



**GOVERNING COUNCIL**  
**96<sup>th</sup> session**  
**Rome, 10-12 May 2017**

**EN**

UNIDROIT 2017  
C.D. (96) 12  
Original: English  
April 2017

**Item No. 13 on the agenda: UNIDROIT information resources and policy**

(prepared by the Secretariat)

<i>Summary</i>	<i>Update on developments since the 95<sup>th</sup> session of the Council</i>
<i>Action to be taken</i>	<i>Take note of the activities and make suggestions to support the initiatives of the Secretariat</i>
<i>Related documents</i>	<i>Annual report 2016 (C.D.(96)2); C.D.(92) 12; C.D.(93) 11; C.D.(94) 11; C.D.(95) 12</i>

**I. PAPER-BASED PUBLICATIONS**

**A. Uniform Law Review**

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

2. The Uniform Law Review is available both on paper and online. Subscriptions can be to either or to both. Data on subscriptions indicate that subscriptions to print (i.e. paper) copies have decreased year by year, from 147 in 2013, to 127 in 2014, to 98 in 2015, decreasing to 83 in 2016. At the same time, subscriptions to online copies increased from 16 in 2013, to 20 in 2014, to 23 in 2015 to 30 in 2016 (15 online only, 15 online plus print). The greatest increase has been to collection subscriptions, i.e. subscriptions through the OUP collection, in addition in 2016 the Uniform Law Review had 873 Developing Country subscriptions. The Accounts for 2016 (the twelve months ended 31 December 2016) presented by OUP demonstrate that the Uniform Law Review made a profit of € 56,796, the royalties due to UNIDROIT being € 8,969. OUP has informed the Secretariat that renewals are steadily coming in and that, for the period 1 January to 22 March 2017, 13% of individual subscriptions have been renewed, the royalties due to UNIDROIT being € 309.

3. As regards the contents of the Review, it publishes an increasing number of contributions to international conferences of interest to UNIDROIT. Thus, in 2016 the contributions to two conferences were published ("Practicing International Law at the United Nations", one of the events celebrating the 90<sup>th</sup> anniversary of the Institute, held on 15 April 2016 at Villa Aldobrandini, published in issue 2016/2-3; and "Symposium – 60<sup>ème</sup> anniversaire de la convention CMR (Convention internationale relative au contrat de transport international routier de marchandises, 19 mai 1956): Application par les Etats-parties : quelles divergences ? - Perspectives de droit comparé" celebrating the 60<sup>th</sup> anniversary of the adoption of the CMR, organised by the *Institut du droit international des transports* (IDIT) and held in Rouen, France, on 19 and 20 May 2016, published in issue 2016/4), and in 2017 contributions to three more conference will be published ("United Nations Convention on Contracts for the International Sale of Goods (CISG), UNIDROIT Principles of International Commercial Contracts: Contrast and Convergence" organised jointly by UNIDROIT and the CISG Advisory Council on 20 May 2016, one of the events to celebrate the 90<sup>th</sup> anniversary of the Institute (Issue 2017/1); "Towards a Global Framework for International Commercial Transactions: Implementing the Hague Principles on Choice of Law in International Commercial Contracts" organised by the University of Lucerne and the Hague Conference on International Private Law and held in Luzern on 8 and 9 September 2016 (Issue 2017/2); and the "Fourth International Colloquium on Secured Transactions" organised by UNCITRAL, held in Vienna on 15-17 March 2017 (Issue 2017/4).

#### **B. UNIDROIT Principles of International Commercial Contracts 2016**

4. The revisions to the *Principles of International Commercial Contracts* 2010 adopted by the Working Group to take long-term contracts into consideration were adopted by the Governing Council at its 95<sup>th</sup> session, in 2016. The fourth edition of the Principles is being printed in English at the time of writing (March 2017) and will be published in French before the summer.

#### **C. Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol thereto on Matters Specific to Aircraft Equipment (3<sup>rd</sup> edition)**

5. At the request of Aviareto, a pdf file of the *Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol thereto on Matters Specific to Aircraft Equipment* was prepared with links to facilitate consultation. Access to this version is restricted to registered users of the International Registry.

#### **D. Essays in honour of Professor Michael Joachim Bonell**

6. A major effort was the publication of two volumes of Essays in honour of Professor Michael Joachim Bonell, a long-time collaborator and consultant to UNIDROIT as well as the chief promotor and coordinator of the Principles of International Commercial Contracts. The title of the publication is "*Eppur si muove: The age of Uniform Law – Festschrift for Michael Joachim Bonell, to celebrate his 70<sup>th</sup> birthday, UNIDROIT (ed.), 2016*". It comprises some 122 articles by 125 authors. In addition, 143 colleagues of Professor Bonell asked to be inserted in the *Tabula Gratulatoria* that opens the publication.

7. As many as 29 articles deal with the UNIDROIT Principles in one way or another, but also other projects or instruments adopted by UNIDROIT are examined in the articles. As a whole, the articles cover: Personal Reminiscences; Legal Theory; Comparative Law, Transnational Law and Uniform Law in General: (a) *Comparative Law*; (b) *Transnational Law*; (c) *Uniform Law in General*; Private International Law; European Law: (a) *European Law in General*; (b) *European Private Law*; Contract Law: (a) *Comparative Contract Law*; (b) *International Contract Law*; (c) *UNIDROIT Principles of International Commercial Contracts*; Sales and Other Types of Contract: (a)

*International Sales Contracts; (b) European Sales Contracts; (c) Other Types of Contract; Company, Banking, Insolvency and Intellectual Property Law: (a) Company Law; (b) Banking Law; (c) Insolvency Law; (d) Intellectual Property Law; Capital Markets; Property Law; Cultural Property; Succession; Arbitration and ADR; and Civil Procedure Law.*

#### **E. “UNIDROIT 90 Years / Les 90 Ans d’UNIDROIT”**

8. A second initiative which will be brought to completion in 2017 is the publication of a volume to mark the 90<sup>th</sup> anniversary of the foundation of the Institute. It will contain a section on the Institute’s history, short descriptions of a selection of instruments and activities and comments by experts involved in their preparation, as well as short biographies of those experts and of key persons in the history of the Institute. Illustrations will include documents of importance to the history of UNIDROIT, such as the League of Nations document regarding its creation. The publication will include also a history of the Villa Aldobrandini which houses the Institute since its inception. This volume is not intended for sale, but as a publication which celebrates the Institute to be used for official purposes.

#### **F. Booklets with UNIDROIT Instruments**

9. As indicated in the *Annual Report 2014* (C.D.(94) 2), the Secretariat has adopted the policy of printing booklets containing the text of UNIDROIT instruments that are not for sale but for use at conferences and other events. This practice continued in 2016, when the Secretariat published the booklet with the French version of the Aircraft Protocol after completion of the review procedure to correct some printing errors.

## **II. ELECTRONIC SOURCES OF INFORMATION ON UNIDROIT**

### **A. UNIDROIT Website**

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

### **B. MONITORING OF THE WEBSITE**

11. The website is monitored with Google Analytics. In preparation of the present document the data examined related to use of the website from 18 April 2016 to 28 March 2017.

#### *(a) Sources of entry to the Unidroit website*

12. The browser used most to enter the UNIDROIT website was Google Chrome (49.28%), Safari coming second (16.20%), Microsoft Internet Explorer third (13.30%) and Firefox fourth (12.57%). A considerable number were used only for 1% or less of the entries. A considerable number of entries were still by referral: from UNESCO, FAO, the Aviation Working Group and UNCITRAL. The Wikipedias in the different languages were also important sources of entry by referral.

#### *(b) Countries of origin of users*

13. Turning to the countries of origin of the users of the UNIDROIT database, most users in the period examined were in Italy (8.90%), the United States (8.63%), France (8.16%), the United Kingdom (5.75%) and Russia (4.05%). The first Asian country to be represented was India, in

sixth position with 3.17% of the users, the first African Egypt, in 17<sup>th</sup> position with 1.47% of the users. Continent by continent, of the first 100 countries from which users came 36 were European (Russia and Ukraine included), 25 were from Asia, 14 from the Americas, 12 from Africa, 10 from the Middle East, and 2 from Oceania, one was unaccounted for.

(c) *Website pages consulted*

14. As regards the pages of the website consulted, the first 100 entries were examined. The page most consulted was the English page on the Cape Town Convention (5.20%), followed by the page on the UNIDROIT Principles of International Commercial Contracts (3.57%), the page on the 1995 Cultural Property Convention (3.32%) and the News page (2.50%). All in all, as was the case the year before, the pages consulted were varied and included even old materials, such as the 1964 Convention relating to a Uniform Law on the International Sale of Goods (ULIS). However, the great majority of pages consulted were pages relating to the Principles of International Commercial Contracts. The pages most consulted were the pages in English.

(d) *Age Groups of users of the UNIDROIT website*

15. An interesting item is the age groups to which the users of the UNIDROIT website belong. The data illustrated to the Council in 2016 were confirmed, i.e. the largest group of users in the period examined were that of 25-34-year-old persons (33.50%), the second largest was the 18-24-year-old group (27.50%), the third largest the 35-44 year-old group (15.5%), the fourth the 45-54 year-old persons (12.5%), the fifth the 55-64 year-old persons (5.5%) and the sixth persons 65 or over (5.5%). Of the users 45.85% were women, whereas 54.15% were men.

### **C. Social Media**

16. On the occasion of the International Symposium on “Private Law, International Cooperation and Development” celebrating the 90<sup>th</sup> anniversary of the Institute, the Secretary-General announced the entry of UNIDROIT into the social media world by the opening of accounts on Facebook and LinkedIn. The purpose of the Institute’s social media program is to promote the work being undertaken by the Institute to a wider audience in a fast, efficient and cost effective manner. Maintaining a presence on the LinkedIn platform allows the Institute to inform practitioners and legal professionals about its projects, whereas Facebook promotes UNIDROIT to a younger generation of lawyers, academics and students.

17. The Institute’s social media accounts have had a strong first year of operation. As of April 2017, the Institute has 950 followers on LinkedIn and 650 followers on Facebook, who receive weekly updates on UNIDROIT activities. Over the last 12 months Facebook has also referred over 2000 people to the UNIDROIT website.

18. The presence of UNIDROIT on social media is managed by Mr William Brydie-Watson, Legal Officer of the Secretariat.

### **III. ACTION TO BE TAKEN**

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