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Item No. 10 on the Agenda : The Uniform Law Foundation

(memorandum prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Report on the activities of the Uniform Law Foundation in 2004</i>
<i>Action to be taken</i>	<i>None</i>
<i>Related documents</i>	<i>C.D.(84) 15, C.D.(84) 13</i>

THE 2004 MEETING OF THE BOARD OF GOVERNORS OF THE UNIFORM LAW FOUNDATION

On 18 April 2004, the new Board of Governors of the Uniform Law Foundation met under the chairmanship of the President of the Foundation, Sir Roy Goode. Messrs M Gioscia (Italy) and Jeffrey Wool (USA) were elected members of the Board, and Professors Ferenc Mádl (President of Hungary), Jacques Putzeys (Belgium) and Joachim Bonell (Italy) had been co-opted, the first two of these having previously been members of the Board nominated by the Governing Council of the Institute, on which they had served. The meeting lasted a full day and considered numerous papers, including a draft Action Plan and draft fund-raising prospectus.

At the meeting of the Governing Council Sir Roy gave the Council a full report of the meeting and of the decisions taken by the Board, which can be summarised as follows.

As regards the Foundation's future activities, the following order of priorities was decided:

1. The component parts of what would become the *UNIDROIT Information Systems or Centre*:

- the UNILAW data base
- the Documentation Centre
- the on-line version of the Uniform Law Review

2. *Scholarships*

The decisions taken in relation to each of the above items were as follows:

(1) *THE UNIDROIT INFORMATION SYSTEMS OR CENTRE*(a) *The UNILAW Data Base*

Work on the data base had already started, the first instrument to be dealt with being the *1956 Convention on the Contract for the International Carriage of Goods by Road (CMR)*. It was decided that:

- the data base should include multilateral instruments and not bilateral agreements;
- the instruments should in principle relate to private law and not to public law;
- a list of the instruments to be dealt with should be finalised;
- work on the CMR should continue with:
 - the insertion of bibliography;
 - the insertion of case law, firstly case law for which summaries were already available (e.g. those published in the *Uniform Law Review* or prepared by interns);
- as regards other fields, priority should be given to the *text* of international conventions and other international instruments. As regards instruments prepared by organisations other than UNIDROIT, in the first instance a link should be made to the official web sites (where they existed) of the sponsoring international organisations or of the depositaries containing the text of the instruments and the status of ratification. As a second phase, bibliographies should be inserted first, then case law: again, the summaries of case law published in the *Uniform Law Review* should be inserted first, followed by other summaries available;
- it was suggested that in the early stages a free subscription to the data base should be offered to users, but that as this developed they should be required to pay.

The estimated expenditure on the UNILAW data base was approximately € 315,500, the exact figure depending on the content and phasing of the project.

It was further decided that an assistant/secretary should be hired for the data base using part of the special funds available to the data base.

(b) *The Documentation Centre (Library)*

Work was currently progressing on the creation of an electronic catalogue. The Foundation would try to assist with the completion of the catalogue to the extent possible and as necessary.

(2) *Scholarships*

As regards scholarships, any activity on this point would depend on plans for the re-structuring of the library, which would involve its partial or complete closure to the public for some time. While the decision to carry out the restructuring work had been taken in principle by the Italian authorities, the final decision as to the modalities for its funding was under consideration by the competent authorities.

DEVELOPMENT GROUP

It was decided that a Development Group operating under the direction of the Board and made up of active persons should be set up to assist with the fund raising. It was decided that Mr Jeffrey Wool should be asked to act as Chairman of the Group.

SUBSEQUENT ACTIVITIES

Following the meeting of the Board, the prospectus of the Foundation was finalised and printed. Copies were distributed to the members of the Board.

The Foundation has published a booklet entitled “Contract Practices under the Cape Town Convention” as the first in the Cape Town Papers Series. The booklet was produced by the Legal Advisory Panel of the Aviation Working Group.

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