



UNIDROIT RESEARCH SCHOLARSHIP PROGRAMME

Implementation Report for 2017 *



I – Background

The UNIDROIT Research Scholarships Programme bridges two concerns that are closely connected to the core activity of UNIDROIT: 1 - furthering the general objectives of UNIDROIT, *i.e.* harmonising and modernising private law, with a particular attention to developing countries and countries in economic transition; and 2 - promoting legal research in a Library which is renowned for its holdings relating to private international law and located at the seat of a pioneering organisation in the field of private law harmonisation.

The Programme was launched in 1993 and, since its beginning, has hosted 370 researchers (civil servants, academics, judges and practitioners) from 63 countries. In addition to the advantages for the beneficiaries and the legal community in their countries of origin, the Programme also has important institutional effects, in that it opens doors for UNIDROIT to new contacts, often at the highest level, both in its member States and in non-member States. This improves the exchange of information between the Institute and the legal community in these countries and increases UNIDROIT's opportunities to publicise its activities.

The scholarship programme provides beneficiaries with the opportunity to carry out research in the library. Assistance is provided by UNIDROIT staff in the form of logistic support, bibliographical guidance and, depending on the particular research project, the organisation of exchange meetings with staff members. In addition, whenever possible, researchers have the opportunity to attend the meetings organised at UNIDROIT as guests. However, UNIDROIT does not provide academic supervision as such. A certificate is issued at the end of the research period.

* UNIDROIT 2017 - Study LXV/Scholarships – Impl. 28

II – Financial resources for the Programme in 2017

According to the General Assembly's decision at its 2012 session, the Scholarship Programme has relied entirely on voluntary contributions since 2014.

The sources of funding of the Programme in 2017 are as follows:

- ❖ The Scholarship general fund (carry over from 2016 and grant from Members of the Governing Council on a personal basis)
- ❖ Transnational Law & Business University (TLBU) (carry over from 2016 and grant received in 2017)
- ❖ The UNIDROIT Foundation (carry over from 2016 and grant received in 2017)
- ❖ The Ministry of Commerce of the People's Republic of China (carry over from 2016 and grant received in 2017)

The total funding available in 2017 amounted to Euros **73.736,87**. The total amount spent in 2017 for the programme was Euros **26.311,97**. For 2018 the total amount available is Euros **47.424,90**

A table reporting the amounts received and how they have been spent can be found in Annex I. Annex II notes the Treasurer's Conclusions, which certify the financial report of the Scholarship Programme in 2017.

III – Objectives and selection procedure

The Programme is publicised on the UNIDROIT Internet webpage, and by the Secretariat also among member and non-member States, Governing Council members and correspondents, as well as academic institutions in targeted countries. Beneficiaries are selected under the guidance of the Secretary-General based upon any requirements set by donors, and according to the main following criteria/considerations:

- (a) the subject matter and the presentation of the research project, in particular its connection with UNIDROIT past or present activities (subjects on the current Work Programme, or adopted instruments, and in general dealing with private law in the broadest sense);
- (b) the potential application of the undertaken research in promoting legislation, academic dissemination, judicial application;
- (c) the profile of the candidate based on his/her academic and professional qualifications, the references provided to take best advantage of the scholarship opportunity
- (d) additional considerations include the objective of achieving the widest possible geographical distribution as far as the beneficiaries' countries of origin are concerned (bearing in mind the aim of hosting scholars both from member States to enhance their participation in the Institute's activity and from non-member States to build networks to disseminate UNIDROIT's work)

Funding received from donors is exclusively allocated to scholars to support local expenses in Rome (accommodation and local expenses). Other expenses related to the management of the programme (staff and library documentary resources) rely upon the UNIDROIT general budget. Candidates admitted as invited scholars receive either a full scholarship or – most often - a partial scholarship when – as they are encouraged to do so - they can rely on personal funding or complementary sponsorship from their institution of origin, or other third party donor. The Secretariat devotes particular attention to ensuring that financial resources are used as efficiently as possible.

Although candidates are welcome to apply on an individual basis, cooperation agreements are in place for joint scholarships with a number of academic institutions. Cooperation agreements

generally provide for a competitive selection procedure within the partner institution, and may imply shared expenses or full coverage by the partner institution.

Cooperation agreements have been implemented with: Universidad Argentina de la Empresa (UADE) (Argentina), Universidad Externado de Colombia, TLBU Graduate School of Law (Republic of Korea), Nagoya University (Japan), Babes Bolyai University (Romania), University of Johannesburg (South Africa), , Loyola University Chicago (USA/Italy), Universidad de los Andes and Universidad de Talca (Chile), Centre for Commercial Law Studies, Queen Mary University of London (United Kingdom), Cairo University Faculty of Law and the Egyptian State Council (Egypt), University of International Business and Economics (Beijing).

In 2017, the Programme hosted 15 scholars from 14 countries (see the list in Annex III).

The beneficiaries' summary research reports in 2017 are available in a related document available in electronic format only and accessible through this [link](#). Although very diverse, the Secretariat believes that they bear witness to the benefits deriving from the research opportunity. One ought to bear in mind that these reports are of a descriptive, non-scientific nature, and that the academic results are in the form of articles, theses, books, teaching material etc. In most cases, the candidates have helped forge or strengthen co-operation networks with universities and research centres, and generally contribute to the promotion of UNIDROIT instruments worldwide.

IV – Perspectives

The Secretariat recalls that this Programme has proven to be an efficient means of underpinning the Organisation's harmonisation work and should be seen as forming an integral part of the Institute's mission.

The Secretariat expresses its gratitude to all donors in 2017 and hope that they will wish to renew their financial commitment, and that new donors may join them, so as to maintain the scheme's financial potential and enable a satisfactory number of candidates to be presented and accepted into the Programme.

(end of text - 3 annexes attached)

UNIDROIT RESEARCH SCHOLARSHIPS PROGRAMME
(Amounts are expressed in Euros)

Sponsors	Funding Available for 2017	allocation 2017	amounts
Scholarship general fund carry over 2016 Carry-over of TLBU 2016 UK Foundation carry-over 2016 Grant UNIDROIT Governing Council members May 2017 Total:	273,76 586,49 25,48 2.520,00 <hr/> 3.405,73	Available for 2018	3.405,73
Transnational Law and Business University (TLBU), Seoul Carry-over of TLBU 2016 Grant 31 Oct. 2017 Total:	586,49 2.547,64 <hr/> 3.134,13	Transferred to the Scholarship general fund Available for 2018	586,49 2.547,64
UNIDROIT Foundation carry-over 2016 Grant 2017 (20 Feb. 2017) Total :	17.171,53 10.000,00 <hr/> 27.171,53	Ms ESPLOAOR VERONESE Ligia (Brazil) Mr FILARTIGA Ivan (Paraguay) Mr ABDELSALAM Mohamed (Egypt) Ms BORGES MOSCHEN Valesca (Brazil) Mr DADRAS Peyman (Iran) Ms DURDENIC Katarina (Croatia) Ms ERDOGAN Basak (Turkey) Mr FARINATI Eduardo (Argentina) Ms KHASANOVA (Uzbekistan) Mr ITURRALDE GONZALEZ Raul (Mexico) * Mr LIUTYI Vasyi (Ukraine) Mr PALAMARCIUC Vladimir (Moldavia) Ms KARAPANCO Albana (Albania) Mr TAIATU Claudiu Mihai (Romania) Total Available for 2018	1.200,00 1.200,00 1.600,00 1.600,00 1.200,00 1.600,00 1.600,00 1.500,00 2.400,00 1.600,00 1.600,00 1.200,00 2.400,00 1.600,00 22.300,00 4.871,53
UK Foundation carry-over 2016	25,48	Transferred to the Scholarship general fund Available for 2018	25,48 -----
MOFCOM PR China Grant (30 August 2016) Grant (12 Sept. 2017) Total :	20.000,00 20.000,00 <hr/> 40.000,00	Mr GARDAZI Mudasser Fida (Pakistan) Total Available for 2018	3.400,00 <hr/> 3.400,00 36.600,00
Total funding available for the programme in 2017	73.736,87	Total amount spent for the programme in 2017 Total amount available for the programme in 2018	26.311,97 47,424,90

ANNEX II**CONCLUSIONS**

The Treasurer:

- having found that the receipts and payments recorded in the table in Annex I are in conformity with the supporting vouchers and that they correspond with the balance held in the Institute's bank account with the UNICREDIT Banca di Roma, that is to say EURO account n° 000400757613, relating to the Institute's dedicated bank account for the UNIDROIT Scholarship Programme.
- expresses the opinion that the financial report for the project in 2017 may be approved.

Rome, February 2018



ANNEX III

UNIDROIT SCHOLARSHIPS PROGRAMME
Scholars selected under the Programme for 2017

1.	Mr GARDAZI Syed Mudasser Fida	Pakistan	PhD. Cand., International Islamic University, Islamabad	PEOPLE'S REPUBLIC OF CHINA	Application of the Vienna Sales Convention in Pakistan (10 Mar – 5 May)
2.	Mr FILARTIGA Ivan	Paraguay	LL.M., The George Washington University Law School	UNIDROIT Foundation	MAC Protocol, a glance to the future from the Paraguayan perspective (3 Apr.– 31 May)
3.	Mr LIUTYI Vasyl	Ukraine	PhD. Cand., Institute of International Relations of Taras Shevchenko National Univeristy of Kyiv	UNIDROIT Foundation	The legal regulation and enforcement of Close-Out Netting Provisions, Comparative analysis (10 Apr – 9 Jul)
4.	Ms ERDOGAN Basak	Turkey	PhD. Cand., Galatasaray University Istanbul	UNIDROIT Foundation	Unwinding failed contracts (18 Apr. – 31 May)
5.	Mr ITURRALDE GONZALEZ Raul	Mexico	SJD. Cand., James E. Rogers College of Law, University of Arizona	UNIDROIT Foundation	The Principles, Customs and Practices behind the UNIDROIT Principles of international commercial contracts (1994) (5 Jun. -31 Jul.)
6.	Ms KHASANOVA Farangis	Uzbekistan	Master, University of World Economy and Diplomacy, Tashkent	UNIDROIT Foundation	Improving the legal bases for foreign economic activities – a focus on contractual conditions (specifically “Force Majeure”) (5 Jun. – 31 Jul.)
7.	Ms KARAPANCO Albana	Albania	Master of Laws, Central European University, Budapest	UNIDROIT Foundation	Security devices and modern techniques for access to credit in agriculture-based economies and emerging markets (19 Jun. – 31 Jul.)
8.	Mr DADRAS Payman	Iran	PhD., Université Paris 1, Panthéon Sorbonne RC	UNIDROIT Foundation	L’impact des principes 4 et 6 d’UNIDROIT sur la clause de demurrage : Etude du système juridique de common-law et des pays civilistes (19 Jun. – 31 Jul.)
9.	Mr ABDELSALAM Mohamed	Egypt	LL.M. Loyola University of Chicago, Rome	UNIDROIT Foundation	Egyptian legal framework and ADR mechanisms governing contract Farming in light of the UNIDROIT/FAO/IFAD Legal Guide (15 Jun. – 28 Jul.)
10.	Mr PALAMARCIUC Vladimir	Moldavia	The legal particularities of the monetary civil obligations	UNIDROIT Foundation	The legal particularities of the monetary civil obligations (4 Sep – 13 Oct)

11.	Ms DURDENIC Katarina	Croatia	PhD., University of Zagreb	UNIDROIT Foundation	Profit participating loans (4 Sep. – 13 Oct.)
12.	Ms ESPLOLAOR VERONESE Ligia	Brazil	Master of Law University of Sao Paulo	UNIDROIT Foundation	Principles of BRICS Contract Law – PBCL (18 Sep. – 27 Oct.)
13.	Ms RAIZER BORGES MOSCHEN Valezca	Brazil	Professor, Federal University of Espiritu Santo, Brazil	UNIDROIT Foundation	Dynamics of the harmonisation of transnational civil procedure from ALI to ELI /UNIDROIT (16 Oct. – 15 Dec.)
14.	Mr TAITU Claudiu Mihai	Romania	LL.M., Leiden University, International Institute of Air Space and Law	UNIDROIT Foundation	The applicability of the Space Protocol of the Cape Town Convention, Space Asset – Cape Town and repossession insurance (2 Nov. – 22 Dec.)
15.	Mr FARINATI Eduardo	Argentina	Professor, Universidad Argentina de la Empresa	UNIDROIT Foundation/ UADE (joint funding)	Capital Markets: The search for convergence between Europe and Latin America (6 Nov. – 14 Dec.)