charles S. Eaton (Foundation Fellow: Centre of Regional Development University of Western Australia)

SECOND MEETING, ROME, 3 – 5 JUNE 2013

- Doc. 1 rev. – Preparation of a Legal Guide on Contract Farming – A preliminary outline of issues (prepared by the UNIDROIT Secretariat)
- Doc. 1 Add. 8 – Contract Farming in Suriname and the Netherlands – An overview (prepared by Ms Charline Hoefer LL.M. (University of Leiden and Amsterdam))
- Doc. 1 Add. 9 – Contract Farming in Russia and Ukraine – An overview (prepared by Ms Zhupar Kulmaganbetova (Kazakhstan; Master 1 in International and European Law, University of Toulouse, France))
- Doc. 1 Add. 10 – Contract Farming: Italian Regulation and Practice (prepared by Ms Francesca Romana Pelosi (Italy; LLM Fordham University School of Law))
- Doc. 1 Add.11 – A review of remedy clauses in Contract Farming arrangements (prepared by Mr Marco Cappelletti (Italy; Magister Juris, University of Oxford - Faculty of Law))
- Doc. 1 Add. 12 – The obligations of the parties under contract farming arrangements – A review of clauses in contracts (prepared by Mr Marco Cappelletti (Italy; Magister Juris, University of Oxford - Faculty of Law))
- Doc. 1 Add. 13 – The parties to a contract farming arrangement – Outline of selected forms for an agricultural producer in India, Italy and USA and overview of clauses in contracts (prepared by Mr Marco Cappelletti (Italy; Magister Juris, University of Oxford - Faculty of Law))
- Doc. 2 – Report on First Meeting of the UNIDROIT Working Group for the preparation of a Legal Guide on Contract Farming, Rome, 28 – 31 January 2013 (prepared by the UNIDROIT Secretariat)
- W.P. Inf. 1 rev. – Annotated draft agenda
- W.P. 1 – Comments received from Mr Andrew W. Shepherd (Senior Technical Advisor for Market-Led Development, CTA - Technical Centre for Agricultural and Rural Co-operation (ACP-EU) Wageningen, The Netherlands)
- Doc. 3 – Draft Introduction (prepared by the UNIDROIT Secretariat)
- Doc. 4 – Draft Chapter I – Parties involved in an agricultural production contract (prepared by the UNIDROIT Secretariat)
- Doc. 5 – Draft Chapter III – Parties’ obligations - Contractor’s obligations (prepared by Professor Henry Gabriel)
- Doc. 6 – Draft Chapter III – Parties’ obligations - Producer’s obligations (prepared by Professor Marcel Fontaine)
- Doc. 7 – Report on Second Meeting of the UNIDROIT Working Group for the preparation of a Legal Guide on Contract Farming, Rome, 3 – 5 June 2013 (prepared by the UNIDROIT Secretariat)

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 (LUFC)* *
- 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*
- 2009 UNIDROIT Convention on Substantive Rules for Intermediated Securities / *Convention d'UNIDROIT sur les règles matérielles relatives aux titres intermédiés*

* 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 LUFC 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.*

- 2010 Principles of International Commercial Contracts / *Principes relatifs aux contrats du commerce international*
- 2011 UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects / *Dispositions modèles UNESCO-UNIDROIT définissant la propriété de l'Etat sur les biens culturels non découverts*
- 2012 Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets / *Protocole portant sur les questions spécifiques aux biens spatiaux à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*
- 2013 Principles on the Operation of Close-out Netting Provisions / *Principes concernant l'applicabilité des clauses de résiliation-compensation*
- 2013 Model Clauses for Use by Parties of the UNIDROIT Principles of International Commercial Contracts / *Clauses types sur l'utilisation des Principes d'UNIDROIT relatifs aux contrats du commerce international par les parties*

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 PRÉPARÉES PAR UNIDROIT ET APPROUVÉES À DES CONFÉRENCES DIPLOMATIQUES CONVOQUÉES 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: 24-02-1976

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. or 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)	-
China / <i>Chine</i>	30-12-71	16-08-72	24-02-76	-	-
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	-	-	-	-
Portugal	23-04-70	-	-	-	-
San Marino / <i>Saint Marin</i>	23-04-70	16-04-09	16-07-09	R: Art. 40(1)(a)	-
Togo	25-03-71	24-11-75	24-02-76	-	-

(*) Based on information available to the Secretariat as of 31 December 2013 / *Ce document est basé sur les informations dont dispose le Secrétariat au 31 décembre 2013.*

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. SUCCESSION	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. DECL. OU RESERVES
Belgium / Belgique	17-05-74	21-04-83	21-10-83	-
Bosnia-Herzegovina / Bosnie-Herzégovine *	-	15-08-94	15-08-94	-
Canada for / pour	-	24-01-77		D: Art. XIV
Manitoba			09-02-78	
Newfoundland / Terre Neuve			09-02-78	
Ontario			15-09-78	
Alberta			01-12-78	
Saskatchewan			08-10-82	
Prince Edward Island / Ile du Prince Edouard			22-03-95	
New Brunswick / Nouveau Brunswick			05-12-97	
Nova Scotia / Nouvelle Ecosse			27-05-01	
British Columbia / Colombie britannique			31-03-14	
Croatia / Croatie *	-	18-05-94	18-05-94	
Cyprus / Chypre	-	19-10-82	19-04-83	-
Ecuador / Equateur	26-07-74	03-04-79	03-10-79	D
France	29-11-74	01-06-94	01-12-94	-
Holy See / Saint-Siège	02-11-73	-	-	-
Iran	27-10-73	-	-	-
Italy / Italie	-	16-05-91	16-11-91	D: Arts. I, II, III
Laos	30-10-73	-	-	-
Libya / Libye	-	04-08-77	09-02-78	-
Niger	-	19-05-75	09-02-78	-
Portugal	-	19-11-75	09-02-78	-
Russian Fed. / Féd. de Russie	17-12-74	-	-	D: Art. XIII
Sierra Leone	27-10-73	-	-	-
Slovenia / Slovénie *	-	20-08-92	20-08-92	-
United Kingdom / Royaume-Uni	10-10-74	-	-	-
United States of America / Etats-Unis d'Amérique	27-10-73	-	-	-

* Dates of notification of succession to the Convention by Bosnia-Herzegovina, Croatia and Slovenia. The former Socialist Federal Republic of Yugoslavia deposited an instrument of accession to the Convention on 9 August 1977. / Dates de notification de succession à la Convention par la Bosnie-Herzégovine, la Croatie et la Slovénie. L'ancienne République fédérale socialiste de Yougoslavie avait déposé un instrument d'adhésion le 9 août 1977.

**CONVENTION ON AGENCY IN THE INTERNATIONAL SALE OF GOODS
CONVENTION SUR LA REPRÉSENTATION EN MATIÈRE 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 / Dépositaire: Government of Switzerland / *Gouvernement suisse* (art. 21)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE/ENTREE EN VIGUEUR	DECL. OF RESERV. DECL. OU RESERVES
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	-	-
South Africa / <i>Afrique du sud</i>	-	27-01-86	-	-
Switzerland / <i>Suisse</i>	17-02-83	-	-	-

(*) Applicable to the Kingdom in Europe and to Aruba / *Applicable au Royaume en Europe et à Aruba* (02-02-95).

**UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING
CONVENTION D'UNIDROIT SUR LE CRÉDIT-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>	30-09-90	-	-	-
France	07-11-89	23-09-91	01-05-95	Art. 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	26-05-97	01-10-97	-
Philippines	28-05-88	-	-	-
Russian Federation / <i>Féd. de Russie</i>	-	03-06-98	01-01-99	Art. 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 / Dépositaire: Government of Canada / *Gouvernement du Canada* (art. 23.1)

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. ou RESERVES
Belgium / <i>Belgique</i>	21-12-90	18-03-10	01-10-10	Art. 18
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	Art. 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	Art. 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 VOLÉS OU ILLICITEMENT EXPORTÉS**

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	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	01-12-12	-
Côte d'Ivoire	24-06-95	-	-	-
Croatia / <i>Croatie</i>	24-06-95	20-09-00	01-03-01	Arts. 16, 17
Cyprus / <i>Chypre</i>	-	02-03-04	01-09-04	-
Denmark / <i>Danemark</i>	-	01-01-11	01-07-11	Arts. 14(1), 16, 17
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	-	-	-
FYROM / <i>ERYM</i>	-	22-08-13	01-02-14	Art. 16
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
Honduras	-	27-08-13	01-02-14	-
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	Arts. 16, 17
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	Arts. 16, 17
Romania / <i>Roumanie</i>	27-06-96	21-01-98	01-07-98	Arts. 16, 17
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. 13(3), 16, 17
Switzerland / <i>Suisse</i>	26-06-96	-	-	-
Zambia / <i>Zambie</i>	24-06-95	-	-	-

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

Adoption:	Place: Cape Town / <i>Lieu: Le Cap</i> Date: 16-11-2001
Entry into force:	Yes / <i>Oui</i> ≈ Date: 01-03-2006
Entrée en vigueur:	Conditions: 3 ratifications (Art. 49(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>
Afghanistan	-	25-07-06	01-11-06	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Albania/ <i>Albanie</i>	-	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)
Bahrain / <i>Bahreïn</i>	-	27-11-12	01-03-13	D: Arts. 39(1)(a)-(b), 40, 54(2)
Bangladesh	-	15-12-08	01-04-09	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Belarus / <i>Bélarus</i>	-	28-06-11	01-10-11	D: Art. 54(2)
Brazil / <i>Brésil</i>	-	30-11-11	01-03-12	D: Arts. 39(1)(a)-(b), 39(4), 53, 54(2)
Burundi	16-11-01	-	-	-
Cameroon / <i>Cameroun</i>	-	19-04-11	01-08-11	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
Canada	31-03-04	21-12-12	01-04-13	D: Arts. 39(1)(a)-(b), 39(4), 52, 53, 54(2), 60
Cape Verde / <i>Cap Vert</i>	-	29-09-07	01-01-08	D: Arts. 39(1)(a), 40, 53, 54(2)
Chile / <i>Chili</i>	16-11-01	-	-	-
China / <i>Chine</i>	16-11-01	03-02-09	01-06-09	D: Arts. 39(1)(a)-(b), 40, 50, 53, 54(1)-(2), 55
Colombia / <i>Colombie</i>	-	19-02-07	01-06-07	D: Arts. 39(1)(a), 54(2)
Congo	16-11-01	-	-	-
Costa Rica	-	26-08-11	01-12-11 ¹	D: Art. 53
Cuba	16-11-01	28-01-09	01-05-09	D: Art. 54(2)
Ethiopia / <i>Ethiopie</i>	16-11-01	21-11-03	01-04-04	D: Arts. 39(1)(a), 40, 54(2)
European Community / ² <i>Communauté européenne</i>	-	28-04-09	01-08-09	D: Arts. 48(2), 55
Fiji / <i>Fidji</i>	-	05-09-11	01-01-12 ¹	D: Art. 54(2)
France	16-11-01	-	-	-
Gabon	-	16-04-10	01-08-10	-
Germany / <i>Allemagne</i>	16-11-01	-	-	D
Ghana	16-11-01	-	-	-
India / <i>Inde</i>	-	31-03-08	01-07-08	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Indonesia / <i>Indonésie</i>	-	16-03-07	01-07-07	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Ireland / <i>Irlande</i>	-	29-07-05	01-11-05	D: Arts. 39(1)(a)-(b), 54(2)
Italy / <i>Italie</i>	06-12-01	-	-	-
Jamaica / <i>Jamaïque</i>	16-11-01	-	-	-
Jordan / <i>Jordanie</i>	16-11-01	31-08-10	01-12-10	D: Arts. 39(1)(a), 54(2)
Kazakhstan	-	21-01-09	01-05-09 ³	D: Arts. 39(1)(a)-(b) [*] , 39(4) [*] , 40 [*] , 53 [*] , 54(2) [*]

Annex II

Kenya	16-11-01	13-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Kuwait / Koweït	-	31-10-13	01-02-14	D: Art. 54(2)
Latvia / Lettonie	-	08-02-11	01-06-11	D: Art. 54(2)
Lesotho	16-11-01	-	-	-
Luxembourg	-	27-06-08	01-10-08	D: Arts. 53, 54(2)
Madagascar	-	10-04-13	01-08-13	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Malawi	-	16-01-14	01-05-14	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Malaysia / Malaisie	-	02-11-05	01-03-06	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Malta / Malte**	-	01-10-10	01-02-11	D: Arts. 39(1)(a), 39(4), 40, 53, 54(2)
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)
Mozambique	-	30-01-12	01-05-12	-
Myanmar	-	03-12-12	01-04-13	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
Netherlands / Pays-Bas ⁴	-	17-05-10	-	D: Arts. 39(1)(a)-(b), 52, 53, 54(2)
Caribbean part/Partie caraïbe	-	-	01-10-10	-
Aruba	-	-	01-09-10	-
Curaçao	-	-	01-10-10	-
Sint Maarten	-	-	01-10-10	-
New Zealand / Nouvelle-Zélande	-	20-07-10	01-11-10	D: Arts. 39(1)(a), 52, 53, 54(2), 55
Nigeria / Nigéria	16-11-01	16-12-03	01-04-04	D: Arts. 39(1)(a)*, 40*, 53*, 54(2)*
Norway / Norvège	-	20-12-10	01-04-11	D: Arts. 39(1)(a)-(b), 40, 54(2), 55
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)
Russian Federation / Fédération de Russie	-	25-05-11	01-09-11	D: Arts. 39(1)(a)-(b), 53, 54(2)
Rwanda	-	28-01-10	01-05-10	D: Arts. 39(1)(a), 40, 52, 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)
Seychelles	-	13-09-10	01-01-11 ¹	-
Singapore / Singapour	-	28-01-09	01-05-09	D: Arts. 39(1)(a)-(b), 39(4), 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)
Spain / Espagne	-	28-06-13	01-10-13 ¹	D: Arts. 52, 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 ¹	-
Tajikistan / Tadjikistan	-	31-05-11	01-09-11	D: Art. 54(2)
Togo	-	25-01-10	01-05-10 ³	D: Arts. 39(1)(a)-(b)*, 40*, 53*, 54(2)
Tonga	16-11-01	-	-	-
Turkey / Turquie	16-11-01	-	-	D: Arts. 39(1)(a)-(b), 40, 50, 54(2)
Ukraine	09-03-04	31-07-12	01-11-12	D: Arts. 50, 53, 54(2)
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 Rep. of Tanzania / Rép.-Unie de Tanzanie	16-11-01	30-01-09	01-05-09	D: Art. 54(2)
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 ¹	-

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

² Regional Economic Integration Organisation / Organisation régionale d'intégration économique (Art. 48).

³ 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/informationcontractingstates.htm // *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de sa législation et des politiques applicables aux matières couvertes par la Convention: voir www.unidroit.org/french/conventions/mobile-equipment/informationcontractingstates.htm*

⁴ The Kingdom of the Netherlands deposited its instrument of accession to the Convention on 20 July 2010 for the Netherlands Antilles (Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba) and Aruba. As from 10 October 2010, following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the reference to the "Netherlands Antilles" is to be replaced by "Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Saba and Sint Eustatius)" / *Le Royaume des Pays-Bas a déposé son instrument d'adhésion à la Convention le 20 juillet 2010 pour les Antilles néerlandaises et Aruba. A compter du 10 octobre 2010, suite à une réforme des relations constitutionnelles au sein du Royaume des Pays-Bas, la référence aux "Antilles néerlandaises" doit être remplacée par "Curaçao, Sint Maarten et la partie caraïbe des Pays-Bas (les îles de Bonaire, Saba et Sint Eustatius)."*

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

**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**

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 / <i>Albanie</i>	-	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)
Bahrain / <i>Bahreïn</i>	-	27-11-12	01-03-13	-
Belarus / <i>Bélarus</i>	-	27-09-11	01-01-12	-
Brazil / <i>Brésil</i>	-	30-11-11	01-03-12	D: Arts. XIX, XXX(1), (2), (3)
Burundi	16-11-01	-	-	-
Cameroon / <i>Cameroun</i>	-	19-04-11	01-08-11	-
Canada	31-03-04	21-12-12	01-04-13	D: Arts. XXIX, XXX(1), (2),(3)
Cape Verde / <i>Cap-Vert</i>	-	26-09-07	01-01-08	D: Art. XXX(1), (2), (3)
Chile / <i>Chili</i>	16-11-01	-	-	-
China / <i>Chine</i>	16-11-01	03-02-09	01-06-09	D: Arts. XIX, XXIX, XXX(1), (2), (3)
Colombia / <i>Colombie</i>	-	19-02-07	01-06-07	D: Art. XXX(1), (2), (3)
Congo	16-11-01	-	-	-
Cuba	16-11-01	28-01-09	01-05-09	-
Ethiopia / <i>Ethiopie</i>	16-11-01	21-11-03	01-03-06	D: Art. XXX(1), (2), (3)
European Community / ¹ <i>Communauté européenne</i>	-	28-04-09	01-08-09	D: Arts. XXVII(2), XXX(5)
Fiji / <i>Fidji</i>	-	30-05-12	01-09-12	D: Art. XXX(1), (2), (3)
France	16-11-01	-	-	-
Germany / <i>Allemagne</i>	16-11-01	-	-	D
Ghana	16-11-01	-	-	-
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	31-08-10	01-12-10	D: Art. XXX(1), (2), (3)
Kazakhstan	-	01-06-11	01-10-11	D: Art. XXX(1), (2), (3)
Kenya	16-11-01	13-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Kuwait / <i>Koweït</i>	-	31-10-13	01-02-14	-
Latvia / <i>Lettonie</i>	-	08-02-11	01-06-11	-
Lesotho	16-11-01	-	-	-
Luxembourg	-	27-06-08	01-10-08	D: Art. XXX(1), (2), (3)
Madagascar	-	10-04-13	01-08-13	D: Art. XXX(1), (2), (3)
Malawi	-	16-01-14	01-05-14	D: Art. XXX(1), (2), (3)
Malaysia / <i>Malaisie</i>	-	02-11-05	01-03-06	D: Art. XXX(1), (2), (3) ⁺
Malta / <i>Malte</i> ²	-	01-10-10	01-02-11	D: Art. XXX(1)
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)
Mozambique	-	18-07-13	01-11-13	D: Art. XXX(1), (2), (3)
Myanmar	-	03-12-12	01-04-13	D: Arts. XXIX, XXX(1), (2),(3)
Netherlands / <i>Pays-Bas</i> ³	-	17-05-10	-	D: Arts. XXIX, XXX(1), (2)
Caribbean part/ <i>Partie caraïbe</i>	-	-	01-10-10	-
Aruba	-	-	01-09-10	-
Curaçao	-	-	01-10-10	-
Sint Maarten	-	-	01-10-10	-
New Zealand / <i>Nouvelle-Zélande</i>	-	20-07-10	01-11-10	D: Arts. XXIX, XXX(1), (3), (5)
Nigeria	16-11-01	16-12-03	01-03-06	D: Art. XXX(1)*, (2)*, (3)*
Norway / <i>Norvège</i>	-	20-12-10	01-04-11	D: Art. XXX(1), (2), (5)
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)
Russian Federation / <i>Fédération de Russie</i>	-	25-05-11	01-09-11	D: Art. XXX(3)
Rwanda	-	28-01-10	01-05-10	D: Arts. XXIX, 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)

Singapore / <i>Singapour</i>	-	28-01-09	01-05-09	D: Art. XXX(1), (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>)	-	-	-
Tajikistan / <i>Tadjikistan</i>	-	31-05-11	01-09-11	D: Art. XXX(1), (2), (3)
Togo	-	01-12-11	01-04-12	D: Art. XXX(1), (2), (3)
Tonga	16-11-01	-	-	-
Turkey / <i>Turquie</i>	16-11-01	-	-	D: Art. XXX(1), (2), (3)
Ukraine	03-03-04	31-07-12	01-11-12	D: Arts. XIX, XXX(1), XXX(3)
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 Rep. of Tanzania / <i>Rép.-Unie de Tanzanie</i>	16-11-01	30-01-09	01-05-09	D: Art. XXX(1)*,(2)*,(3)*
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)

¹ Regional Economic Integration Organisation / *Organisation régionale d'intégration économique* (Art. XXVII).

² 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 sa législation et des politiques applicables aux matières couvertes par le Protocole aéronautique: voir www.unidroit.org/french/conventions/mobileequipment/information-contractingstates.htm*

³ The Kingdom of the Netherlands deposited its instrument of accession to the Aircraft Protocol on 20 July 2010 for the Netherlands Antilles (Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba) and Aruba. As from 10 October 2010, following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the reference to the "Netherlands Antilles" is to be replaced by "Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Saba and Sint Eustatius)" / *Le Royaume des Pays-Bas a déposé son instrument d'adhésion au Protocole aéronautique le 20 juillet 2010 pour les Antilles néerlandaises et Aruba. A compter du 10 octobre 2010, suite à une réforme des relations constitutionnelles au sein du Royaume des Pays-Bas, la référence aux "Antilles néerlandaises" doit être remplacée par "Curaçao, Sint Maarten et la partie caraïbe des Pays-Bas (les îles de Bonaire, Saba et Sint Eustatius)"*

* 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 SPÉCIFIQUES AU MATÉRIEL ROULANT FERROVIAIRE À LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES PORTANT SUR DES MATÉRIELS D'ÉQUIPEMENT MOBILES

Adoption:	Place / <i>Lieu</i> : Luxembourg Date: 23-02-2007
Entry into force:	No / <i>Non</i>
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	-	-	-
Germany / <i>Allemagne</i>	21-11-12	-	-	-
Italy / <i>Italie</i>	23-02-07	-	-	-
Luxembourg	23-02-07	-	-	-
Switzerland / <i>Suisse</i>	23-02-07	-	-	-
European Community / ¹ <i>Communauté européenne</i>	10-12-09	-	-	-

¹ Regional Economic Integration Organisation / *Organisation régionale d'intégration économique*: Protocol(e) Article XXII

**UNIDROIT CONVENTION ON SUBSTANTIVE RULES FOR INTERMEDIATED SECURITIES
CONVENTION D'UNIDROIT SUR LES REGLES MATÉRIELLES RELATIVES AUX TITRES INTERMÉDIÉS**

Adoption: Place: Geneva / *Lieu: Genève*
Date: 09-10-09

Entry into force: No / *Non*
Entrée en vigueur: Conditions: 3 ratifications (art. 42.1)

Depositary / Dépositaire: UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESSION / ADHESION	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. OU RESERVES
Bangladesh	09-10-09	–	–	–

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ON
MATTERS SPECIFIC TO SPACE ASSETS
PROTOCOLE PORTANT SUR LES QUESTIONS SPÉCIFIQUES AUX BIENS SPATIAUX À LA CONVENTION
RELATIVE AUX GARANTIES INTERNATIONALES PORTANT SUR
DES MATÉRIELS D'ÉQUIPEMENT MOBILES**

Adoption: Place / *Lieu:* Berlin
Date: 09-03-2012

Entry into force: No / *Non*
Entrée en vigueur: Conditions: Art. XXXVIII

Depositary / Dépositaire: UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. OU RESERVES
Burkina Faso	09-03-12	–	–	–
Germany / <i>Allemagne</i>	21-11-12	–	–	–
Saudi Arabia / <i>Arabie saoudite</i>	09-03-12	–	–	–
Zimbabwe	09-03-12	–	–	–

ANNEX III

**IMPLEMENTATION OF INSTRUMENTS BASED ON
WORK CONDUCTED WITHIN UNIDROIT (*)**

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.

States Parties: 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.

States Parties: Albania, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Benin, 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, Iraq, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palestine, 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, United States of America, 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.

States Parties: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, 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, Kazakhstan, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Montenegro, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, 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.

(*) Based on information available to the Secretariat as of 31 December 2013.

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.
States Parties: 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.
States Parties: 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.
States Parties 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.
States Parties: 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 States Parties 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 States Parties 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.

Contracting States: Albania, Argentina, Armenia, Australia, Austria, Bahrain, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Honduras, Hungary, Iceland, Iraq, Israel, Italy, Japan, Kyrgyzstan, Latvia, Lesotho, Lebanon, 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, San Marino, Sweden, Switzerland, Syrian Arab Republic, Turkey, the Former Yugoslav Republic of Macedonia, Turkey, 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.

States Parties: Bosnia and Herzegovina, Croatia, Czech Republic, Latvia, Montenegro, Republic of Moldova, Serbia, Slovakia and Ukraine.

12. **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. The Contracting States are: Bulgaria, Czech Republic, Denmark, Latvia, Lithuania, the Netherlands, Spain and Switzerland.

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. No Contracting State.
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.

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 B. 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 Contracting State.
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.

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://bibliothek.univie.ac.at/fb-rewi/>>
- Belgium:** *Federale Overheidsdienst Justitie*
<<http://just.fgov.be/>>
- Bolivia:** *Biblioteca Central de la Cancillería de la República*
<<http://www.rree.gob.bo>>
- Brazil:** *Serviço de Biblioteca e documentação - SBD, Universidad de São Paulo, Faculdade de Direito*
<<http://www.usp.br/bibliotecadireito/biblioteca.htm>>
- Bulgaria:** *Bulgarian National Library "St. Cyrill and St. Methodius"*
<<http://www.nationallibrary.bg/>>
- Canada:** *Nahum Gelber Law Library, McGill University* <<http://www.mcgill.ca/library/>>;
University of British Columbia Law Library <<http://www.library.ubc.ca/law/>>
- Chile:** *Academia Diplomática*
<http://www.minrel.gob.cl/prontus_minrel/site/edic/base/port/academia_diplomatica.php>
- Colombia:** *Biblioteca Luis Angel Arango*
<<http://www.banrepcultural.org/blaa>>
- 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:** *Eesti Rahvusraamatukogu*
<<http://www.nlib.ee/>>
- Finland:** *Eduskunnan Kurjasto*
<<http://lib.eduskunta.fi/Resource.phx/kirjasto/index.htm>>
- France:** *Bibliothèque Inter-universitaire Cujas*
<<http://cujas-front.univ-paris1.fr/repons/portal/bookmark?Global=0&MenuItemSelected=nomenu&startingNews=1&howManyNews=1&withDbidNews=&ChanPathNews=>>>
- 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*
<<http://www.hiifl.gr/>>
- Holy See:** *Biblioteca della Facoltà di Giurisprudenza, Libera Università Maria Ss. Assunta, Rome*
<<http://www.lumsa.it/Lumsa/>>
- Hungary:** *Országgyűlési Könyvtár*
<<http://www.ogyk.hu>>
- India:** *Library of the Indian Society of International Law*
<<http://www.isil-aca.org/library.htm>>

- Indonesia:** *Departemen Luar Negeri (Directorate for Economic, Social and Cultural Treaties Affairs, Directorate General of Legal and Treaties Affairs, Ministry of Foreign Affairs)*
<<http://www.kemlu.go.id/Pages/Default.aspx>>
- Ireland:** *National Library of Ireland*
<<http://www.nli.ie/>>
- Japan:** *Ministry of Justice Library (Branch of National Diet Library)*
<<http://www.moj.go.jp/>>
- 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.public.lu/fr/index.html>>;
University of Luxembourg <<http://wwwen.uni.lu/university/library>>
- Malta:** *Library Services, University of Malta*
<<http://www.um.edu.mt/library/>>
- 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*
<<http://www.rijksoverheid.nl/#ref-justitie>>
- Norway:** *Det juridiske fakultetsbibliotek, Universitetsbiblioteket i Oslo*
<<http://www.ub.uio.no>>
- Paraguay:** *Facultad de Derecho y Ciencias Sociales de la Universidad Nacional de Asunción*
<<http://www.der.una.py/>>
- People's Republic of China:** *Ministry of Commerce (MOFCOM)*
<<http://www.mofcom.gov.cn/index.shtml>>
- Poland:** *Biblioteka Sejmowa*
<<http://libr.sejm.gov.pl/bibl/>>
- Portugal:** *Serviço de Biblioteca e Documentação Diplomática do Ministério dos Negócios Estrangeiros - Instituto Diplomático*
<<http://www.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros.aspx>>;
Gabinete de Documentação e Direito Comparado, Procuradoria Geral da República
<<http://www.gddc.pt/>>
- Republic of Korea:** *Library of the Korea National Diplomatic Academy*
<<http://www.mofat.go.kr/ifanslib.html>>
- Romania:** *Biblioteca Nationala*
<<http://www.bibnat.ro/>>
- Russian Federation:** *Library of the Russian Academy of Foreign Trade*
<<http://www.vavt.ru/>>
- Slovak Republic:** *Právnická fakulta Trnavskej Univerzity*
<<http://www.truni.sk>>
- Slovenia:** *Univerza v Mariboru Pravna fakulteta*
<<http://www.pf.uni-mb.si/sl/>>
- South Africa:** *Library of the Department of Justice, Directorate: Internal Affairs, Pretoria*
- Spain:** *Universidad San Pablo CEU*
<<http://www.ceu.es>>
- Sweden:** *Riksdagsbiblioteket*
<http://www.riksdagen.se/templates/R_SubStartPage_____448.aspx>
- Switzerland:** *Library of the Swiss Institute of Comparative Law*
<<http://isdc.ch>>

Turkey: *Banca ve Ticaret Hukuku Arastirma Enstitüsü, Hukuk Fakültesi, Ankara Üniversitesi*
<http://bthae.ankara.edu.tr/?bil=bil_icerik&icerik_id=207&kat_id=12>

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/contenido/biblioteca/index.html>>