

Consultation workshop

UNIDROIT's role in harmonising International Private and Commercial Law

Japanese perspectives on key instruments, with a focus on the Mining, Agricultural and Construction (MAC) Protocol to the Cape Town Convention

25 September 2024

14:30 – 17:30

Chuo University, Tokyo, Japan

The International Institute for the Unification of Private Law (UNIDROIT), the Japanese Ministry of Justice (MOJ) and the Japan Construction Equipment Manufacturers Association (CEMA), is pleased to invite stakeholders to a consultation workshop on UNIDROIT instruments that harmonise international private and commercial law. The workshop will cover several important UNIDROIT instruments and projects. The purpose of the workshop is to bring together legal experts and private sector representatives to discuss the legal and economic impacts of these UNIDROIT instruments, and the potential benefits and costs for Japan.

The Convention on International Interests in Mobile Equipment (Cape Town Convention) and its Aircraft Protocol represent two of the world's most successful commercial law treaties. The Cape Town Convention has brought large commercial benefits to its 86 Contracting States and industry. As an extension of the Cape Town Convention, the economic benefits of the Mining, Agriculture and Construction (MAC) Protocol are significant. Over a ten-year period, the MAC Protocol is predicted to increase the global stock of MAC equipment by \$90 billion and increase global GDP by \$30 billion dollars. If widely implemented, the MAC Protocol will improve the cross-border legal framework in the Asia-Pacific region and facilitate access to credit, regional trade, improve productivity, and boost economic development.

As a leading country involved in the negotiation of the MAC Protocol and a country that exports over \$15 billion USD worth of MAC equipment annually, Japan is well positioned to be a major beneficiary of the MAC Protocol once it enters into force. This workshop will explore how the MAC Protocol will affect Japanese industry, and the important role that Japan can play in supporting the implementation of the MAC Protocol.

The workshop will be held in English and Japanese with simultaneous translation. This workshop will allow for both in-person and remote participation and participation is free of charge. Attendees can register their participation at <https://forms.office.com/r/CndnpMrMbP>.

14.30

Welcome and introductory remarks
MOJ

14.40

Overview of UNIDROIT and its current Work Programme
Ignacio Tirado, UNIDROIT Secretary-General

14.55

Japanese views on UNIDROIT instruments
Hideki Kanda, UNIDROIT Governing Council Member

Panel 1: The MAC Protocol and Japan

1. The success of the Cape Town Convention in facilitating international finance and trade
Ignacio Tirado, UNIDROIT Secretary-General

15.10

2. Legal operation of the MAC Protocol and the potential costs and benefits
William Brydie-Watson, UNIDROIT Senior Legal Officer

3. Relationship between the MAC Protocol and the Japanese Secured Transactions Law Reform Project
Megumi Hara, Professor at Chuo University and Representative of Japan, MAC Preparatory Commission

16.00

Coffee break

Panel 2: Industry, regional and global perspectives on the MAC Protocol
Chair: Megumi Hara

1. International and industry support for the MAC Protocol
Association of Equipment Manufacturers

16.15

2. Promoting and implementing the MAC Protocol in the Asia-Pacific region through APEC
Yoshi Hayakawa, Professor at Rikkyo University and APEC Economic Committee, Strengthening Economic Legal Infrastructure Group Chair (SELI)

3. Japanese equipment industry perspectives on the MAC Protocol
Satoru Koyama, Executive Managing Director, CEMA

4. Benefits and Impacts of the Cape Town Convention Framework and the MAC Protocol: Perspectives from the Japanese Official Export Credit Agency
Yuichiro Akita, Nippon Export and Investment Insurance, General Manager, International and Strategic Policy

17.05

The future of the MAC Protocol and the importance of Japan
William Brydie-Watson, UNIDROIT Senior Legal Officer

17.15

Discussion

17.25

Concluding remarks
CEMA, UNIDROIT

17.30

Close of workshop