

UNIDROIT

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW

ANNUAL REPORT — 2010

Rome, 2010

UNIDROIT 2010
A.G. (67) 2*

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* This report is submitted to the General Assembly for information purposes, without prejudice to the Governing Council's prerogative to approve it, pursuant to Article 11(3) of the UNIDROIT Statute.

The year 2010 saw the substantive completion of the 3rd edition of the UNIDROIT Principles of International Commercial Contracts, with the approval by the Governing Council of four new chapters to what is now widely recognised as one of the landmark instruments prepared by UNIDROIT.

The revised draft of the Official Commentary to the UNIDROIT Convention on Substantive Rules for Intermediated Securities was developed by the Committee especially set up for that purpose by the diplomatic Conference that adopted the Convention on 9 October 2009, and circulated to Governments for comments on 12 August 2010.

The considerable progress made by the fourth meeting of the Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets encouraged the Governing Council to authorise the holding of a final meeting of the Committee of governmental experts, to be held in Rome from 21 to 25 February 2011. The Governing Council is expected to decide, in the light of the progress to be made at that session, whether the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets may be submitted to a diplomatic Conference to be especially convened for that purpose.

The bidding process for the establishment of the International Registry envisaged by the Luxembourg Protocol to the Convention on International Interests in Mobile Equipments on Matters specific to Railway Rolling Stock is expected to be completed in time for the entry into force of the Protocol.

Lastly, the Governing Council agreed to a re-structuring of the UNILAW database so as to better match its objectives to existing resources, as a result of which UNILAW, while focusing primarily on instruments directly resulting from the work of UNIDROIT, will offer a comprehensive and soundly structured gateway to sources of information on uniform law instruments developed by other organisations.

These remarkable achievements go to the credit of the loyal and committed staff of the Institute, with whom I am proud to work. My personal expression of gratitude to them is all the more important in a year that has been shadowed by concerns over the level of resources that member States are willing to invest in this Organisation.

The rigid adherence by several member States to an undifferentiated policy of “zero-growth” to the budgets of international organisations, coupled with *ad hoc* reductions in contributions dictated by domestic constraints – however understandable from the point of view of fiscal discipline in times of financial crises – has led to a real loss of over 20% of the resources under several chapters of the Organisation’s budget in the last 15 years. More than ever, we now find ourselves at the situation described by a long-standing member of the Governing Council as “too much to die, but too little to really live”.

This rather bleak note should not, however, be my final conclusion. Let us instead hope that the proof given by UNIDROIT in 2010 that it can do good work despite all adversities may instill in our member States the renewed confidence that resources entrusted to us bear fruit in useful work, and that the year 2011 may see a greater commitment on their part to fund our Organisation at a level commensurate with the high expectations they place on us and with the dignity and necessary independence of an international intergovernmental organisation.

My colleagues in the UNIDROIT Secretariat join me in expressing our gratitude for the confidence with which our member States have honoured us in all these years. Trust us further, and you shan’t be disappointed.

JOSE ANGELO ESTRELLA FARIA
Secretary-General

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I. ADMINISTRATION AND ORGANISATION

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

1. *Presidency, Governing Council and Permanent Committee*

The 89th session of the *Governing Council* ¹was held in Rome from 10 to 12 May 2010 under the chairmanship of the President of the Institute, Mr Berardino Libonati. The Governing Council, after approving the Secretary-General's report on the activity of the Institute in 2009, appointed Mr Arthur Hartkamp and Mr Lyou Byung-Hwa as First and Second Vice-President, respectively, until its 90th session.

Acting upon the proposal of the Secretariat, the Council appointed Prof. Camille Jauffret-Spinosi as a correspondent of the Institute.

The Governing Council considered various proposals for the inclusion of new topics in the Work Programme for the triennium 2011-2013 and made specific recommendations to the General Assembly for that purpose, including as regards the relative level of priority to be assigned to each topic, taking into account both the resources available to the organisation and supplementary funding likely to be obtained.

The Governing Council also considered a memorandum prepared by the Secretariat containing a review of achievements in the implementation of the current Strategic Plan and elements for the preparation of a revised Strategic Plan. The Governing Council entrusted an *ad hoc* committee composed by Ms Baiba Broka and Ms Kathryn Sabo, Chief Michael Kaase Aondoakaa and Mr Henry Gabriel, Mr Didier Opertti-Badán and Mr Daniel Tricot with the examination of that document with a view to the preparation of a draft Strategic Plan for consideration by the Council at its 90th session, to be held in Rome from 9 to 11 May 2011

When discussing the draft budget for 2011, the Council requested the Secretariat to refrain from envisaging an increase in the contributions of member States. The Council further requested the Secretariat to achieve the necessary balance in 2011 by reducing its expenditure under Chapters 2 (Salaries and allowances) and 3 (Social security charges) of the draft budget. Subject to those amendments, the Council authorised the Secretariat to transmit to the financial organs of the Institute proposals in respect of expenditure for the 2011 financial year.

The *Permanent Committee*, at its 111th meeting (25 March 2010) discussed continued its deliberations on ways for streamlining the Institute's staffing structure and various options for implementing an output-based performance evaluation system. The Committee expects to be able to submit concrete proposals for consideration by the Governing Council at its 90th session (Rome, 9-11 May 2011). It also approved the draft agenda for the 67th session of the General Assembly.

* This report covers the activities of UNIDROIT from 1 January to 31 October 2010.

¹ The Governing Council is currently composed of the following members : 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 Greiner (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

Following a practice initiated in 2009, a special meeting of the *General Assembly* (its 66th session) was held in Rome on 23 June 2010 under the Chairmanship of H.E. Mr Patrick Hennessy, Ambassador of Ireland in Italy. Member States were informed of the deliberations of the 89th session of the Governing Council (Rome, 10-12 May 2010) and briefed, in particular, about the topics that the Governing Council recommended for inclusion in the triennial Work Programme of UNIDROIT, which the General Assembly is expected to adopt at its 67th session, to be held on 1st December 2010.

The *Finance Committee*² met twice in 2010. The 67th session was held on 25 March 2010 under the chairmanship of Ms Manuela Leimgruber (Switzerland); the 68th session, which took place on 13 October 2010, appointed Mr Diego Simancas as the new Chairperson, upon the departure of Ms Leimgruber. The Committee was requested to give an opinion on certain financial issues submitted for scrutiny by the General Assembly.

3. Secretariat

On 31 October 2010, the Secretariat was made up of 21 members, of which six professional staff (Category A) and one hors-cadre officer, nine administrative, library and secretarial staff (Category B), three technical support staff (Category C) and two consultants.

Mr Daniel Porras' research fellowship (funded by private donors) to work on the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets was renewed until the end of February 2011.

The focus of the activities of the Secretariat in the first quarter of 2010 was the preparation of proposals and background information documents to enable the Governing Council to make recommendations for the General Assembly for new Work Programme for the triennium 2011-2013. The Secretariat also prepared for the Governing Council a comprehensive review of the achievements under the 2003 Strategic Plan, with proposals for its revision and update.

The Secretariat has made considerable progress in the establishment of an electronic records and file management system. Nearly all computers are now linked to a central server assuring authorised storage and backup of electronic files and common access to electronic copies of institutional and project related works. E-mail software has been upgraded and a common electronic calendar has been established. An electronic system for registration of incoming and outgoing correspondence and archiving has been introduced, and the Secretariat is developing a centralised archiving system for electronic messages.

B. DIPLOMATIC CONFERENCES, STUDY GROUPS AND EXPERT COMMITTEES

The following meetings were organised by the Institute in 2010:

1. Transactions on Transnational and Connected Capital Markets

1st 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 (Rome, 6 – 8 September 2010).

² The Finance Committee is currently (term of three years commencing on 1 January 2009) 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.

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

Fourth session of the Preparatory Commission for the establishment of the International Registry, hosted by UNIDROIT (Rome, 26-28 October 2010).

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

Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (4th session: Rome, 3-7 May 2010).

Intersessional consultations with representatives of the international commercial space and financial communities (Rome, 18 October 2010).

Intersessional meeting of the Informal Working Group on default remedies in relation to components (Rome, 19-20 October 2010).

Intersessional meeting of the Informal Working Group on limitation on remedies (Rome, 20-21 October 2010).

4. *Global Navigation Satellite Systems (GNSS)*

Informal consultation meeting on the desirability and the feasibility of a possible international instrument on "Third party liability for Global Navigation Satellite Systems (GNSS) services" (Rome, 22 October 2010).

5. *Principles of International Commercial Contracts*

Drafting Group of the Working Group for the preparation of a new edition of the UNIDROIT Principles of International Commercial Contracts (Hamburg, 25-28 January 2010, upon invitation of the *Max-Planck-Institut für ausländisches und internationales Privatrecht*).

Working Group for the preparation of additional Chapters to the Principles of International Commercial Contracts 2004 (fifth session, Rome 22-24 May 2010).

C. RELATIONS WITH GOVERNMENTS

On 31 October 2010, 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.

A delegation of 12 professors of the Law School of the Sukhothai Thammathorat Open University (STOU), Bangkok (Thailand), lead by the Dean and accompanied by Professor Lawan Thanadsillapakul, former visiting researcher at UNIDROIT (2003), visited UNIDROIT on 25 May 2010. The visit paved the way for future co-operation relationships between UNIDROIT and STOU, which were subsequently reflected in a Memorandum of Understanding concluded by the Secretary-General of UNIDROIT and the President of STOU in September 2010.

The Secretariat continues consultations with a few non member States with a view to their possible accession to the UNIDROIT Statute, in particular States of the Gulf region, the Middle-East, Northern Africa and East Asia.

The Secretariat has also intensified contacts with a few member States of the Latin American region that have not lately participated in the Institute's work, with a view to reviving their interest for the work of UNIDROIT.

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

The now customary co-ordination meeting between the Secretaries-General of the Hague Conference of Private International Law, UNCITRAL and UNIDROIT took place in The Hague on 9 June 2010.

E. CO-OPERATION WITH OTHER INTERNATIONAL ORGANISATIONS

In the course of the period under review, the Institute was represented at several meetings organised by other international organisations including 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 Fund for Agricultural Development (IFAD), the United Nations Commission on International Trade Law (UNCITRAL) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

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. *International Interests in Mobile Equipment*

a. Preliminary draft Space Protocol

The UNIDROIT Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (hereinafter referred to as the *Committee*) made significant progress during 2010 in building on the intersessional work³ that had paved the way for its reconvening in December 2009: it was on this basis that the UNIDROIT Governing Council at its 89th session, held in Rome from 10 to 12 May 2010, authorised the holding of a fifth session of the Committee, to be held in Rome from 21 to 25 February 2011, with the idea that the Governing Council at its 90th session, to be held in Rome from 9 to 11 May 2011, should, in the light of the progress to be accomplished by the Committee at its fifth session, be in a position to decide as to the ripeness of the text of the preliminary draft Protocol to the Convention on International Interests on Matters specific to Space Assets (hereinafter referred to as the *preliminary draft Protocol*) for submission to a diplomatic Conference, for adoption.

At the end of its third session, held in Rome from 7 to 11 December 2009, the Committee had agreed that, pending its fourth session, the Drafting Committee should complete the work which it had begun by way of implementation of the decisions taken by the Committee at its third session.⁴ It was thus that Sir Roy Goode (United Kingdom) and Mr M. Deschamps (Canada), as co-Chairmen of the Drafting Committee, in the light of comments submitted by members of the Drafting Committee, prepared a revised version of the preliminary draft Protocol (hereinafter referred to as the *revised version*) in April 2010, designed to reflect the conclusions reached by the Committee at its third session and to incorporate certain drafting improvements.⁵

This revised version was the basic working document before the Committee at its fourth session, held in Rome from 3 to 7 May 2010. The Committee also had before it comments submitted by Governments, Organisations and representatives of the international commercial space, financial and insurance communities.⁶

The fourth session was attended by 94 representatives of 37 Governments,⁷ observers from five intergovernmental Organisations⁸ and five international non-governmental Organisations,⁹ and 12 advisers representing the international commercial space, financial and insurance

³ Cf. *Annual Report 2009*, pp. 9-11.

⁴ *Idem*, p. 12.

⁵ UNIDROIT 2010 C.G.E./Space Pr./4/W.P. 3 rev.

⁶ UNIDROIT 2010 C.G.E./Space Pr./4/W.P. 4 rev.; UNIDROIT 2010 C.G.E./Space Pr./4/W.P. 4 rev. Add. 1.

⁷ The Governments of Algeria, Argentina, Australia, Burkina Faso, Canada, the People's Republic of China, Colombia, the Czech Republic, France, Germany, Greece, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Mexico, Nigeria, the Islamic Republic of Pakistan, Paraguay, Portugal, the Republic of Korea, Romania, the Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sudan, Syria, Turkey, the United Kingdom, the United States of America, Uruguay and Venezuela.

⁸ The Council of the European Union (European Community), the European Commission, the European Space Agency, the International Civil Aviation Organization and the United Nations Commission on International Trade Law.

⁹ The European Centre for Space Law, the European Federation of Equipment Leasing Company Associations, the International Bar Association, the International Institute of Space Law and the International Law Association.

communities,¹⁰ as well as one other person.¹¹ The session was chaired by Mr S. Marchisio (Italy). In view of the absence of the First and Second Deputy Chairmen of the Committee, the latter elected Mr V. Kopal (Czech Republic) Third Deputy Chairman, to act in the Chairman's absence.

In the light of concerns expressed by certain members of the international commercial space, financial and insurance communities, one delegation, while recognising the efforts that had been made by States, international Organisations and industry in developing the revised version, expressed its concern lest the concerns voiced regarding outstanding issues might render the latter ineffective and, potentially, counterproductive, suggesting that until such concerns had been resolved and an economic impact assessment of the project made no further steps should be taken with a view to the transmission of the preliminary draft Protocol to a diplomatic Conference.¹² On the other hand, a considerable majority of the other delegations, whilst acknowledging that there were some outstanding issues which still needed to be resolved, took the view that, in the light of their consultations with representatives of their own domestic commercial space sectors, the concerns that had previously been expressed by members of the commercial space sector to the UNIDROIT Secretariat were not representative of the whole of that industry and that the revised version definitely had the potential to benefit those seeking financing for space assets - in particular smaller operators - and in raising private investment for applications beyond telecommunication satellites.¹³ It was, therefore, decided that the Committee should move ahead timeously with the work of finalising the preliminary draft Protocol.

The substantive work accomplished by the Committee at its fourth session consisted essentially in, first, consideration of the specific outstanding issues identified at its previous session and, secondly, a provision-by-provision review of the entirety of the revised version. Two sets of provisions, though, were essentially left for further consideration within the two informal working groups set up by the Committee at its previous session, namely the provisions dealing with limitations on remedies (in the case of assets providing a public service)¹⁴ and the issue of default remedies in relation to components.¹⁵ The working groups in question reported to the Committee on the progress they had accomplished during the session,¹⁶ with it being agreed that the discussion proposal that emerged from the Informal Working Group on limitations on remedies should be incorporated in the revised version as Alternative B to Article XXVII *bis*.¹⁷

It is the revised version as reviewed by the Drafting Committee during the fourth session of the Committee, by way of implementation of the various amendments agreed during that session,¹⁸ which will be the basic working document of the Committee at its fifth session.

In advance of that session, as agreed by the Committee at the end of its fourth session, informal consultations are to be held with the commercial space sector, in particular with a view to building on the progress achieved by the Committee at that session and to ensuring timeous completion of the planned Space Protocol,¹⁹ as well as meetings of the Informal Working Groups on default remedies in relation to components and limitations on remedies, designed to build on the progress made by these working groups to date.²⁰ The informal consultations are

¹⁰ Mr Y. Blanc (Eutelsat Communications), Mr M. Borello (Thales Alenia Space), Mr S. Devouge (Marsh), Ms C.J. Dubreuil (EADS Astrium), Mr O. Gebler (Baker & McKenzie), Mr O. Heinrich (BHO Legal Partnership), Ms M. Leimbach (Crédit Agricole S.A.), Ms P. Meredith (Zuckert Scoutt & Rasenberger L.L.P.), Mr E. Moltrecht (Euler Hermes Kreditversicherungs-AG), Miss M. Petitjean (Eutelsat Communications), Mr B. Schmidt-Tedd (German Space Agency) and Mr H. Weiss (KfW IPEX-Bank).

¹¹ Mr R. Cowan, Managing Director of Aviareto, the Registrar of the International Registry for aircraft objects.

¹² Cf. Report on the fourth session of the Committee (UNIDROIT 2010 C.G.E./Space Pr./4/Report), at § 9.

¹³ *Idem*, § 11.

¹⁴ *Idem*, § 50.

¹⁵ *Idem*, § 32.

¹⁶ *Idem*, §§ 136 and 145 respectively.

¹⁷ *Idem*, § 139.

¹⁸ *Idem*, Appendix VIII.

¹⁹ *Idem*, § 149.

²⁰ *Idem*, §148.

to be held in Rome on 18 October 2010 and the meetings of the Informal Working Group on default remedies in relation to components and the Informal Working Group on limitations on remedies in Rome on 19 and the morning of 20 October 2010 and on the afternoon of 20 and on 21 October 2010 respectively. The results of these consultations and meetings will be brought to the attention of the Committee at its fifth session.

b. Promotion of the work relating to the implementation of the draft Space Protocol

The UNIDROIT Secretariat continued to seek to give exposure to the preliminary draft Space Protocol over the period under consideration in as many ways as possible.

First, it was represented by Mr M.J. Stanford, Deputy Secretary-General, at the 49th session of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space, held in Vienna from 22 March to 1 April 2010, where he made a statement, providing an update on developments in respect of the preliminary draft Protocol.

Secondly, it was represented by Mr D.A. Porrás, Associate Officer, at the 61st International Astronautical Congress, held in Prague from 27 September to 2 October 2010.

Thirdly, it was represented by the Secretary-General, at a special joint session of the Banking and Space Law Committees of the International Bar Association (I.B.A.) on air and space financing, focussing in particular on the preliminary draft Protocol, held in Vancouver on 7 October 2010. The Secretary-General spoke, *inter alia*, on the core principles of the Cape Town Convention, the sphere of application of the Aircraft Protocol and the preliminary draft Protocol.

Finally, UNIDROIT will be represented by Mr Stanford at the United Nations/Thailand/European Space Agency Workshop on Space Law "Activities of States in Outer Space in Light of New Developments: Meeting International Responsibilities and Establishing National Legal and Policy Frameworks", jointly organised with, and hosted by the Geo-Informatics and Space Technology Development Agency, to be held in Bangkok from 16 to 19 November 2010.

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

At its 89th session, the UNIDROIT Governing Council recommended that this topic be placed on the Work Programme for the triennium 2011-2013, and authorised the Secretariat to continue its consultations with relevant sectors so as to further develop an understanding of the potential scope and advantages of the possible future Protocol. Those consultation had included the convening by UNIDROIT, in conjunction with the *Bundesministerium der Justiz* (Germany), of an Information Forum for Industry held in Berlin on 11 March 2010.

2. Transactions on international and connected capital markets

a. Finalisation and publication of the final version of the Official Commentary to the UNIDROIT Convention on Substantive Rules for Intermediated Securities

The UNIDROIT Convention on Substantive Rules for Intermediated Securities (referred to hereafter as "the Geneva Securities Convention") was adopted at the Final session of the final session of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities (Geneva, 5-9 October 2009).

The text of the Convention and of the Resolutions adopted by the Conference was subject to verification by the Secretariat of the Conference under the authority of the President of the Conference within a period of 120 days from the date of adoption as to the linguistic changes required to make the texts in the two official languages consistent with one another. At the end of this period those texts became authentic and can be found on the UNIDROIT website.²¹

²¹ Convention: <http://www.unidroit.org/english/conventions/2009intermediatedsecurities/convention.pdf>
Final Act: <http://www.unidroit.org/english/conventions/2009intermediatedsecurities/finalact.pdf>

In its Resolution No. 2, adopted at the closing of the final session, the diplomatic Conference requested the finalisation of the Official Commentary on the Convention by the Chairperson of the Drafting Committee, in close co-operation with no more than three members of the Drafting Committee as well as with the UNIDROIT Secretariat. The Conference further requested a Steering Committee consisting of the Vice-Presidents elected at the final session of the diplomatic Conference, the Chairperson of the Commission of the Whole, the Chairperson of the Final Clauses Committee, the Chairperson of the Credentials Committee, the Co-Chairpersons of the Committee on Emerging Market Issues, Follow-up Work and Implementation, the Chairperson of the Working Group on Insolvency, the Co-Chairpersons of the Working Group on Settlement and Clearing Systems and the members of the Drafting Committee, to co-ordinate the work on the Official Commentary, to take into account the comments made by all negotiating States and participating observers and resolve any issue arising in this process. Lastly, the conference requested that the final version of the Official Commentary, reflecting policy choices and relevant matters considered by the Conference to be addressed by the Official Commentary, be circulated by the UNIDROIT Secretariat to all negotiating States and participating observers no later than 10 months after the final session of the diplomatic Conference inviting comments thereon within four months upon its circulation.

Following that request, the Secretariat, in consultation with the Chairman and three members of the Drafting Committee, started preparing the necessary revisions and additions to the draft Official Commentary so as to reflect policy choices and relevant matters considered by the Conference to be addressed by the Official Commentary. The revised draft Official Commentary was circulated to all negotiating States and participating observers on 12 August 2010. Assuming that no comments are made which would require significant amendments or restructuring of the revised draft Official Commentary, the Secretariat envisages that the revised final version of the Official Commentary could be issued within the first quarter of 2011.

The Secretariat has also prepared a draft Declarations Memorandum addressing a certain number of practical matters that Contracting States are advised to consider in connection with the ratification, acceptance, approval of, or accession to, the Convention. Drawing on the draft Official Commentary to the Convention, the draft Declarations Memorandum provides information on the declarations set out in the Convention, explaining their scope, purpose and required content, as well the steps necessary for lodging them with the Depository. The draft Declarations Memorandum also takes into account the practice of the UNIDROIT Secretariat as depository of international conventions, as stated, for instance, in the Declarations Memoranda relating to the Cape Town Convention on International Interests in Mobile Equipment (the "Cape Town Convention") and the Protocols thereto. The draft Declarations Memorandum will be finalised by the Secretariat following completion of the Official Commentary.

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

On 6 and 7 September 2010, the Secretariat organised a Colloquium on "Financial Markets Law", with a view to identifying possible topics suitable for insertion in a future legislative guide on Principles and Rules capable of enhancing trading in securities in emerging markets. 25 speakers made presentations on a wide range of topics related to securities trading and the functioning of capital markets. 90 participants attended the Colloquium and the presentations made are expected to be published in a special issue of the uniform Law Review to appear in the year 2011.

3. *UNIDROIT Model Law on Leasing: Finalisation and publication of the Official Commentary on the UNIDROIT Model Law*

On the basis of the decisions taken at the meeting held in Rome on 23 and 24 June 2009 of those invited to assist the UNIDROIT Secretariat in the preparation of the Official Commentary on the

UNIDROIT Model Law on Leasing,²² the Official Commentary was prepared by the Secretariat, in close co-operation with Mr R.M. DeKoven, Reporter to the Joint Session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft model law on leasing, Mr N.J. Makhubele (South Africa), Chairman of the UNIDROIT Committee of governmental experts, and Ms M. Allouch and Ms C. Walsh (Canada), Mr E.M. Bey (France) and Messrs M.J. Dennis, H.D. Gabriel, W. Henning and S. Weise (United States of America), as members of the Drafting Committee of the Joint Session.²³

This Official Commentary was laid before the UNIDROIT Governing Council at its 89th session with a view to securing that body's authorisation of its publication. On that occasion, the Governing Council, subject to a minor drafting amendment, which it was agreed should be left to the Secretariat, authorised the Secretariat to publish the Official Commentary in both English and French.

As amended,²⁴ the Official Commentary was, in the course of June and July 2010, officially circulated, in both English and French, amongst all member States, all those non-member States having participated in the negotiation of the Model Law, all non-member States likely, as either developing or transition countries, to be interested in the Model Law and all relevant international Organisations and professional associations, as well as all those individuals having participated in its negotiation. At the same time, the Model Law was itself also circulated among those non-member States likely to be interested in the Model Law, as well as all relevant international Organisations and professional associations, in both the English and French official versions and the unofficial Arabic, Chinese, Russian and Spanish versions prepared by the Secretariat.

4. UNIDROIT Principles of International Commercial Contracts

a. Examination by the Governing Council of the new draft rules and Chapters to be included in the 2010 edition of the UNIDROIT Principles of International Commercial Contracts

At its 89th session held in Rome from 10 to 12 May 2010, the Governing Council of UNIDROIT proceeded to an in-depth examination of the new draft chapters to be included in the 2010 edition of the Principles of International Commercial Contracts, i.e. the Draft Rules on Restitution (UNIDROIT 2010 – Study L – Doc. 114) (Rapporteur: R. Zimmermann); the Revised Comments to Article 1.4 (UNIDROIT 2010 – Study L – Doc. 115) (Rapporteur: M.J. Bonell), the Draft [Chapter] [Section] on Illegality (UNIDROIT 2010 – Study L – Doc. 116) (Rapporteur: M.J. Bonell), the Draft Chapter on Plurality of Obligors and/or Obligees (UNIDROIT 2010 – Study L – Doc. 117) (Rapporteur: M. Fontaine), and the Draft Chapter on Conditions (UNIDROIT 2010 – Study L – Doc. 118) (Rapporteur: B. Fauvarque-Cosson), in view of their submission to the Working Group for a final reading. In order to facilitate the Council's task the Secretariat had prepared a document (UNIDROIT 2010 – C.D. (89) 3) setting out the most important and/or controversial issues related to the new draft Chapters together with a brief summary of the views expressed within the Working Group in the course of its deliberations. After extensive discussion the Council approved the black letter rules and also, in substance, the Comments leaving it to the Working Group to refine them wherever it felt it necessary to do so.

b. Working Group for the preparation of the UNIDROIT Principles of International Commercial Contracts

The Working Group for the preparation of a third edition of the UNIDROIT Principles of International Commercial Contracts held its fifth session in Rome from 24 to 28 May 2010. The session was attended by M. Joachim Bonell (UNIDROIT, Chairman of the Working Group), Samuel Kofi Date-Bah (Ghana), Bénédicte Fauvarque-Cosson (France), Paul Finn (Australia), Marcel Fontaine (Belgium), Michael Philip Furmston (United Kingdom), Henry D. Gabriel (United States of America), Lauro

²² Cf. *Annual Report 2010*, p. 15.

²³ UNIDROIT 2010 Study LIXA – Doc. 23.

²⁴ UNIDROIT 2010 Study LIXA – Doc. 24.

Gama, Jr. (Brazil), Arthur S. Hartkamp (The Netherlands), Alexander Komarov (Russian Federation), Ole Lando (Denmark), Pierre Widmer (Switzerland), Zhang Yuqing (China) and Reinhard Zimmermann (Germany). The session was also attended by the following Observers: Ibrahim Al Mulla for the Emirates International Law Center, Eckart Brödermann for the Space Law Committee of the International Bar Association, Alejandro Carballo for the Private International Law Group of the American Society of International Law, Christine Chappuis for the *Group de Travail Contrats Internationaux*, Changho Chung for the Government of the Republic of Korea, Neil B. Cohen for the American Law Institute, François Dessemontet for the Swiss Arbitration Association, Alejandro M. Garro for the New York City Bar, Attila Harmathy for the Arbitration Court of the Hungarian Chamber of Commerce and Industry, Emmanuel Jolivet for the ICC International Court of Arbitration, Timothy Lemay for the United Nations Commission on International Trade Law (UNCITRAL), Marta Pertegás for the Hague Conference on Private International Law, Hilmar Raeschke-Kessler for the German Arbitration Institute and Giorgio Schiavoni for the Chamber of National and International Arbitration of Milan. The session was also attended by José Angelo Estrella Faria (Secretary-General of UNIDROIT) and Alessandra Zanobetti (Deputy Secretary-General of UNIDROIT). Paula Howarth (UNIDROIT) and Lena Peters (UNIDROIT) acted as Secretaries to the Group.

The Working Group, having been informed by its Chairman of the positive outcome of the Governing Council's consideration of the new draft chapters, proceeded to a final reading of them focussing on the Comments and Illustrations. The Group was also seized of a Memorandum by the Secretariat on the placement of the new draft chapters in the 2010 edition of the UNIDROIT Principles (UNIDROIT 2010 – Study L – Doc. 119). After extensive discussion the Group agreed on a number of amendments to the Comments and Illustrations as well as the placement of the new draft chapters.

c. Editing the 2010 edition of the UNIDROIT Principles of International Commercial Contracts

After the Rapporteurs had submitted the drafts they had revised in the light of the Working Group's deliberations, the Secretariat proceeded to the incorporation of the new Chapters in the current version of the Principles and commenced the final editing of the new edition for submission to the Governing Council at its 90th session for its final approval and subsequent publication.

d. UNILEX

Monitoring of the use in practice of the UNIDROIT Principles continues on a systematic basis. By the end of October, UNILEX, the database of international caselaw 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 156 arbitral awards and 86 court decisions referring in one way or another to the Principles, while the bibliographic references were more than 800.

5. Possible future work in the area of private law and development

a. Private law aspects of agricultural financing

The Council examined a document submitted by the Secretariat on "Private Law Aspects of Agricultural Financing" which was proposed as the first item to be examined of the larger project on "Private Law and Development". In the document the Secretariat submitted that UNIDROIT might have a contribution to make in areas of private law that might be involved in the broader discussion of FDI in the agricultural sector, such as, for instance, property law or financing and commercial law aspects that come into play in the negotiation and performance of FDI agreements in the agricultural sector. A great deal of work had been done in recent years by various international organisations to assist domestic legislators and policy-makers improve the legal framework for secured transactions. Similarly, much valuable work had been done on various aspects of private law that affected the structures and marketing strategies of enterprises operating in the rural sector, either by means of general advice, or in country-specific or regional programmes. There appeared, however, to be no international guidance document that presented

the results of all of those instruments, studies and guidance documents, as they applied in particular to the private law aspects of transactions in the agricultural sector. The document suggested that the preparation of such an instrument, possibly in the form of a legislative guide, might provide a useful addition to the specific advice already available. The instrument should present various options available to countries from different legal traditions and discuss their relative advantages and disadvantages from the point of view of the overall objective of promoting investment in agricultural production and easing access to rural credit.

The Secretariat therefore proposed to continue its preliminary research into agricultural finance as first topic under the general heading "Private Law and Development", with a view to identifying areas relating to the financing of agricultural investment and production in which UNIDROIT might make a meaningful contribution.

As a first step to that end, the Secretariat envisages organising, in cooperation with other international organisations, a colloquium in the first quarter of 2011 on the legal aspects of agricultural financing to canvass the international work done in the area and assess the need for, and desirability of, developing legislative guidance on selected areas of private law that might have an impact on the availability of financing for agricultural production. This proposal was endorsed by the Council, which decided to recommend the item *Private Law Aspects of Agricultural Finance* for inclusion in the Work Programme of the Institute.

b. Guidelines for a legal framework for social enterprises (or for a certain type of social enterprise)

Acting on a proposal submitted at the 88th session of the UNIDROIT Governing Council by the International Development Law Organization (I.D.L.O.) to study the possibility of a joint project between the two Organisations for the preparation of a legal regimen governing social enterprises, the UNIDROIT Secretariat prepared a preliminary study contained in a document submitted to the Governing Council at its 89th session (UNIDROIT 2010 – C.D. (89)7 Add. 5).

The study explores the growing importance of the role played in civil society and in commerce – as well as its development potential in a globalised world facing increasingly complex challenges – of bodies which combine a social objective and an entrepreneurial dimension. These bodies may take many forms: *social business* – a concept promoted by Mohammed Yunus, the 2006 Nobel Peace Prize winner -, or social entrepreneurship – get broad media coverage today, but the functions of the social enterprise may be carried out by a wide range of traditional forms: cooperatives, the very paradigm of such enterprises, or associations, foundations, *non-profit entities* or other such appellations, and even bodies set up as commercial corporations. However, the legal regimen governing these different corporate entities – typically entities whose purpose is non-commercial first, with the owner's profit coming second – raises difficulties which hinder the recognition of these enterprises, their activities and their development. That is why several countries have designed special legal frameworks for the social enterprise, some opting for the cooperative form with a social purpose (such as Italy, France, Portugal, Quebec Province (Canada)), others taking the company structure as their foundation (particularly interesting examples being the Community Interest Company in the United Kingdom, the social purpose company (*société à finalité sociale*) in Belgium or the L3C in the United States), while other legal forms offer a neutral framework conducive to the functional recognition of the social enterprise (for example, the form created by the Italian decree-law of 2006 on social enterprises).

This is the background against which the Secretariat's study proposes to establish, at the international level, a legal framework of social enterprises in general or (alternatively or additionally) to focus on a particular type of social enterprise, aimed at promoting the development of this form of enterprise by offering legal security and foreseeability for all participants, by providing guidelines for national legislators in those countries lacking an appropriate legal regimen or which wish to accommodate an additional type of enterprise with special characteristics. The study might also explore the question of international recognition of this type of enterprise, for example, with transnational investment in mind, by assisting social enterprises in developing their activities abroad or in forging partnerships with similar bodies in other countries.

The Secretariat study would suggest a method of work and a possible timetable for the work to be carried out jointly by IDLO and UNIDROIT, which would initially be entrusted to a steering committee whose task it would be to define the objectives and content of the project and to suggest the form that the future instrument might take. The Governing Council acknowledged the interest of the project whilst stressing its complexity, in a field where the national imprint is particularly marked, and, subject to IDLO's finding the necessary outside funding, agreed to recommend that the project be included in the Institute's triennial Work Programme 2011-2013.

B. FOLLOW-UP OF INSTRUMENTS ADOPTED BY UNIDROIT

The Secretariat continued to do its utmost, in 2010, to promote the UNIDROIT Conventions and other instruments by presenting them at conferences or by publishing articles focussing on them.

Annexe 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 Annexe III.

1. *International Interests in Mobile Equipment*

a. Cape Town Convention / Aircraft Protocol

UNIDROIT has been designated as the Depository 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 October 2010, there were 40 Contracting States to the Convention and 34 Contracting States to the Aircraft Protocol.

Between 1 January 2009 and 31 October 2010, the following 5 States deposited their instruments of ratification or accession to the Convention and Aircraft Protocol: Jordan, Malta, the Kingdom of the Netherlands (in relation to the Netherlands Antilles and Aruba), New Zealand, and Rwanda. Also during that period, Gabon, Seychelles and Togo deposited their instruments of accession to the Convention (only).

On 10 November 2010 the Aviation Working Group, in association with UNIDROIT, hosted a forum, entitled "Cape Town Convention and its Aircraft Protocol – Assessing and Advancing Ratification", in Rome, Italy.

b. Luxembourg Rail Protocol

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 4 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. The Preparatory Commission met in Rome from 26 to 28 October 2010 in order, *inter alia*, to consider the appointment of the Registrar of the International Registry.

2. *International protection of cultural property*

On 31 October 2010, there were 30 Contracting States of the *UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects* (cf. Annexe II), Panama being the latest State to accede to the Convention in June 2009. Algeria and Colombia have completed their internal procedure for accession and the Secretariat expects the deposit of their instruments with the Italian Government. Denmark, Ireland and Sweden have officially announced their decision to accede to the Convention. Ratification or accession procedures are in progress in other countries.

Interest in the 1995 UNIDROIT Convention has revived over the past three years or so, not least owing to the upsurge in trafficking in cultural objects, and the UNIDROIT Secretariat is increasingly called upon in this regard. The Secretariat has, within the limits of its meagre budgetary resources and with the financial assistance of the organisers, pursued its efforts to publicise the instrument by participating – directly or otherwise – in a range of events organised to consider it, in particular:

- Workshop on the protection of cultural objects, organised by the *Istituto Italo-Latino Americano (IILA)* – Rome, April 2010; this workshop follows the Regional Workshop on legal measures for the prevention and fighting against illicit trafficking in cultural objects organised by IILA in Buenos Aires in 2009 to which UNIDROIT took part;
- Workshop of the PNI Institutes on “Protecting Cultural Property” organised by the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme (ISPAC) – Vienna, 17 May 2010
- Workshop on the protection of cultural objects within the 19th session of the Commission on Crime Prevention and Criminal Justice – Vienna, 17 to 21 May 2010;
- 6th INTERPOL Conference on illicit traffic in cultural objects in Central and Eastern European countries – Vienna, June 2010;
- Information and exchange meeting on the occasion of the 40th anniversary of the 1970 UNESCO Convention and the 5 years of implementation of the Swiss Law on the international transfer of cultural objects, organised by the Swiss Commission for UNESCO in co-operation with the Federal Office for Culture – Bern, 1st June 2010;
- Workshop on the protection of the cultural heritage of Mediterranean countries within the 3rd Convention of the Lawyers of the Mediterranean, organised by the *Fondation de droit continental* – Rome, 9 June 2010;
- 16th session of the UNESCO’s Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation – Paris, 20 to 23 September 2010.

All such occasions provide an opportunity for the Secretariat to establish or restore relations with the representatives of member and non-member States, to introduce them to the Convention, and to assist them in starting ratification or accession procedures. All the above events resulted in recommendations inviting States to accede to the 1995 UNIDROIT Convention.

At the 16th session of the UNESCO’s Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (Paris, September 2010), the Committee adopted a Recommendation in which it “encourages the establishment of a working group of independent experts chosen jointly by UNESCO and UNIDROIT [and] encourages the preparation of model provisions with explanatory guidelines to be made available to States to consider in the drafting or strengthening of national laws”. The Governing Council of UNIDROIT agreed to collaborate with UNESCO in preparing an instrument to facilitate both the application of the 1970 UNESCO Convention and the 1995 UNIDROIT Convention and their ratification by as many States as possible. The working group will report on the work accomplished at the next UNIDROIT Governing Council and at the 17th session of the UNESCO Intergovernmental Committee.

3. UNIDROIT Model Law on Leasing

At its 89th session, the Governing Council also endorsed a programme of promotional seminars for the Model Law proposed by the Secretariat, subject, though, to the identification of extra-budgetary funding. The idea of the programme of seminars was, first and foremost, to familiarise those parts of the world for which the Model Law was primarily intended, namely developing countries - and, in particular, African countries - and transition economies, with the terms of the Model Law and the way in which it might be expected to be of help to them. It was also

envisaged, though, as being capable of extension to countries, such as the People's Republic of China, contemplating the preparation of a leasing law.

Indeed, it is Government and business circles in the People's Republic of China which have to date evinced the greatest interest in seeing the organisation of such a seminar and it is anticipated that a first seminar will, therefore, be held in China in Spring 2011, at the invitation of the China Leasing Business Association, which has graciously agreed to meet all the expenditure to be incurred thereby.

Other Governments have served formal notice too of their interest in seeing seminars organised on their territory, notably the Government of Indonesia, and in particular the Indonesian Ministry of Law and Human Rights; partial funding for such a seminar has already been identified.

The Secretariat is, in the meantime, actively seeking sponsors for seminars in Africa. The Secretariat of the Common Market for Eastern and Southern Africa (Comesa) has already offered to organise such a seminar on the occasion of the 2011 meeting of Ministers of Justice of Comesa member States.

In view of their participation in the development of the Model Law, the Secretariat is looking, in particular, to the Commonwealth and the International Finance Corporation for support in this context and Mr Stanford accordingly visited the Headquarters of the Commonwealth Parliamentary Association (C.P.A.) in London on 9 August 2010 to discuss the matter of an appropriate forum within the C.P.A. for giving exposure to the Model Law.

4. Geneva Securities Convention

The Convention has one Signatory State, Bangladesh. In September 2010, the Federal Executive Council of Nigeria (the Nigerian Federal Cabinet) approved that Nigeria should sign the Geneva Securities Convention and the Hague Securities Convention.

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 first post-conference meeting at the seat of UNIDROIT from 6 to 8 September 2010. The first two days of the Committee's meeting (i.e. Monday, 6 September, and Tuesday, 7 September 2010) took the form of a Colloquium on Financial Markets Law, the proceedings of which the Secretariat intends to publish as a special issue of the Uniform Law Review. In the remaining day the Committee reconvened in a closed meeting open only to its members and delegates of UNIDROIT member States attending as observers to consider the following items of its agenda: (a) the draft Accession Kit to the Geneva Securities Convention; (b) the reception given to the Convention in the various countries and proposals for its promotion; (c) the scope of a possible legislative guide on principles and rules to enhance trading in emerging markets; and (d) the proposed new international instrument on the netting of financial instruments.

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. 6.

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 over 200 researchers from some 50 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 2010, donations were received from the *UK Foundation for International Uniform Law*, the *American Foundation for International Uniform Law*, members of the UNIDROIT Governing Council ; the Legal Co-operation chapter of the UNIDROIT general budget financed a number of part-scholarships supplemented by external sources of funding identified by the researchers themselves – private or public institutions in their countries of origin, or private funds. The funding received is being used for research stays in 2010 or 2011.

Sixteen researchers were hosted in 2010 in accordance with the decision taken by the Scholarships Sub-committee of the Governing Council at its 2009 and 2010 sessions. The following persons were hosted under the Programme:

Mr CHI Manjiao (People's Republic of China), Assistant Professor of International Law, Xiamen University of School of Law, Fujian Province – Research on "The Standard for Contract Performance: A comparative study between the Chinese Contract Law and the UNIDROIT Principles (Dec. – Jan.); UNIDROIT scholarship.

Mr Woo-Jung JON (Republic of Korea), PhD candidate, University of Oxford (United Kingdom) – Research on "Establishing an international registration system for the assignment of receivables" (Jan. – Feb.); UK Foundation for International Uniform Law scholarship.

Mr MA Mingfei (People's Republic of China), PhD candidate, Wuhan University Law School – Research on "Legal Issues of Cross-border securities" (Mar. – Apr.); UNIDROIT scholarship.

Ms Margarita Eugenia FABON VICTORINO (Philippines) Associate Solicitor, Office of the Solicitor General, Manila – Research on "The rise of green investors in the Asia-Pacific region – an overview of legal issues" (April – May); scholarship granted by the Government of the Republic of Korea

Ms HENG Wan (People's Republic of China), Student of international law, Korea Transnational Law & Business University (TLBU) – Research on "The development of Electronic Commerce and its

effect on global trade (April – May); scholarship granted by the Government of the Republic of Korea

- Ms FAN Yina Jon (People's Republic of China), Student of international law, Korea Transnational Law & Business University (TLBU) – Research on "The UNIDROIT Convention on Substantive Rules for Intermediated Securities" (April – May); scholarship granted by the Government of the Republic of Korea and UNIDROIT
- Ms LIANG Wen Wen (People's Republic of China), PhD candidate, Manchester University (United Kingdom), Research on "The interaction of the Geneva Securities Convention with National Law Rules : the case of English and Chinese Law" (May – July); scholarship granted by the UK Foundation for International Uniform Law
- Mr ALATTRASH Amin (Palestine), Professor of commercial law, Arab American University, Jenin – Research on "Convergences of the Palestinian Commercial Law Draft with CISG and the Unidroit Principles: Non-conformity of Goods as a Case Study" (1 June – 15 July); UNIDROIT scholarship
- Mr NESTORUK Igor Bartosz (Poland), Senior Lecturer, Faculty of Law and Administration, University of Poznan – Research on "The Conflict-of-laws Rules on Unfair Competition under Rome II" (July); partial UNIDROIT scholarship
- Mr OKIRIG Paul (Uganda), State Attorney, Ministry of Justice and Constitutional Affairs – Research on "The principle of illegality of contracts: An analysis of Uganda's Contracts Bill, 2008 in light of UPICC" (1 Sept. – 30 Oct.); UNIDROIT scholarship
- Ms BASALP Nilgun (Turkey), Lecturer at the Faculty of Law, Istanbul Bilgi University, PhD candidate – Research on "Exemption Clauses under UPICC, Principles of European Contract Law and Convention on the International Sale of Goods" (1 Sept. – 30 Oct.); partial UNIDROIT scholarship
- Ms Anna ZENYAKINA (Russian Federation), PhD student at the Academy for Foreign Trade, Moscow – Research on "Problematic issues of the accession of the Russian Federation to the Cape Town Convention on International Interests in Mobile Equipment and the Aircraft Protocol" (1 Sept. – 30 Oct.); *UK Foundation for Uniform Laws* scholarship
- Ms OLAY CHEU Alejandra (Mexico), Academic coordinator of Postgraduate Studies, Universidad Anáhuac del Sur - President of Mexican Academy of Comparative and Private Law – Research on: "A Comparative approach to European Corporate Governance Models and its Possible Reception in the Mexican Legal System" (1 Sept. – 30 Oct.); (partial) scholarship from the *UK Foundation for Uniform Law*
- Ms Vita SLIEDE (Latvia), Head, Division on Private International Law of Civil law department, Ministry of Justice, Riga – Research on "Implementation and practical application of the Cape Town Convention, the Aircraft Protocol and the Rail Protocol: EU competence and particularities of National legislation in Latvia" (1 Oct. – 30 Nov.); UNIDROIT Governing Council scholarship
- Ms YU Dan (People's Republic of China); Ph.D. Student in Jilin University and research assistant at the Air Law Research Center, Northwest University of Politics and Law, Xi'an – Research on "The Cape Town Convention system and its application and reference for China" (1 Nov. – 30 Dec.); *American Foundation for International Uniform Law* scholarship
- Mr LAMICHLANE Buddhi Sagar (Nepal), Assistant Manager, Civil Aviation Authority of Nepal – Research on "The Cape Town Convention System and its application and reference to Nepal" (1 – 30 Nov.); *American Foundation for International Uniform Law* scholarship.

3. Collaborators, interns and researchers

The following interns contributed to the Secretariat's work on the UNILAW data base: Ms Eva SCHMITT (*Germany*), Ms Roberta MARRA (*Italy*).

The subsequent persons undertook their internship on the UNILEX data base: Ms Artemis MALLIAROPOULOU (*Greece*), Ms Olga LAYOK (*Uzbekistan*), Ms Kelly CULBERTSON (*USA*), Ms Amanda POWEL (*USA*).

The following visitors carried out their internship or personal research in the UNIDROIT Library making use of its documentation during 2010: Mr Sofiane HADIDANE (*Algeria*), Ms Jimena MARTINEZ ROJAS, Mr Rodolfo VIZCARRA (*Argentina*), Mr Martin LOO (*Chile*), Mr Mauricio RODRIGUEZ OLMOS (*Colombia*), Ms Charlotte PIERI (*France*), Ms Christine LINDEMANN (*Germany*), Ms Anilla TAKÁCS (*Hungary*), Ms Benedetta SIRGIOVANNI, Ms Stefania VERNILLO, Ms Maria D'AMBROSIO, Mr Philipp FABBIO (*Italy*), Mr Abbas KAZEMI NAJAFABADI (*Iran*), Ms Maria JACOBS, Ms Evelien de KEZEL (*Netherlands*), Mr Antonio CARNEIRO FERREIRA LEÇA (*Portugal*), Ms Yulia BONDARENKO, Ms Elena SITKAREVA (*Russian Federation*), Ms Maria SOBAT (*Serbia*), Mr Diego CRUZ RIVERO, Ms Natalia MATO, Ms Paula PARADELA ARGEAN, Ms Josefina BOQUERA MATARREDONA, Ms Angeles CUENCA GARCÍA, Ms Maria Jesus GUERRERO LEBRON, Mr Juan Manuel GOMEZ PORRUA, Mr Luis F. CARRILLO POZO, Mr Alfredo BATUECAS (*Spain*), Mr Michel HEINZMANN (*Switzerland*), Mr Dhafer Dridi (*Tunisia*), Ms Canan YILMAZ (*Turkey*), Mr Niall GREENE (*United Kingdom*).

B. UNILAW DATABASE

In 2010 work on the database continued. The work that had been initiated in 2009 for the insertion into the UNILAW database of links to international instruments not to be given full treatment in the database, but which a user of the database might be interested in having access to, was completed, bar any additions that might be made in the future. Links were made to some 362 instruments, most in several languages. The links identified were exclusively to gratuitous sites, so as to assist researchers who would have difficulties in paying for a subscription to a commercial database.

Work also continued on the preparation of case summaries for the *1956 Convention on the Contract for the International Carriage of Goods by Road (CMR)* and their translation into either English or, in most cases, French. The Secretariat gratefully acknowledges the assistance of the interns Ms Roberta Marra, University of Lecce (Italy), and Ms Eva Schmitt, University of Freiburg (Germany), for the writing of the case summaries, and of Ms Judit Kisely and Ms Stéphanie Gehlen, former *Conseiller d'État*, Brussels (Belgium), for the translation of the summaries into French.

The *2009 UNIDROIT Convention on Substantive Rules for Intermediated Securities* was inserted. The financial contribution of the *Uniform Law Foundation*, which permitted the Institute to continue to benefit from the collaboration of Ms Kisely is also gratefully acknowledged.

C. UNIDROIT ON INTERNET – www.unidroit.org

The UNIDROIT Internet web site continues to be an extremely effective means of promoting UNIDROIT's activities and instruments.

Development of the UNIDROIT web site continued in 2010. The content of the site has been substantially enlarged and many of its pages updated and/or replaced in order to provide an up-to-date, comprehensive overview of UNIDROIT's activities.

UNIDROIT documents contained in the *UNIDROIT Proceedings and Papers* series since 1995 have been posted on the Institute's website. They include the Annual Reports, the reports on the annual sessions of the General Assembly of UNIDROIT member States, the conclusions reached by the Governing Council of UNIDROIT at its annual sessions, the final texts of instruments prepared

under the auspices of UNIDROIT, documents concerning current work on instruments adopted as well as the preparatory work, consisting of the studies and reports of the various working groups and committees of governmental experts, on items on the UNIDROIT Work Programme.

A important addition to the web site in 2010 has been the lists of the titles of all documents in the UNIDROIT Studies series issued since the foundation of the Institute with links to the full texts of those documents where available in electronic format. A subject index to all UNIDROIT Studies has also been posted on the web site. (For a list of the UNIDROIT Studies the relative documents of which have been posted on the website see Annex IV). Moreover the preparatory work leading up to the adoption of the Convention providing a Uniform Law on the Form of an International Will (Washington, D.C., 1973), the UNIDROIT Convention on International Factoring (Ottawa, 1988), the UNIDROIT Convention on International Financial Leasing (Ottawa, 1988), the Model Franchise Disclosure Law (2002) and the UNIDROIT Guide to International Master Franchise Arrangements were posted on the website in 2010 as well as the documents issued in connection with the Diplomatic Conference on Wills (Washington, D.C., 1973) and the *Acts and Proceedings of the Diplomatic Conference for the adoption of the draft UNIDROIT Conventions on International Factoring and International Financial Leasing, Ottawa, 9-28 May 1988*.

The UNIDROIT Internet web site contains:

- An introduction to UNIDROIT, providing general information on the Institute, its membership, structure, legislative policy, working methods, current work programme including non legislative activities such as its scholarship programme and publishing activities, as well as a list of past achievements; a list of member States; the UNIDROIT Statute;
- UNIDROIT instruments (conventions, model laws, principles and guides prepared under the auspices of UNIDROIT);
- UNIDROIT Proceedings and Papers from 1995 to present;
- List of UNIDROIT Studies and relative archive of documents;
- UNIDROIT'S institutional documents (Annual Reports, Annual Reports of the General Assembly, Conclusions reached by the Governing Council of UNIDROIT at its annual sessions);
- A section devoted to UNIDROIT publications, including the table of contents and leading article of each issue of the Uniform Law Review since 1996 as well as an on-line consolidated index since 1974;
- A list of Depository Libraries for UNIDROIT documentation with links to the websites of those libraries;
- Links to the UNILAW and UNILEX databases as well as to the on-line catalogue of the UNIDROIT Library;
- A section "Legal Cooperation and Research Scholarships" introducing the Institute's activities in the field of legal cooperation (providing the technical assistance States may need in implementing or using UNIDROIT instruments) and its Research Scholarships Programme;
- Information on internships and secondments;
- An area reserved to Governing Council members;
- An area reserved to Governments of member States.

D. DEPOSITORY LIBRARIES FOR UNIDROIT DOCUMENTATION

To date, 51 libraries in 45 member States have been designated Depositories for UNIDROIT documentation (*UNIDROIT Proceedings and Papers* on CD-ROM and the *Uniform Law Review, New Series*). The latest Library to join the Depository Libraries is the Ministry of Justice Library (Branch of National Diet Library), Tokyo. For a list of Depository Libraries see Annexe V.

E. UNIDROIT LIBRARY

In 2009 and the first months of 2010, Library space was affected by major works undertaken by the Italian Government, first for a new fire protection system, then for the renovation of the main reading room and the entrance hall. The Library has nevertheless continued to function fully, despite the considerable discomfort experienced by researchers and staff alike caused by noise, dust and space restrictions.

Some of the Library space had to be re-organised; many of the books and periodicals sections had to be transferred and these transfers are still in progress.

This has also produced a great deal of extra work for the staff, since part of the Library's activities have had to be relocated and books and periodicals transferred. Some of these transfers were temporary, but others will be permanent, the refurbishments calling for a reorganisation of working space. This reorganisation, which is still underway, will affect the collections, staff offices and reading rooms, and is designed to make the most rational use of the space available.

The renovated main reading room sets aside for a range of uses. The furniture has been selected to enable the room to be used as a reading room but also as a meeting room, with folding tables so as to be able to re-arrange the room depending on the use to which it is to be put (reading room, conference hall, seminars, working group meetings, etc.). The room is being fitted out with interpreter's booths.

With regard to the retrospective cataloguing of the card catalogue, the only section which still needs to be inserted is that of the United Nations collections. As to the Authority Files for Corporate Authors names, 80% of these have now been inserted and the remaining 20% need to be completed.

The classification into different sections of the book and periodicals collections, which match the catalogue entries and their location on the shelves, goes back a long way and although changes have been made over the years to meet changing demand, this was never done according to any rational system. The development of the law in general and the new specialisations in the Library, which follow the projects on which the Organisation works, mean that a reclassification has now become indispensable. The reclassification has been started in 2010. Apart from necessary changes in the electronic data, library materials have also to be re-organised on the shelves.

Like many other libraries, the UNIDROIT Library is looking at possible ways of enhancing its catalogue. One of the most useful of these possibilities consists in including the table of contents of the relevant publication with each catalogue entry, which would enhance the research options. In 2010, the various options for catalogue enrichment were evaluated. There are two ways of doing this: one can either purchase the necessary data from outside sources, or one can produce them directly in the Library.

In 2010, inter-library collaboration programmes has been established, with the "Università Sapienza - Facoltà di economia, Dipartimento di diritto ed economia delle attività produttive"(Rome) and with the "Biblioteca giuridica della Banca d'Italia". The collaboration programmes are aimed at the sharing of bibliographic resources and at ensuring access and consultation of printed and electronic resources.

During the period 2009-2010, the Library hosted two interns who assisted with work on the inventory, the catalogue and carried out general administrative tasks. The Library received a proposal to host interns as part of the European Leonardo da Vinci programme. An agreement for this purpose has been worked out.

In 2010, the Library's holdings increased by 876 titles, 419 were purchased, 205 obtained on an exchange basis for a total value of Euro 15.300, and 252 other titles were received as a gift for a total value of Euro 19.000. The implementation of the library's acquisition policy, however, has been negatively affected by the important rise in the price of publications and budget restrictions.

In 2010, 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 2010, the Library received a donation in cash from the US Foundation

The exchange system in place with the Uniform Law Review plays an important role in compensating for the Library's lack of funds. The Library. in 2010, Unidroit was able to activate new exchange agreements.

The Library continues to attract readers from all over the world. Among the 1086 visitors in 2010, the 51 foreign guests came from 31 different countries. Due to the works during 8 months in the Library, unfortunately it was necessary to decline many requests.

F. PUBLICATIONS

1. Uniform Law Review

This quarterly publication (launched in 1996) covers a wide spectrum of uniform law and enjoys wide recognition, both for its scholarly merit and as a vehicle to promote uniform law. It contains the following sections: *Articles, International Activities, Texts and Implementation of Uniform Law Instruments, and Bibliographical Information*. UNIDROIT's own activities are given extensive coverage, thereby turning the *Uniform Law Review / Revue de droit uniforme* into an essential tool for ensuring the dissemination of information on its work. Some of the material published in the *Review* may also be found on the UNIDROIT Internet website.

The *Review* has a number of paying subscribers, subscriptions being handled directly by UNIDROIT as from 2006. It is also distributed free of charge to a number of institutions and persons (including depository libraries), with a view to furthering the institutional objectives of the Organisation. Furthermore it helps to maintain a considerable number of exchange agreements that supply the legal periodicals that form part of the Library stocks. It should also be recalled that the material published by the Uniform Law Review (up to two years prior to the current issue) has been available through Hein-on-Line since November 2005.

In 2010 the *Uniform Law Review* confirmed its traditional sections. The section "*Articles*" in Issue 2010-1 featured a rich selection of studies focussing mainly on instruments adopted under the auspices of the Institute or other instruments of uniform law. Issue 2010-2 contained a "focus" on Secured Transactions, with 16 contributions of experts in the field who had participated in a Colloquium on the subject held at UNCITRAL in March 2010. Issue 2010-3/4, a double issue, will be printed at the beginning of 2011 and will publish the proceedings of the Colloquium on "*The Law of Securities Trading in Emerging Markets: Lessons Learned from the Financial Crisis and Long-term Trends*", organised by UNIDROIT on 6-7 September 2010.

The section *Uniform Law Instruments* reproduced the text of the *UNIDROIT Convention on Substantive Rules for Intermediated Securities*, adopted in Geneva on 9 October 2009, and the Final Act of the Geneva Diplomatic Conference, with an Introduction by the Secretary-General, Mr J.A. Estrella Faria, as well as the text of the Official Commentary to the *UNIDROIT Model Law on Leasing*.

The section *International Developments* gave news of UNIDROIT activities, as well as of the activity of other Organisations. The section containing *Bibliography* contains a rich, updated Bibliography on uniform law, as well as Book Reviews.

2. Other publications

A cumulative edition of UNIDROIT Proceedings and Papers (1997-2009) was prepared on CD-Rom and supplied free of charge to the Depository Libraries for UNIDROIT documentation and to the members of the Governing Council.

In August 2010, the UNIDROIT Secretariat received the Korean translation of the UNIDROIT *Guide to International Master Franchise Arrangements* (Second Edition) prepared by Professor Young-Hong Choi

of *Korea University Law School* (Seoul) by agreement with UNIDROIT and published by the Korean Franchise Association.

In October 2010, the Spanish edition of the *ALI-UNIDROIT Principles of Transnational Civil Procedure*, translated by Ms Inés de San Martín (Argentina) under the supervision of Ms Aida Kemelmajer de Carlucci (Argentina), was published in Colombia by the Publications Department, *Universidad Externado de Colombia*. The same publication is scheduled to appear in Mexico, by the *Instituto de Investigaciones Jurídicas de la Universidad Nacional Autónoma de México*, and in Argentina by *Rubinzal Culzoni Editores*.

G. UNIFORM LAW FOUNDATION / UK FOUNDATION FOR INTERNATIONAL UNIFORM LAW / AMERICAN FOUNDATION FOR INTERNATIONAL UNIFORM LAW

In 2010 UNIDROIT benefited from the financial assistance of the *Uniform Law Foundation*, the *UK Foundation for International Uniform Law* and the *American Foundation for International Uniform Law*. Regrettably, the contribution of the Uniform Law Foundation was lower than estimated by the Board at its meeting in 2009, as the income of the Foundation had been lower than first estimated. It is hoped that the contribution will increase in 2011.

The *UK Foundation for International Uniform Law* donated 5,994.34 euro for scholarships and 13,444.32 euro as a contribution towards the salary of a young lawyer who is working together with Mr Stanford on the preliminary draft Space Protocol to the *2001 Cape Town Convention on International Interests in Mobile Equipment*. The *American Foundation for International Uniform Law* also contributed to the salary of that young lawyer with a sum of 13,444.32 euro and donated 4,500 euro for scholarships and 3,817.13 euro for the Library.

ANNEXE I

**LIST OF THE DOCUMENTS PUBLISHED BY THE UNIDROIT SECRETARIAT IN 2010
ON THE IMPLEMENTATION OF ITS WORK PROGRAMME**

The following documents relating to the implementation of the Institute's Work Programme were published in 2010, in English and French unless otherwise stated:

Study L – PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS

Working Group for the preparation of Principles of International Commercial Contracts. Fifth session, Rome, 24 – 28 May 2010

Doc. 114 - Draft Rules on Restitution by Professor Reinhard Zimmermann, Director at the Max-Planck-Institut für ausländisches und internationales Privatrecht, Hamburg

Doc. 115 - Article 1.4 (Mandatory Rules) Revised Comments by Professor Michael Joachim Bonell, Consultant, UNIDROIT

Doc. 116 - Draft [Chapter][Section] on Illegality by Professor Michael Joachim Bonell, Consultant, UNIDROIT

Doc. 117 - Draft Chapter on Plurality of Obligors and/or Obligees by Professor Marcel Fontaine, Emeritus at the Catholic University of Louvain Law School

Doc. 118 - Draft Chapter on Conditions by Professor Bénédicte Fauvarque-Cosson, Université Panthéon-Assas Paris II

Doc. 119 - Placement of the new draft Chapters in the third edition of the UNIDROIT Principles (Memorandum of the UNIDROIT Secretariat)

Doc. 120 - Working Group for the preparation of Principles of International Commercial Contracts (3rd). Draft Rules on Restitution by Professor Reinhard Zimmermann, Director at the Max-Planck-Institut für ausländisches und internationales Privatrecht, Hamburg

Doc. 121 - Working Group for the preparation of Principles of International Commercial Contracts (3rd). Article 1.4 (*Mandatory Rules*) Revised Comments by Professor Michael Joachim Bonell, Consultant, UNIDROIT

Doc. 122 - Working Group for the preparation of Principles of International Commercial Contracts (3rd). Chapter 3. Draft Section 3. Illegality, by Professor Michael Joachim Bonell, Consultant, UNIDROIT

Doc. 123 - Working Group for the preparation of Principles of International Commercial Contracts (3rd). Draft Chapter II on Plurality of Obligors and of Obligees, by Professor Marcel Fontaine, Emeritus at the Catholic University of Louvain Law School

Doc. 124 - Working Group for the preparation of Principles of International Commercial Contracts (3rd). Chapter 5. Draft Section 3. Conditions, by Professor Bénédicte Fauvarque-Cosson, Université Panthéon-Assas Paris II

Misc. 30 - Summary Report of the 5th session of the Working Group (Rome, 24 - 28 May 2010) (prepared by the Secretariat of UNIDROIT)

STUDY LIXA – MODEL LAW ON LEASING

Doc. 23 - UNIDROIT Model Law on Leasing (adopted in Rome, on 13 November 2008, by a Joint Session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft model law on leasing). Official Commentary (as prepared by the UNIDROIT Secretariat, in close co-operation with Mr R.M. DeKoven, Reporter to the Joint Session, Mr N.J. Makhubele (South Africa), Chairman of the UNIDROIT Committee of governmental experts, and Ms M. Allouch and Ms C. Walsh (Canada), Mr E.M. Bey (France) and Messrs M.J. Dennis, H.D. Gabriel, W. Henning and S. Weise (United States of America), as members of the Drafting Committee of the Joint Session)

Doc. 24 - UNIDROIT Model Law on Leasing (adopted in Rome, on 13 November 2008, by a Joint Session of the UNIDROIT General Assembly and the UNIDROIT Committee of governmental experts for the finalisation and adoption of a draft model law on leasing): Official Commentary (as prepared by the UNIDROIT Secretariat, in close co-operation with Mr R.M. DeKoven, Reporter to the Joint Session, Mr N.J. Makhubele (South Africa), Chairman of the UNIDROIT Committee of governmental experts, and Ms M. Allouch and Ms C. Walsh (Canada), Mr E.M. Bey (France) and Messrs M.J. Dennis, H.D. Gabriel, W. Henning and S. Weise (United States of America), as members of the Drafting Committee of the Joint Session, and authorised for publication by the UNIDROIT Governing Council at its 89th session, held in Rome from 10 to 12 May 2010)

STUDY LXV – LEGAL COOPERATION PROGRAMME

Scholarships: Impl. 21 rev. – Research Scholarships Programme – Implementation report for the financial year 2009

STUDY LXXIIJ – INTERNATIONAL INTERESTS IN SPACE PROPERTY

UNIDROIT Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (Fourth session, Rome, 3 - 7 May 2010)

C.G.E./Space Pr/W.P. 1 rev. - Revised draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 2 rev. - Explanatory note on the revised draft agenda for the session (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 3 rev. - Revised version of the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (as prepared by Professor Sir Roy Goode (United Kingdom) and Mr J.M. Deschamps (Canada), as Co-chairmen of the Drafting Committee - to reflect the conclusions reached by the Committee of Governmental experts at its third session, held in Rome from 7 to 11 December 2009, and to incorporate drafting improvements - and as reviewed by the Drafting Committee). Explanatory memorandum on drafting amendments (prepared by Professor Sir Roy Goode and Mr Deschamps)

C.G.E./Space Pr/W.P. 4 rev. - Revised version of the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (as prepared by Professor Sir Roy Goode (United Kingdom) and Mr M. Deschamps (Canada), as Co-chairmen of the Drafting Committee - to reflect the conclusions reached by the Committee of governmental experts during its third session, held in Rome from 7 to 11 December 2009, and to incorporate drafting improvements - and as reviewed by the Drafting Committee): Comments (submitted by Governments, Organisations and representatives of the international commercial space, financial and insurance communities)

C.G.E./Space Pr/W.P. 4 rev. Add. 1 - Revised version of the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (as prepared by Professor Sir Roy Goode (United Kingdom) and Mr M. Deschamps (Canada), as Co-chairmen of the

Drafting Committee - to reflect the conclusions reached by the Committee of governmental experts during its third session, held in Rome from 7 to 11 December 2009, and to incorporate drafting improvements - and as reviewed by the Drafting Committee): Comments (submitted by Governments, Organisations and representatives of the international commercial space, financial and insurance communities)

C.G.E./Space Pr/W.P. 5 - Report on the responses to the enquiries made of potential candidates to exercise the functions of Supervisory Authority of the international registration system for space assets to be established under the future Protocol (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 6 - Summary report for 3 May 2010 (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 7 - Proposal for a new Article XIII(1) (presented by the delegations of Japan, Canada and the United Kingdom)

C.G.E./Space Pr/W.P. 8 - Summary report for 4 May 2010 (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 9 - Summary report for 5 May 2010 (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 10 - Interim report of the Drafting Committee

C.G.E./Space Pr/W.P. 11 - Proposal for a new Article XXXVII *bis* and a new Article XXXVIII *bis* (presented by the delegation of the United States of America)

C.G.E./Space Pr/W.P. 12 - Summary report for 6 May 2010 (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 13 - Report on the work of the informal Working Group on limitations on remedies (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/W.P. 14 - Report of the Drafting Committee

C.G.E./Space Pr/W.P. 15 – Summary report for 7 May 2010 (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr/4/Report - Report (prepared by the UNIDROIT Secretariat)

UNIDROIT Committee of governmental experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets

Intersessional consultations with representatives of the international commercial space and financial communities (Rome, 18 October 2010)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 1 – Draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 2 – Explanatory note on the draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 3 – Comments (submitted by Governments and representatives of the international commercial space and financial communities)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 3 Add. 1 – Comments (submitted by Governments and representatives of the international commercial space and financial communities – Government of the United States of America)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 3 Add. 2 – Comments (submitted by Governments and representatives of the international commercial space and financial communities – Arianespace, EADS Astrium, Eutelsat Communications and Thales Alenia Space)

C.G.E./Space Pr./Inters'l meetings/Consultns/W.P. 3 Add. 3 – Comments (submitted by Governments and representatives of the international commercial space and financial communities – Satellite Industry Association of the United States of America)

Intersessional meeting of the Informal Working Group on default remedies in relation to components (Rome, 19 – 20 October 2010)

C.G.E./Space Pr./Inters'l meetings/I.W.G. Components/W.P. 1 – Draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr./Inters'l meetings/I.W.G. Components/W.P. 2 – Explanatory note on the draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr./Inters'l meetings/I.W.G. Components/W.P. 3 – Proposals by the Government of Germany

Intersessional meeting of the Informal Working Group on limitation on remedies (Rome, 20 – 21 October 2010)

C.G.E./Space Pr./Inters'l meetings/I.W.G. Limitations on remedies/W.P. 1 - Draft agenda (prepared by the UNIDROIT Secretariat)

C.G.E./Space Pr./Inters'l meetings/I.W.G. Limitations on remedies/W.P. 2 - Explanatory note on the draft agenda (prepared by the UNIDROIT Secretariat)

DC10/IR – ESTABLISHMENT OF THE INTERNATIONAL REGISTRY FOR RAILWAY ROLLING STOCK

Preparatory Commission regarding the establishment of the International Registry for railway rolling stock according to the Luxembourg Protocol (Fourth Session, Rome, 26 -28 October 2010)

PrepCom/4/Doc. 1 – Draft agenda

STUDY LXXVIII - TRANSACTIONS ON TRANSNATIONAL AND CONNECTED CAPITAL MARKET

Committee on emerging markets issues, follow-up and implementation (First Meeting - Rome, 6 to 9 September 2010)

S78B/CEM/1/Doc. 1 - Annotated provisional agenda

S78B/CEM/1/Doc. 2 - Proposal for an international instrument on the Netting of Financial Instruments

S78B/CEM/1/Doc. 3 - Accession Kit to the UNIDROIT Convention on Substantive Rules for Intermediated Securities ("Geneva Securities Convention") Information for Contracting States in respect of the Convention's declarations and references to sources of law outside the Convention (Draft prepared by the Secretariat)

STUDY LXXIX – THIRD PARTY LIABILITY FOR GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SERVICES

Preliminary Study - Informal Consultation Meeting on "Third party liability for Global Navigation Satellite System (GNSS) services". Rome, 22 October 2010. An instrument on third party liability for Global Navigation Satellite System (GNSS) services: a preliminary study (prepared by the UNIDROIT Secretariat)

CURRENT WORK ON UNIDROIT'S DEPOSITORY FUNCTIONS

Convention on International Interests in Mobile Equipment (Cape Town, 2001)

Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment (Cape Town, 2001)

Doc. 1 Rev. 3 - The system of declarations under the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft Equipment: An explanatory memorandum for the assistance of States and regional economic integration Organisations in the completing of declarations (prepared by the UNIDROIT Secretariat, as Depositary)

Doc. 8 - Seminar - The European Community and the Cape Town Convention. Rome, 26 November 2009. Summary Report (prepared by the UNIDROIT Secretariat)

Doc. 9 - Depositary Report: 1 January 2008 - 31 December 2009

**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 (L UFC)* *
- 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 L UFC 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.*

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 PREPAREES PAR UNIDROIT ET APPROUVEES A DES CONFERENCES DIPLOMATIQUES CONVOQUEES 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)	–
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 October 2010 / *Ce document est basé sur les informations dont dispose le Secrétariat au 31 octobre 2010.*

The texts of the Conventions and information on their status may be found on the UNIDROIT website at <http://www.unidroit.org/english/conventions/c-main.htm> and <http://www.unidroit.org/english/implement/i-main.htm>. *Le texte des Conventions ainsi que l'état de leur mise en œuvre figure sur le site Internet d'UNIDROIT à <http://www.unidroit.org/french/conventions/c-main.htm> et <http://www.unidroit.org/french/implement/i-main.htm>.*

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.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. DECL. OU RESERVES
Belgium / <i>Belgique</i>	17-05-74	21-04-83	21-10-83	–
Bosnia-Herzegovina / <i>Bosnie-Herzégovine</i>	–	15-08-94	15-08-94	–
Canada for / <i>pour</i>	–	24-01-77		D: Art. XIV
Manitoba			09-02-78	
Newfoundland / <i>Terre Neuve</i>			09-02-78	
Ontario			31-03-78	
Alberta			01-06-78	
Saskatchewan			08-10-82	
Prince Edward Island / <i>Ile du Prince Edouard</i>			22-03-95	
New Brunswick / <i>Nouveau Brunswick</i>			05-12-97	
Nova Scotia / <i>Nouvelle Ecosse</i>			27-05-01	
Cyprus / <i>Chypre</i>	–	19-10-82	19-04-83	–
Czechoslovakia / <i>Tchécoslovaquie</i> *	30-12-74	–	–	D
Ecuador / <i>Equateur</i>	26-07-74	03-04-79	03-10-79	D
Italy / <i>Italie</i>	–	16-05-91	16-11-91	–
Iran	27-10-73	–	–	–
France	29-11-74	01-06-94	01-12-94	–
Holy See / <i>Saint-Siège</i>	02-11-73	–	–	–
Laos	30-10-73	–	–	–
Libyan Arab Jamahiriya / <i>Jamahiriya arabe libyenne</i>	–	04-08-77	09-02-78	–
Niger	–	19-05-75	09-02-78	–
Portugal	–	19-11-75	09-02-78	–
Russian Fed. / <i>Féd. de Russie</i>	17-12-74	–	–	D: Art. XIII
Sierra Leone	27-10-73	–	–	–
Slovenia / <i>Slovénie</i>	–	20-08-92	20-08-92	–
United Kingdom / <i>Royaume-Uni</i>	10-10-74	–	–	–
United States of America / <i>Etats-Unis d'Amérique</i>	27-10-73	–	–	–
Yugoslavia / <i>Yougoslavie</i> **	–	09-08-77	09-02-78	–

* On December 31, 1992, at midnight, Czechoslovakia ceased to exist and was succeeded by two separate and independent States, the Czech Republic and the Slovak Republic / *Le 31 décembre 1992, à minuit, la Tchécoslovaquie a cessé d'exister et deux Etats séparés et indépendants lui ont succédé, la République tchèque et la République slovaque.*

** The Socialist Federal Republic of Yugoslavia has dissolved. Where a successor State has taken action it is listed separately / *La République fédérale socialiste de Yougoslavie a été dissoute. Toute action prise par un Etat successeur figure dans la liste séparément.*

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

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE/ENTREE EN VIGUEUR	DECL. or RESERV. DECL. OU RESERVES	observations
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	—	—	02-02-95 (*)
South Africa / <i>Afrique du sud</i>	—	27-01-86	—	—	—
Switzerland / <i>Suisse</i>	17-02-83	—	—	—	—

(*) Application extended to Aruba / *Application étendue à Aruba.*

**UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING
CONVENTION D'UNIDROIT SUR LE CREDIT-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. or 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>	30-11-90	—	—	—
France	07-11-89	23-09-91	01-05-95	Arts. 8(3); 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	26-03-97	01-10-97	—
Philippines	28-05-88	—	—	—
Russian Federation / <i>Féd. de Russie</i>	—	03-06-98	01-01-99	Arts. 8(3); 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: Government of Canada
Dépositaire: *Gouvernement du Canada* (art. 23.1)

STATE / <i>ETAT</i>	SIGNATURE	RATIFICATION ACCESSION / <i>ADHESION</i>	ENTRY INTO FORCE <i>ENTREE EN VIGUEUR</i>	DECL. or RESERV. / <i>DECL. OU RESERVES</i>
Belgium / <i>Belgique</i>	21-12-90	—	—	—
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	Arts. 6(2); 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	Arts. 6(2); 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 VOLES OU ILLICITEMENT EXPORTES

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 / <i>ETAT</i>	SIGNATURE	RATIFICATION / ACCESS. / <i>ADHES.</i>	ENTRY INTO FORCE / <i>ENTREE EN VIGUEUR</i>	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
Côte d'Ivoire	24-06-95	–	–	–
Croatia / <i>Croatie</i>	24-06-95	20-09-00	01-03-01	Art. 16
Cyprus / <i>Chypre</i>	–	02-03-04	01-09-04	–
Ecuador / <i>Equateur</i>	–	26-11-97	01-07-98	–
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	–	–	–
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
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	Art. 16
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	Art. 16
Romania / <i>Roumanie</i>	27-06-96	21-01-98	01-07-98	Art. 16
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
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 MATERIELS D'EQUIPEMENT 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: 3 ratifications (Art. 49(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. 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)
Bangladesh	–	15-12-08	01-04-09	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Burundi	16-11-01	–	–	–
Canada	31-03-04	–	–	–
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	–	–	–
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)
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 **	–
Kenya	16-11-01	13-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Lesotho	16-11-01	–	–	–
Luxembourg	–	27-06-08	01-10-08	D: Arts. 53, 54(2)
Malaysia / <i>Malaisie</i>	–	02-11-05	01-03-06	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Malta / <i>Malte</i>	–	01-10-10	01-02-11	D: Arts. 39(1)(a), 39(4), 40, 53, 54(2)
Mexico / <i>Mexique</i>	–	31-07-07	01-11-07	D: Arts. 39(1)(a)-(b), 50, 53, 54(2), 60
Mongolia / <i>Mongolie</i>	–	19-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 53, 54(2)
Netherlands / <i>Pays-Bas</i> ¹	–	17-05-10	01-09-10	D: Arts. 39(1)(a)-(b), 52, 53, 54(2)
New Zealand / <i>Nouvelle-Zélande</i>	–	20-07-10	01-11-10	D: Arts. 39(1)(a), 52, 53, 54(2), 55
Nigeria / <i>Nigéria</i>	16-11-01	16-12-03	01-04-04	D: Arts. 39(1)(a)*, 40*, 53*, 54(2)*
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)
Rwanda	–	28-01-10	01-05-10	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
Saudi Arabia / <i>Arabie saoudite</i>	12-03-03	27-06-08	01-10-08	D: Art. 54(2)
Senegal / <i>Sénégal</i>	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 **	–
Singapore / <i>Singapour</i>	–	28-01-09	01-05-09	D: Arts. 39(1)(a)-(b), 39(4), 53, 54(2)
South Africa / <i>Afrique du sud</i>	16-11-01	18-01-07	01-05-07	D: Arts. 39(1)(a)-(b), 40, 54(2)
Sudan / <i>Soudan</i>	16-11-01	–	–	–
Switzerland / <i>Suisse</i>	16-11-01 (<i>ad ref.</i>)	–	–	–
Syrian Arab Republic / <i>République arabe syrienne</i>	–	07-08-07	01-12-07 **	–
Togo	–	25-01-10	01-05-10 **	–
Tonga	16-11-01	–	–	–
Turkey / <i>Turquie</i>	16-11-01	–	–	–
Ukraine	09-03-04	–	–	–
United Arab Emirates / <i>Emirats arabes unis</i>	–	29-04-08	01-08-08	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
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. 54(2)
United States of America / <i>Etats-Unis d'Amérique</i>	09-05-03	28-10-04	01-02-05	D: Arts. 39(1)(a)-(b), 54(2)
Zimbabwe	–	13-05-08	01-09-08 **	–

European Community / *** <i>Communauté européenne</i>	–	28-04-09	01-08-09	D: Arts. 48(2), 55
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- * Affected by withdrawal and/or subsequent declaration / *Fait l'objet d'un retrait ou d'une déclaration subséquente.*
- ** Subject to Article 49(1) / *Sous réserve de l'article 49(1).*
- *** Regional Economic Integration Organisation / *Organisation régionale d'intégration économique* (Art. 48).
- 1 Accession for the Netherlands Antilles and Aruba / *Adhésion pour les Antilles néerlandaises et Aruba.*

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT
ON MATTERS SPECIFIC TO AIRCRAFT EQUIPMENT**
**PROTOCOLE PORTANT SUR LES QUESTIONS SPECIFIQUES AUX MATERIELS D'EQUIPEMENT
AERONAUTIQUES A LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES
PORTANT SUR DES MATERIELS D'EQUIPEMENT 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)
Burundi	16-11-01	–	–	–
Canada	31-03-04	–	–	–
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)
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)
Kenya	16-11-01	13-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Lesotho	16-11-01	–	–	–
Luxembourg	–	27-06-08	01-10-08	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>	–	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)
Netherlands / <i>Pays-Bas</i> ¹	–	17-05-10	01-09-10	D: Arts. XXIX, XXX(1), (2)
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) [*]
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)
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>)	–	–	–
Tonga	16-11-01	–	–	–
Turkey / <i>Turquie</i>	16-11-01	–	–	–
Ukraine	03-03-04	–	–	–
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)
European Community / ^{**} <i>Communauté européenne</i>	–	28-04-09	01-08-09	D: Arts. XXVII(2), XXX(5)

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

^{**} Regional Economic Integration Organisation / *Organisation régionale d'intégration économique* (Art. XXVIII).

¹ Accession for the Netherlands Antilles and Aruba / *Adhésion pour les Antilles néerlandaises et Aruba.*

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 SPECIFIQUES AU MATERIEL ROULANT FERROVIAIRE A LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES PORTANT SUR DES MATERIELS D'EQUIPEMENT MOBILES

Adoption: Place / *Lieu*: Luxembourg
Date: 23-02-2007
Entry into force: No / *Non*
Entrée en vigueur: Conditions: 4 ratifications (Art. XXIII(1))
Depositary / Dépositaire: UNIDROIT

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. OU RESERVES
Gabon	23-02-07	—	—	—
Italy / <i>Italie</i>	23-02-07	—	—	—
Luxembourg	23-02-07	—	—	—
Switzerland / <i>Suisse</i>	23-02-07	—	—	—
European Community / ** <i>Communauté européenne</i>	10-12-09	—	—	—

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

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(art. 48.1)

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

**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.

Contracting States: 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.

Contracting States: Albania, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, 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 (Islamic Rep. of), Iraq, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, 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.

Contracting States: 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, 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 October 2010.

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.
Contracting States: 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.
Contracting States: 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.
Contracting States 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.
Contracting States: 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 Contracting States 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 Contracting States 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 (Sections A 1 and 2 above).

Contracting States: Albania, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, 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, Lebanon, Lesotho, 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, Sweden, Switzerland, Syrian Arab Republic, Turkey, the Former Yugoslav Republic of Macedonia, 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.

Contracting States: Bosnia and Herzegovina, Croatia, Czech Republic, Latvia, Montenegro, Serbia, Slovakia and Ukraine.

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.
 9. **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, Latvia, the Netherlands and Switzerland.
- 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 C. 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.

On-line archive of UNIDROIT documents

All documents issued in connection with the following studies have been posted on the website:

- Study XLIII - Form of the international will (1961-1972)
- Study XLIV – Liability of international terminal operators (1966-1983)
- Study L - Principles of International Commercial Contracts (1998-2010)
- Study LVIII - The contract of factoring (1976-1987)
- Study LIX - The international financial leasing contract (1975-1987)
- Study LIX A - Model law on leasing (2005-2008)
- Study LXVIII - Franchising contracts (1986-2002)
- Study LXIX - Organisation of an information system or data bank on uniform law (1994-2000)
- Study LXX - International protection of cultural property (1986-1995)
- Study LXXI - Internal relations between principals and agents in the international sale of goods (1989-1992)
- Study LXXII - International interests in mobile equipment (1989-2000)
- Study LXXII A - Model law in the general field of secured transactions (1994)
- Study LXXII B - Work of international organisations in the field of personal property security (1995)
- Study LXXII C - International interests in mobile equipment: consideration of the legal and technical issues raised by the establishment of an international register (1996-1997)
- Study LXXII D - International interests in aircraft equipment (1998-1999)
- Study LXXII H - Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock (2000-2005)
- Study LXXII J - Draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets (2000-2010)
- Study LXXIV - Establishment of a UNIDROIT Foundation (1996)
- Study LXXVI - Principles of transnational civil procedure (1999-2005)
- Study LXXVIII - Transactions on transnational and connected capital markets (2002-2008)
- Study LXXIX - Third party liability for Global Navigation Satellite System (GNSS) services (2010)

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://www.ub.univie.ac.at/fb-rewi/>>
- Belgium:** Ministry of Justice <<http://www.just.fgov.be/>>
- Bolivia:** Biblioteca Central de la Cancillería de la República <<http://www.rree.gov.bo>>
- Brazil:** Serviço de Biblioteca e documentação - SBD, Universidad de São Paulo, Faculdade de Direito
<<http://143.107.2.22/fdusp/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:** Diplomatic Academy <<http://www.minrel.gov.cl>>
- Colombia:** Biblioteca Luis Angel Arango <<http://www.lablaa.org>>
- 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:** National Library of Estonia <<http://www.nlib.ee/>>
- Finland:** Eduskunnan Kurjasto <<http://www.eduskunta.fi/kirjasto/>>
- France:** Bibliothèque Inter-universitaire Cujas <<http://www-cujas.univ-paris1.fr>>
- 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, Athens
- Holy See:** Biblioteca della Facoltà di Giurisprudenza, Libera Università Maria Ss. Assunta, Rome
<<http://www.lumsa.it/Lumsa/>>
- Hungary:** Library of the Hungarian Parliament <<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.deplu.go.id/Pages/Default.aspx>>
- Ireland:** National Library of Ireland <<http://www.nli.ie/>>
- Japan:** Ministry of Justice Library (Branch of National Diet Library), Tokyo
- 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.lu/>>; University of Luxembourg
<http://www.uni.lu/l_universite/bibliotheque>
- Malta:** Library Services, University of Malta <<http://www.lib.um.edu.mt/>>
- 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, The Hague <<http://www.minjus.nl/>>

- Norway:** Det juridiske fakultetsbibliotek, Universiteitsbiblioteket i Oslo <<http://www.ub.uio.no/ujur/>>
- People's Republic of China:** Ministry of Commerce (MOFCOM) <<http://english.mofcom.gov.cn/>>
- Poland:** Sejm Library <<http://bib.sejm.gov.pl>>
- Portugal:** Serviço de Biblioteca e Documentação Diplomática do Ministério dos Negócios Estrangeiros - Instituto Diplomático <<http://www.min-nejrangeiros.pt/mne/>>; Gabinete de Documentação e Direito Comparado, Procuradoria Geral da República <<http://www.gddc.pt/>>
- Republic of Korea:** Library of the Institute for Foreign Affairs and National Security (IFANS), Seoul
- Romania:** Biblioteca Nationala <<http://www.bibnat.ro/>>
- Russian Federation:** Library of the Russian Academy of Foreign Trade <<http://eng.vavt.ru/>>
- Slovak Republic:** Právnická fakulta Trnavskej Univerzity <<http://www.truni.sk/>>
- Slovenia:** Library of the Faculty of Law, University of Maribor <<http://www.pf.uni-mb.si/knjiznica/>>
- South Africa:** Library of the Department of Justice, Directorate: Internal Affairs, Pretoria
- Spain:** Universidad San Pablo CEU <<http://www.ceu.es>>
- Sweden:** Library of the Swedish Parliament <<http://www.riksdagen.se/>>
- Switzerland:** Library of the Swiss Institute of Comparative Law <<http://isdc.ch>>
- Turkey:** Library, Banca ve Ticaret Hukuku Arastirma Enstitüsü, Hukuk Fakültesi, Ankara <<http://bthae.ankara.edu.tr/>>
- 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/biblioteca/Biblioteca.htm>>