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Item No. 12 on the agenda : UNIDROIT information resources and policy

(prepared by the Secretariat)

<i>Summary</i>	<i>Update on developments since the 94th session of the Council</i>
<i>Action to be taken</i>	<i>Take note of the activities and make suggestions to support the initiatives of the Secretariat</i>
<i>Related documents</i>	<i>Annual report 2015 (C.D.(95)2); C.D.(92) 12; C.D.(93) 11; C.D.(94) 11</i>

I. PAPER-BASED PUBLICATIONS¹

A. Uniform Law Review

1. It will be recalled that an agreement with Oxford University Press (OUP) was concluded in 2012 under which the OUP took over the publication of the Review, its distribution and editing. It should also be recalled that, as a member of the OUP family of reviews, the OUP site opened a page/section specifically devoted to the Uniform Law Review (<http://ulr.oxfordjournals.org/>) which is fully accessible to subscribers and contains all back numbers until 1973. Basic information as well as abstracts of the articles are available to non-subscribing visitors.

2. The Review is available both on paper and online. Subscriptions can be to either or to both. Data on subscriptions indicate that subscriptions to print (i.e. paper) copies have decreased year by year, from 147 in 2013, to 127 in 2014, to 98 in 2015, decreasing to 76 during the first three months of 2016. At the same time, subscriptions to online copies increased from 16 in 2013, to 20 in 2014, to 23 in 2015 to 13 during the first three months of 2016. The greatest increase has been to collection subscriptions, i.e. subscriptions through the OUP collection: from 1,247 in 2015 to 1,721 the first three months of 2016. In addition, in 2015 the Uniform Law Review had at least 815 Developing Country subscriptions. As OUP are currently changing the way they report these subscriptions, an accurate figure is at present not available.

¹ For a complete overview of this item on the Agenda, the information contained in this document should be read together with the information contained in the Annual Report 2015 (C.D.(95) – Doc. 2).

3. The Accounts for 2015 (the twelve months ended 31 December 2015) presented by OUP demonstrate that the Uniform Law Review made a profit of € 47,038, the royalties due to UNIDROIT being € 7,056.²

4. As regards the contents of the Review in 2015, Issue 4 contained the acts of the conference celebrating the twentieth anniversary of the adoption of the *UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects*, held in Rome on Friday, 8 May 2015. The fourth issue of 2016 will contain the acts of the conference organised by the *Institut du droit international des transports* (IDIT) to celebrate the 60th anniversary of the CMR. Articles resulting from the presentations to the events celebrating the 90th anniversary of the Institute will also be published in the Uniform Law Review, probably in the first issue of 2017.

B. UNIDROIT Principles of International Commercial Contracts 2010

5. The revisions to the *Principles of International Commercial Contracts* 2010 adopted by the Working Group to take long-term contracts into consideration will be submitted to the Governing Council at its 95th session. If they are approved, the fourth edition of the Principles will be published towards the end of 2016, beginning of 2017, in both English and French.

C. Essays in honour of Professor Michael Joachim Bonell

6. A major effort starting in 2015 and due to be concluded in 2016 is the publication of Essays in honour of Professor Michael Joachim Bonell, a long-time collaborator and consultant to UNIDROIT as well as the chief promotor and coordinator of the Principles of International Commercial Contracts. The title of the publication will be "Eppur si muove: *The age of Uniform Law – Festschrift for Michael Joachim Bonell, to celebrate his 70th birthday*, UNIDROIT (ed.), 2016".

7. The activities of Professor Bonell having spanned many years and many subjects, as many as 344 colleagues world-wide were invited to contribute with an article or, if they were unable to do so, by being listed in the *Tabula Gratulatoria* that will open the volume. In the end, 122 articles were received, some of which were a joint effort of two authors. As many as 143 asked to be listed in the *Tabula Gratulatoria*. Of the 122 articles, 72 were in English, 11 in French, 28 in Italian, 6 in Spanish and 5 in German.

8. As many as 29 articles deal with the UNIDROIT Principles in one way or another, but also other projects or instruments adopted by UNIDROIT are examined in the articles. As a whole, the articles cover: Personal Reminiscences; Legal Theory; Comparative Law, Transnational Law and Uniform Law in General: (a) *Comparative Law*; (b) *Transnational Law*; (c) *Uniform Law in General*; Private International Law; European Law: (a) *European Law in General*; (b) *European Private Law*; Contract Law: (a) *Comparative Contract Law*; (b) *International Contract Law*; (c) *UNIDROIT Principles of International Commercial Contracts*; Sales and Other Types of Contract: (a) *International Sales Contracts*; (b) *European Sales Contracts*; (c) *Other Types of Contract*; Company, Banking, Insolvency and Intellectual Property Law: (a) *Company Law*; (b) *Banking Law*; (c) *Insolvency Law*; (d) *Intellectual Property Law*; Capital Markets; Property Law; Cultural Property; Succession; Arbitration and ADR; and Civil Procedure Law.

D. "UNIDROIT 90 Years / 90 Ans"

9. A second initiative which will be brought to completion in the second half of the year is the publication of a volume to mark the 90th anniversary of the foundation of the Institute. It will

² The Accounts for the year ended 31 December 2015 are available for consultation.

contain a section on the Institute's history, with short descriptions of a selection of instruments and activities and comments by experts involved in their preparation, as well as short biographies of those experts as well as of key persons in the history of the Institute. This section will include also illustrations of historic documents of importance to the history of UNIDROIT, such as the League of Nations document regarding its creation.

10. The second part of this publication will be a history of the Villa Aldobrandini which houses the Institute since its inception. Also this section will be illustrated.

11. This volume is not intended for sale, but as a publication which celebrates the Institute to be used for official purposes.

E. Booklets with UNIDROIT Instruments

12. As indicated in the *Annual Report 2014* (C.D.(94) 2), the Secretariat has adopted the policy of printing booklets containing the text of UNIDROIT instruments that are not for sale but for use at conferences and other events. This practice continued in 2015, when the Secretariat published the booklets with the French version of the Cape Town Convention and the Aircraft Protocol after completion of the review procedure to correct some printing errors.

II. ELECTRONIC SOURCES OF INFORMATION ON UNIDROIT

A. UNIDROIT Website

13. It will be recalled that the new website of the organisation became operative on 10 January 2014. While adjustments will continue to be necessary to correct the inevitable minor defects that only use can reveal, its importance for the dissemination of information on the organisation and its work should be stressed.

14. Work is currently continuing on the broadcasting of meetings and conferences through the website in streaming. It is a long process, which will require much research and many attempts. The software used for this broadcasting is the free software made available to all and sundry by Youtube. Conferences held are also being posted on the website, the first being the conference celebrating the twentieth anniversary of the 1995 Convention on the Return of Stolen or Illegally Exported Cultural Objects (see <http://www.unidroit.org/conferences-and-seminars/previous-years>), the second the International Symposium on "*Private Law, International Cooperation and Development*" part of the 90th anniversary events..

B. MONITORING OF THE WEBSITE

15. The website is monitored with Google Analytics.³ In preparation of the present document the data examined related to use of the website from 3 March 2015 to 17 April 2016.

(a) Sources of entry to the UNIDROIT website

16. The browser used most to enter the UNIDROIT website was Google Chrome (45.84%), Microsoft Internet Explorer coming second (19.79%), Firefox third (14.96%) and Safari fourth (14.08%). A considerable number were used only for 1% or less of the entries. A considerable number of entries were still by referral, referral from UNESCO coming third, from the Aviation

³ The data is available for consultation at request.

Working Group fifth and from UNCITRAL sixth. The Wikipedias in the different languages were also important sources of entry by referral. Direct research still occurred, but to a lesser degree.

(b) Countries of origin of users

17. Turning to the countries of origin of the users of the UNIDROIT database, most users in the period examined were in France (13.94%), Italy (10.11%), the United States (8.36%) and the United Kingdom (5.72%). The first Asian country to be represented was China, in tenth position with 2.21% of the users, the first African Morocco, in 31st position with 0.73% of the users. Continent by continent, of the first 100 countries from which users came 40 were European (Russia and Ukraine included), 20 were from Asia, 17 from the Americas, 15 from Africa, 5 from the Middle East, and 2 from Oceania, one was unaccounted for.

(c) Website pages consulted

18. As regards the pages of the website consulted, the first 100 entries were examined. The page most consulted was the English News page (10.40%), followed by the page on the UNIDROIT Principles of International Commercial Contracts (3.49%), the page on the Cape Town Convention (3.28%) and About UNIDROIT (2.93%). All in all, as was the case the year before, the pages consulted were varied and included even old materials, such as the 1964 Convention relating to a Uniform Law on the International Sale of Goods (ULIS). However, the great majority of pages consulted were pages relating to the Principles of International Commercial Contracts.

(d) Age Groups of users of the UNIDROIT website

19. An interesting item is the age groups to which the users of the UNIDROIT website belong. The largest group of users in the period examined were that of 25-34-year-old persons (33.50%), the second largest was the 18-24-year-old group (27.50%), the third largest the 35-44 year-old group (15.5%), the fourth the 45-54 year-old persons (12.5%), the fifth the 55-64 year-old persons (5.5%) and the sixth persons 65 or over (5.5%). It is interesting to note that of the users 45.85% were women, whereas 54.15% were men.

C. Social Media

20. As was reported in 2015, the UNIDROIT Secretariat had started examining the possibility of using the social media most commonly used also by other international organisations, such as the Hague Conference on Private International Law (Facebook, Twitter and LinkedIn). On the occasion of the International Symposium on "Private Law, International Cooperation and Development" celebrating the 90th anniversary of the Institute, the Secretary-General announced the entry of UNIDROIT into the social media world by the opening of accounts on Facebook and LinkedIn.

III. ACTION TO BE TAKEN

21. *The Governing Council is invited to take note of the activities of the Secretariat and to actively support its initiatives in this field.*