



# **ANNUAL REPORT - 2019**

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW  
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

**Rome, 2020**



# UNIDROIT

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW

## ANNUAL REPORT — 2019



### **2019. On Farewells, Renovation and Accomplishment**

Page One of the Annual Report is written months into the following year. This time lapse allows me to have the benefit of a far-reaching, soothing view from a watchtower, far from the rush, the noise, the passing intensity of the instinctive first reactions and the only briefly-pondered second judgements. And 2019 portrays a panorama that has all the colours, that warrants all reactions, good and bad. From a more mundane, functional standpoint, the year has been rewarding and excellent; from a more personal, subjective perspective, undermining and unforgettably sad. If we are to blend with the current world of tweets and hashtags, we might say that “renovation” and “accomplishment” are the terms that best describe the different views of Villa Aldobrandini for the period comprised in this Report.

During 2019, UNIDROIT finalised an international convention after 14 years of hard work and completed a highly-technical international best practice document; we organised, or participated in over 58 international events, seminars, and conferences; visited 26 different countries across 5 continents as part of missions, meetings, or intergovernmental negotiations; engaged with thousands of experts from over 100 countries in promoting the Institute’s activities; and it all resulted, at least, in 14 new States becoming party to different UNIDROIT instruments. However, in the middle of it all, we received the news of the passing of our President, Professor Alberto Mazzoni, whose early departure left an enormous vacuum and broke our hearts. During his more than eight years in office, Prof. Mazzoni was instrumental in the modernization of the Institute and led its transformation into the nimble, efficient, prestigious institution it is today. An intelligent, cosmopolitan, erudite, and profoundly human professor and lawyer, Alberto Mazzoni believed in the enlightened ideals that originated and sustained UNIDROIT for almost a century: a man of principle that contributed greatly to the running of the institution based on principles, on the right ones. That is where his legacy lies, a legacy that those of us who remain here can only hope to make ourselves worthy of.

Life went on, and many important things happened from the institutional side. Renovation is the word. A new Governing Council started its mandate in 2019, with a majority of first-time members elected for office. Many outstanding, long-time serving, members left, after many years of dedication and support for the Institute, which is -and will remain- in debt. Thirteen highly prestigious newcomers from across the world landed in Villa Aldobrandini: professors, judges, accomplished civil servants, together with twelve experienced members, conform a line-up capable of taking the Institute to the next level. The Secretariat had its share of renovation too. Ms Frédérique Mestre retired after more than thirty years of dedicated service. Her excellent personal and professional qualities are already -and will surely continue to be- sourly missed. Mr Neale Bergman also left the staff, back to his homeland. A legal officer of extraordinary talent and professionalism, we can only hope his new employers will appreciate their luck. But new blood came in to fill the void. We were thrilled to welcome three talented legal officers, Mr Carlo Di Nicola, Ms Philine Wehling and Ms Priscila Pereira de Andrade, whose energy and push are already proving key to successfully implementing our new, ambitious Work Programme.

Again, this has been a year when the Cape Town Convention has featured prominently. Over 14 long years, 2 independently written economic analysis, 4 sessions of a multi-party study group, 2 Committees of Governmental Experts with more than 50 States represented; thousands of hours of legal and economic analysis by some of the most important academics and best practitioners in the field, of thorough consultations with the private sector, of detailed negotiations with government officials and members of international organizations; after the involvement of about 4500 companies through the Working Group; and after three Secretary Generals of UNIDROIT, the day came, and a very successful Diplomatic Conference ended with the approval of a fourth protocol to the Cape Town system, the MAC (or Pretoria) Protocol, a very fine piece of legal work which has the potential to become a game-changer for international economic transactions. It is only fair to look back and show gratitude to so many that contributed so much to this achievement. From the Secretariat’s side, express, special mention is owed to Mr William Brydie-Watson, whose hard work, intelligence and kindness have been absolutely instrumental to success, in Pretoria, before and after.

But MAC was not all. 2019 saw the increase of the community of countries that choose the Aircraft Protocol to regulate secured transactions, and we celebrated the registration of the transaction number 1 million in the International Registry in Dublin; a good number of countries started formal procedures to ratify the Rail Protocol, an instrument which is now seen as paramount for the development of greener means of transportation; and the Space Protocol continues to garner support from a growing community of states and stakeholders ready to compete in a complex market.

Work continued in parallel on other projects. This year saw the finalization of the first version of the Principles of Reinsurance Contract Law, together with the Universities of Zurich, Vienna and Frankfurt. Further, the Institute's work with FAO and IFAD on a Legal Guide on Agricultural Land Investment Contracts produced a first complete draft, which, under the label "Zero Draft", was subject to international consultations with much success. Our joint project with the European Law Institute to draft the Model European Rules of Civil Procedure was finished, pending only approval by the Governing Bodies of both institutions. We intensified our work on the 1995 Convention, with two new accessions and hundreds of hours of targeted dissemination. And preparatory work on new projects began, to ensure that the Secretariat could start the time of the new Work Programme at full speed.

We continued to enhance our cooperation with academic institutions and to strengthen our position as a research hub. A new, multi-year agreement was signed with Cambridge University and the Aviation Working Group to reinforce the Cape Town Convention Academic Project; we intensified our partnership at the Queen Mary-UNIDROIT Institute of Transnational Law; our library grew both in catalogue and in visitors, and our publications continue to flourish and improve.

Page One is, after all, a tribute to those who work in and with UNIDROIT. Almost two years into the job, and I am still in awe at how much is accomplished with so little. Hats off, again, to the extraordinary UNIDROIT team. Writing months after the year has ended does not only give you the outlook from the watchtower but it also gives you the benefit of knowing a bit about the "future". And I can only fear that the next Page One will be more difficult to write due to external, unforeseeable circumstances. When I look back, I find comfort in thinking that Prof. Mazzoni would be proud of what we achieved; when I look forward, I feel the nostalgia of knowing we can no longer count on him to overcome the difficulties. But we must learn to say farewell, renovate and achieve. It is our duty.

*PROFESSOR IGNACIO TIRADO*  
*Secretary-General*

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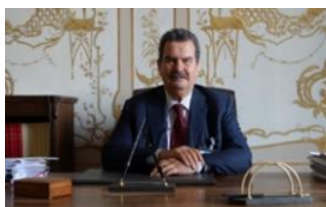
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# I. ADMINISTRATION AND ORGANISATION

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

### 1. Presidency and Governing Council



The 98<sup>th</sup> session of the Governing Council <sup>1</sup> was held in Rome from 8 to 10 May 2019 under the chairmanship of the Vice-President of the Institute, Professor Arthur Hartkamp. The Council paid tribute and expressed its condolences for the passing of its President, Professor Alberto Mazzoni, remembered the man and friend, and noted the important role he had played in shaping the direction of the Institute since his appointment in 2011.

The Governing Council, after approving the Secretary-General's, Professor Ignacio Tirado, report on the activity of the Institute in 2018, reappointed Professor Arthur Hartkamp as First Vice-President, and Dr Jorge Sánchez Cordero Davila as Second Vice-President until its 99<sup>th</sup> session. It also appointed the former Council members as members *ad honorem* <sup>2</sup> of the Governing Council and nominated a new member of the Permanent Committee.<sup>3</sup>

Following the decision taken by the Governing Council at its 90<sup>th</sup> session (Rome, 9-11 May 2011), and based on the authority conferred upon it by article 16 of the UNIDROIT Regulations, the Council offered representatives of member Governments that have no nationals sitting on the Council to attend its meetings in a consultative capacity. 15 such Member States were represented at the 98<sup>th</sup> session of the Council.



The Governing Council took note of the proposed Work Programme and comments received from member States and UNIDROIT Correspondents, and agreed to recommend the adoption of the Work Programme for the triennium 2020 – 2022 to the General Assembly with an indication of the level of priorities for each project.

When discussing the draft budget for 2019, the Council commended the positive impact of cost-saving measures and management efficiencies.

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\* This report covers the activities of UNIDROIT from 1 January to 31 December 2019.

<sup>1</sup> Composition of the Governing Council (2019-2023): Stefania Bariatti (Italy), Hans-Georg Bollweg (Germany), Baiba Broka (Latvia), Yusuf Çalışkan (Turkey), Alfonso-Luis Calvo Caravaca (Spain), Eugenia G. Dacoronia (Greece), Bénédicte Fauvarque-Cosson (France), Eesa Allie Fredericks (South Africa), Henry D. Gabriel (United States of America), Arthur S. Hartkamp (Netherlands), In-Ho Kim (Republic of Korea), Hideki Kanda (Japan), Patrick Kilgarrieff (United Kingdom), Alexander S. Komarov (Russian Federation), Antti T. Leinonen (Finland), Ricardo Lorenzetti (Argentina), Niklaus D. Meier (Switzerland), Attila Menyhárd (Hungary), José Antonio Moreno Rodríguez (Paraguay), Monika Pauknerová (Czech Republic), Kathryn Sabo (Canada), Jorge Sánchez Cordero Davila (Mexico), Luc Schuermans (Belgium), Shi Jingxia (People's Republic of China), Carmen Tamara Ungureanu (Romania)..

<sup>2</sup> Members *ad honorem* of the Governing Council: Professor Radu Bogdan Bobei (Romania), Professor Nuria Bouza Vidal (Spain), Professor Dr. B. Bahadır Erdem (Turkey), Hon. Monique Jametti (Switzerland), Professor Miklós Király (Hungary), Professor Lyou Byung-Hwa (Republic of Korea), Professor Jan Lambert Neels (South Africa), Professor Wojciech Popiołek (Poland), Ms Rachel Sandby-Thomas (United Kingdom), H.E. Álvaro Sandoval Bernal (Colombia), Professor Daniel Tricot (France), Professor Spyridon Vrellis (Greece), and Mr Roger Wilkins (Australia).

<sup>3</sup> The Council appointed Ms Kathryn Sabo to fill the vacancy left by the departure of Ms Rachel Sandby-Thomas, and re-appointed Dr Hans Georg Bollweg, Professor Henry Gabriel, Professor Arthur Hartkamp and Dr Jorge A. Sánchez Cordero as members of the Permanent Committee.

## 2. General Assembly and Finance Committee

The 78<sup>th</sup> session of the General Assembly was held in Rome on 12 December 2019 under the presidency of H.E. Abubakar Malami, honourable Minister of Justice and Attorney General of Nigeria, and was attended by the diplomatic representatives in Italy of 52 Member States. The Secretary-General outlined the work of the Organisation in 2019.



The General Assembly approved the Work Programme for the triennial period 2020-2022, as proposed by the Secretariat, drafted and recommended by the Governing Council,<sup>4</sup> as follows:

2020-2022 Work Programme	
LEGISLATIVE ACTIVITIES	
<b>1. Secured transactions</b>	<ul style="list-style-type: none"> <li>(a) Implementation of Rail and Space Protocols ***</li> <li>(b) Implementation of the MAC Protocol ***</li> <li>(c) Preparation of other Protocols to the Cape Town Convention <ul style="list-style-type: none"> <li>(i) Ships and maritime transport equipment *</li> <li>(ii) Renewable energy equipment *</li> </ul> </li> </ul>
<b>2. Private law and agricultural development</b>	<ul style="list-style-type: none"> <li>(a) Preparation of an international guidance document on agricultural land investment contracts ***</li> <li>(b) Legal structure of agricultural enterprises ** [priority to be confirmed at 99<sup>th</sup> session of the Governing Council]</li> </ul>

<sup>4</sup> The level of priority assigned to the projects is as follows: high \*\*\* – medium \*\* – low \*.

<b>3. Transnational principles of civil procedure</b>	<p>(a) Formulation of regional rules ***</p> <p>(b) Principles of effective enforcement ** [priority to be confirmed at 99<sup>th</sup> session of the Governing Council]</p> <p>(c) International Civil Procedure in Latin America *</p>
<b>4. International Sales Law</b>	Preparation of a guidance document on existing texts in the area of international sales law in cooperation with UNCITRAL and the Hague Conference on Private International Law ***
<b>5. International Commercial Contracts</b>	Formulation of principles of reinsurance contracts *
<b>6. Cultural Property</b>	Private art collections*
<b>7. Leasing and Factoring</b>	<p>(a) Model Law on Factoring ***</p> <p>(b) Guide for enactment of the UNIDROIT Model Law on Leasing*</p>
<b>8. Insolvency Law</b>	The harmonisation of national insolvency laws for the liquidation of banks and rules of cooperation and coordination in cross border cases ** [priority to be confirmed at 99 <sup>th</sup> session of the Governing Council (6-8 May 2020)]
<b>9. Law and Technology</b>	Artificial Intelligence/Smart Contracts/Distributed Ledger Technology** [priority to be confirmed at 99 <sup>th</sup> session of the Governing Council (6-8 May 2020)]
<b>IMPLEMENTATION AND PROMOTION OF UNIDROIT INSTRUMENTS</b>	
<b>1. Depositary functions ***</b>	
<b>2. Promotion of UNIDROIT instruments ***</b>	<p>(a) UNIDROIT Principles of International Commercial Contracts</p> <p>(b) UNIDROIT/FAO/IFAD Legal Guide on Contract Farming</p> <p>(c) UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and UNESCO-UNIDROIT Model Provisions on State ownership of undiscovered cultural objects</p> <p>(d) UNIDROIT instruments on capital markets</p>

NON-LEGISLATIVE ACTIVITIES	
<b>1. UNIDROIT Library and Depository Libraries ***</b>	
<b>2. Publications ***</b>	
<b>3. Internships and scholarships ***</b>	

The General Assembly was also called, under Article 7*bis* (2) of the UNIDROIT Statute, to elect the Members of the Administrative Tribunal for a period of five years from 1<sup>st</sup> January 2020 and decided to maintain the previous composition.<sup>5</sup> The Assembly also appointed a new Auditor for a period of five years from 1<sup>st</sup> January 2020.

During the debate on financial issues, the Assembly approved the Accounts for the 2018 financial year as well as the adjustments to the 2019 Budget. The General Assembly also adopted the draft budget for 2020.

The Finance Committee <sup>6</sup> met twice in 2019 under the chairmanship of Mr Benito Jiménez (Mexico), in particular to discuss the classification of States in the UNIDROIT contribution chart and the update of the new compensation and social security package offered to UNIDROIT staff. The 86<sup>th</sup> session was held on 4 April 2019 and the 87<sup>th</sup> session took place on 10 October 2019. The Committee made recommendations on various financial issues later submitted for consideration by the General Assembly.

### **3. Secretariat**

In 2019, several changes took place within the Secretariat Professional Staff. A Senior Legal Officer, Ms Frédérique Mestre, retired after more than thirty years of loyal services to the Institute, and another Legal Officer, Mr Neale Bergman, left after five years of dedicated work. One Senior Legal officer (Mr Carlo Di Nicola), and two Legal Officers (Ms Philine Wehling and Ms Priscila Pereira de Andrade) were hired. During 2019, the Secretariat also renewed the consultancy contract for Mr Hamza Hameed and Professor M. Joachim Bonell. Ms Frédérique Mestre was re-hired as consultant, on part-time basis.

On 31 December 2019, the Secretariat was made up of 20 members, of which eight professional staff (Professional staff), twelve administrative, library, secretarial staff and technical support staff (General Services staff). The Secretariat was also assisted by consultants.

## **B. DIPLOMATIC CONFERENCES, STUDY GROUPS AND EXPERT COMMITTEES**

The following meetings were organised by the Institute in 2019:

<sup>5</sup> The composition of the Administrative Tribunal is the following: the Honourable Sir Francis Jacobs, Professor Erik Jayme, and Professor Gianluigi Tosato as full members, and alternate Judge Rafael Garcia Valdecasas.

<sup>6</sup> At its 76<sup>th</sup> session in 2017, the General Assembly appointed the Finance Committee, for three years commencing on 1 January 2018, the following countries: Brazil, Canada, China, France, Germany, India, Indonesia, Iran, Italy, Japan, Mexico, Republic of Korea, Russian Federation, Spain, Switzerland, the United Kingdom and the United States of America.

**1. Transnational Civil Procedure - Formulation of Regional Rules**

Joint Meeting of the ELI/UNIDROIT Steering Committee, Structure Group and of Co-Reporters and members (Rome, 25-26 February 2019).

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

OTIF / UNIDROIT meeting to discuss the cooperation between the two organisations and the way forward for the implementation of the Rail Protocol (Berne, 16 July 2019).

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

The Sub-Group established to reassess industry participation for the promotion and development of the Space Protocol held a meeting via teleconference.

**4. Adoption of the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment**

International governmental consultation events on the scope of the draft MAC Protocol (Santiago de Chile on 27 June 2019; Beijing on 8 July 2019; São Paulo on 8 August 2019; Puerto Varas on 25 – 27 August 2019; Oxford on 10 – 11 September 2019; London on 12 September 2019; Brussels on 14 October 2019; Rome 15 October 2019).

Diplomatic Conference for the adoption of the MAC Protocol (Pretoria, 11 – 22 November 2019). I

**5. Preparation of an international guidance document on agricultural land investment contracts**

Online consultation on the ALIC Zero Draft (from 1 June until 31 October 2019)

Regional consultation events on the ALIC Zero Draft (Beijing on 8 and 9 July 2019; São Paulo on 9 August 2019 and Nairobi on 23 October 2019)

**C. RELATIONS WITH GOVERNMENTS**

On 31 December 2019 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.

The Secretariat continues consultations with a few non-Member States with a view to their possible accession to the UNIDROIT Statute. Of the many direct meetings and exchanges with Governments, the following are representative examples:



On 29 March 2019, on the occasion of the visit of a group of students from Strathmore Law School, Nairobi, Kenya, Ms Dolphine O. Ndeda and Mr. Tobias Ogweno attended in representation of the *Embassy of Kenya in Italy*. In her closing address, Ms Ndeda underscored Kenya's support for the important work undertaken by UNIDROIT, both regarding its legis-

lative activities and its academic cooperation. She additionally noted that, in order to address old and new challenges faced by Kenya and the African region, integrated and well thought out

approaches as well as international cooperation with international fora such as UNIDROIT were more necessary now than ever;

On 11 April 2019, Deputy Secretary General Professor Anna Veneziano, Senior Legal Officers Frédérique Mestre and Marina Schneider received Madame Valérie Gomez Bassac, *Députée de l'Assemblée Nationale*, Madame Capucine Louis (Pôle Economie, Finances et Gestion publiques, French Embassy in Italy) and Monsieur Pascal Gand (*Magistrat de liaison, French Embassy in Italy*).

On 19 July 2019, Mr Boil Banov, *Minister of Culture of Bulgaria*, visited UNIDROIT to strengthen cooperation between his Ministry and the Institute and to confirm the decision of Bulgaria to accede to the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects which has become a priority for his country. He was welcomed at the UNIDROIT Headquarters by Professors Ignacio Tirado and Anna Veneziano.



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

### **Hague Conference of Private International Law (HCCH)**

On 4 -6 March 2019, Deputy Secretary-General Professor Anna Veneziano participated on behalf of UNIDROIT in the *HCCH Council on General Affairs and Policy*.

On 18 - 19 June and 28 June - 2 July 2019 UNIDROIT participated in the 22<sup>nd</sup> *Diplomatic Session of the HCCH for the adoption of the 2019 Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters*. The Convention, once implemented, will help reduce transactional and litigation costs in cross-border dealings and improve access to justice. The final text of the 2019 Judgments Convention is available on the [Hague Conference's website](#).

### **United Nations Commission on International Trade Law (UNCITRAL)**

On 6 - 7 May 2019, UNIDROIT and UNCITRAL, under the patronage of the Italian Ministry of Foreign Affairs and International Cooperation, joined forces to explore possible areas of cooperation and include in their mandate the elaboration of legal instruments in the field of Distributed Ledger Technology (DLT), Smart Contracts and Artificial Intelligence, upon specific request of their membership. To this end, the two organisations called upon experts to assist in identifying areas and topics which would benefit from future legal instruments, as well as the types of instruments that would be most beneficial. The *Joint Workshop on the legal issues arising from the use of Smart Contracts, Artificial Intelligence and DLT* opened with an address delivered by Mr Pasquale Velotti (Deputy Head of the Service for Legal Affairs, Diplomatic Disputes and International Agreements, Italian Ministry of Foreign Affairs and International Cooperation), and Introductory remarks delivered by Ms Anna Joubin-Bret (Secretary, UNCITRAL) and Professor Ignacio Tirado, and the six panels that followed were chaired by Professor Henry Gabriel (UNIDROIT Governing Council member, Elon University), Professor Charles Mooney (University of Pennsylvania), Professor Giusella Finocchiaro (University of Bologna), Professor Louise Gullifer (University of Oxford), Professor Teresa Rodríguez de las Heras (Universidad Carlos III Madrid), Professor Hideki Kanda (UNIDROIT Governing Council member, Gakushuin University).

The panels were respectively designed to: discuss and agree upon (to the extent possible) the main concepts and definitions (Panel I); help understand the adequate scope of work (Panel II); specific operations and how DLT, smart contracts and AI would fit in the realm of traditional contract law (Panel III); the call for harmonisation within the particular business usages of DLT and Contracts (Panel IV); the impact of digital emerging technologies on the legacy liability regimes (Panel V); and draw conclusions and summarise the findings of each prior panel and present them in a form that could be taken into consideration by the UNIDROIT Governing Council and by UNCITRAL (Panel V).





On 6 December 2019, UNIDROIT was invited to speak at a *Colloquium on Civil Asset Tracing and Recovery* organised by UNCITRAL at the Vienna International Centre. The purpose of the Colloquium was to better define the scope and nature of possible future work on effective tools for asset recovery in the light of the Commission's recommendations and the work already undertaken by other organisations.



Deputy Secretary-General Anna Veneziano participated in a panel moderated by Angela Barkhouse (KrysGlobal) entitled "Perspective of International Organisations" with Mr. Vladimir Kozin (UNODC), Jean-Pierre Brun (UNODC/World Bank StAR Initiative), Brody Warren (HCCH), José Angelo Estrella-Faria (UNCITRAL). The Secretary-General Ignacio Tirado participated in the 52<sup>nd</sup>

Session of the UNCITRAL Commission to report on matters concerning joint projects and institutional cooperation on 17-18 July 2019.

### **UNIDROIT, UNCITRAL and the HCCH**



The *customary co-ordination meeting* between the Secretaries-General of the HCCH, UNCITRAL and UNIDROIT took place in Rome on 24 April 2019.

Secretary-General Ignacio Tirado and Deputy Secretary-General Anna Veneziano welcomed Mr Christophe Bernasconi, Secretary-General of HCCH, as well as UNCITRAL representative Mr José Angelo Estrella Faria to discuss, among other things, the current joint projects and possible new topics for future cooperation among the three "sister" organisations. The meeting was an excellent opportunity to identify and discuss potential areas of complementarity and coordination in the topics that were put to the UNIDROIT Governing Council for consideration at its 98<sup>th</sup> session (Rome, 8-10 May 2019). The next meeting was scheduled to take place in spring 2020, hosted by the HCCH.

## **E. CO-OPERATION WITH OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS**

In the course of the period under review, the Institute was represented at several meetings organised by other international organisations including the Italian Association for Arbitration (AIA), the Commonwealth Secretariat, the European Commission, the European Law Institute (ELI), the Food and Agriculture Organization of the United Nations (FAO), the Intergovernmental Organisation for International Carriage by Rail (OTIF), the International Bar Association (IBA) (for the cooperation with the IBA, see below B.3.b), the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), the International Fund for Agricultural Development (IFAD), the International Insolvency Institute, INTERPOL, the Kozolchuk National Law Center, the National Law Center for Inter-American Free Trade, the Organisation for Economic Co-operation and Development (OECD), the Organization for the Harmonization of Business Law in Africa (OHADA), , United Nations Office for Outer Space Affairs (UNOOSA), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Bank and the World Customs Organization (WCO). In 2019 UNIDROIT continued to engage with the Asia-Pacific region through the Asia Pacific Economic Cooperation (APEC) forum. UNIDROIT has enjoyed formal observer status with the APEC Economic Committee since 2016. In March 2019, Professor Ignacio Tirado delivered a keynote address to the Strengthening Economic and Legal Infrastructure (SELI) group of the APEC Economic Committee in Chile. Professor Tirado also participated in the Economic Committee plenary meeting, marking the first instance of a Unidroit Secretary-General attending APEC. In August 2019, Senior Legal Officer William Brydie-Watson participated in the APEC Economic Committee and presented on the legal and economic benefits of the Cape Town Convention during a policy dialogue on secured transactions reform. APEC provides a valuable forum through which UNIDROIT can engage APEC's 21 member economies across the Asia-Pacific region.

The following are only some representative examples of the cooperation between the Secretariat and international organizations:

- on 14 October 2019 the Finnish Presidency of the **Council of the European Union**, in partnership with UNIDROIT, convened a workshop in Brussels to promote the Organisation in general and the Cape Town system more specifically. Mr Antti T. Leinonen, member of the UNIDROIT Governing Council, attended the meeting. Professor Ignacio Tirado delivered a presentation on "UNIDROIT and its importance to EU Member States" to the EU Working Party on Civil Law Matters at the EU Council in Brussels;



- on 29 October 2019, Professor Ignacio Tirado participated in a high-level symposium organised by the **Intergovernmental Organisation for International Carriage by Rail (OTIF)** in Vilnius, to mark the 20<sup>th</sup> anniversary of the Vilnius Protocol. He spoke on a roundtable alongside OTIF Secretary-General, Mr Wolfgang Küpper, EC-DG MOVE Head of Single European Rail Area unit, Mr Maurizio Castelletti, moderated by the Ambassador of the Republic of Lithuania H.E. Dr. Vytautas Naudužas.

- on 11 April 2019, as part of the cooperation with the **Global Forum on Law, Justice and Development (GFLJD)**, during the World Bank Group Spring Meetings Event, a session was devoted to the "*Human-Centred Business Model: Sustainable Business Practices for Sustainable Development Outcomes*".<sup>7</sup> The session sought to introduce the HCBM to a wider audience and explored how it could contribute to achieving the UN Sustainable Development Goals. It also analysed what role legal frameworks play in supporting HCBM's multidimensional approach towards meeting these goals. Speakers were: Ms Sandie Okoro, Senior Vice President and World Bank Group General Counsel, Mr Angel Gurría, Secretary-General, Organisation for Economic Co-operation and Development, Ms Pascale Dubois, Vice President, Integrity, World Bank Group, Ms Odile Renaud-Basso, Director-General, French Treasury, and Mr Frédéric Samama, Co-Head of Institutional Clients Coverage, Amundi Asset Management, moderated the session.

- Between 25-26 October 2019, UNIDROIT was invited to participate at the Conference on the Theory and Practice of: "Court Decision Enforcement in Commercial Disputes: Achievements, Challenges, and Future Development" held in Bishkek, Kyrgyzstan. This Conference was organised by the **European Bank for Reconstruction and Development (EBRD)** in cooperation with the **International Development Law Organization (IDLO)**, with support from the Supreme Court of the Kyrgyz Republic. Mr Hamza Hameed delivered a presentation in Session IV of the Conference highlighting the importance of effective enforcement in international commercial law reform, as well as shedding light on UNIDROIT's past, current, and future work in the area. The session was moderated by Ms Margarita Meldon, Regional Program Manager, Eastern Europe and Central Asia Programs at IDLO, and also had presentations from Mr Marc Schmitz, President of the International Union of Judicial Officers (UIHJ), Ms Sheryl L. Loesch, President of the International Association for Court Administration (IACA), and Mr Mariana Fernandez Puche, Project Coordinator at the European Commission for the Efficiency of Justice (CEPEJ).

## F. COOPERATION WITH ACADEMIC INSTITUTIONS

### 1. Meetings and conferences

Several members of the Secretariat participated in numerous meetings and conferences at academic institutions. The following are only some representative examples:

- On 24 January 2019, Professor Ignacio Tirado delivered the inaugural speech of the 15<sup>th</sup> edition of the International Business Law Masters of the Business and Economics Department of **La Sapienza University**. The session was opened by the Director of the Economic Law Department Professor Daniele Vattermoli, the Director of the Masters Programme, Professor Daniele U. Santosuosso, and its Scientific Coordinator Professor Alessandro Nigro. Professor Tirado's lecture

<sup>7</sup> <https://www.worldbank.org/en/events/2019/02/21/human-centered-business-model#3>



was entitled "Ripensando il Diritto Transnazionale", in which he provided his vision on the challenges faced by International Commercial Law and the Role of International Organisations such as UNIDROIT;

- on 27 March 2019, Professor Anna Veneziano delivered a lecture at the **University Roma Tre Law Faculty** entitled "L'uniformazione internazionale del diritto: risultati, sfide e prospettive";



- on 29 March 2019, a group of 75 students from **Strathmore Law School** (Nairobi, Kenya) visited UNIDROIT as part of an annual academic excursion organised by Strathmore University to important legal institutions from around the world. The group was accompanied by the Dean of the Law School, Professor Luis Franceschi and a group of professors, and Mr Allan M. Mukuki, Director of International Partnerships. On this occasion, Professor Ignacio Tirado welcomed all the guests and expressed his appreciation for building stronger ties with the Kenyan legal community. This was followed by a series of short presentations on "UNIDROIT's contribution to

International Commercial Law reform and to Sustainable Development Goals", by Professor Ignacio Tirado, by Professor Anna Veneziano, and Legal Officers Ms Frederique Mestre and Mr William Brydie-Watson;

- on 12 April 2019, UNIDROIT welcomed the second of two groups of students from **Strathmore Law School** (Nairobi, Kenya). Around 80 Students were accompanied Professor Luis Franceschi and Mr Allan M. Mukuki. A group of six visiting graduate students from the University of Washington Global Business Programme / UNIDROIT also attended and joined the discussion. The programme was the same as the first seminar held in March with an additional presentation of the UNIDROIT's instruments in the field of the international protection of cultural property by Ms Marina Schneider, Senior Legal Officer and Treaty Depositary. The seminar concluded with a round table on the Role of Comparative Commercial Law in International Commercial Law Reform, which featured the UNIDROIT Secretary General and the Deputy Secretary General, as well as Professor Scott Schumacher, co-director of the University of Washington Global Business Programme/ UNIDROIT. On this occasion, Professor Ignacio Tirado and Professor Luis Franceschi signed a memorandum of understanding at the end of the seminar;



- on 3 May 2019, UNIDROIT, represented by Professor Ignacio Tirado and Professor Anna Veneziano, took part in the **Luiss** B&C Law Masters Course. The Secretary-General took part in a roundtable opposite John Denton, Secretary-General of the International Chamber of Commerce (ICC), moderated by Professor Barbara De Donno, Director of the Masters and Professor of Comparative Private Law at Luiss. The Deputy Secretary General then delivered a lecture on the Regulation of International Commerce, Soft Law – International Conventions and the UNIDROIT Principles;

- on 13 May 2019, UNIDROIT partnered with the *Cátedra de Estudios Jurídicos Iberoamericanos* to deliver a seminar hosted by Alfonso-Luís Calvo Caravaca, member of the UNIDROIT Governing Council, at the **Universidad Carlos III de Madrid** on "UNIDROIT and the Codification of International Private Law". Presentations were made by Spanish experts and UNIDROIT Secretariat officers on UNIDROIT's role in unifying international private law and the *lex mercatoria*, the UNIDROIT Principles of International Commercial Contracts, the Cape Town Convention and its Protocols and UNIDROIT's work on Contract Farming and Agricultural Land Investment Contracts;

- on 11 June 2019, Professor Anna Veneziano delivered a lecture at the **European University of Rome** on the 1980 UN Convention on Contracts for the International Sale of Goods (CISG) and the UPICC;



- on 27 June 2019, Professor Ignacio Tirado delivered a keynote speech at the opening of the Masters in Private Law of the **Pontificia Universidad Católica de Valparaíso**, Chile (PUCV). The entire workshop, organised and hosted by PUCV, was devoted to the work of UNIDROIT, with panels on the Cape Town Convention system, the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming and the International Guide on Agricultural Land Investment Contracts, all integrated by local experts. The level of knowledge by the experts and the depth of the discussion on UNIDROIT's instruments was very high in this very well attended event, which included addresses by Profs. Guerrero and Vidal, of the PUCV;

- on 8 and 9 July 2019, UNIDROIT participated in a high-level conference entitled "UNIDROIT and China: The Cape Town Convention, Investing in Agriculture and UPICC", hosted by the **University of International Business and Economics (UIBE)** in Beijing. The conference was co-sponsored by FAO, IFAD and the Ministry of Commerce of the People's Republic of China (MOFCOM). The event brought together Governmental representatives, academics, legal experts, international organisations and private sector stakeholders to examine a range of UNIDROIT instruments and their legal and economic impact in China. In particular, the conference focused on the Convention on International Interests in Mobile Equipment (Cape Town Convention), the Luxembourg Rail Protocol and future Mining, Agricultural and Construction (MAC) Protocol, the UNIDROIT-FAO-IFAD Legal Guide on Agricultural Land Investment Contracts (ALIC) currently under development, the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming and the UNIDROIT Principles on International Commercial Contracts;

- on 12 and 13 September 2019, Professor Ignacio Tirado and Professor Anna Veneziano attended the **Queen Mary-UNIDROIT Institute of Transnational Commercial Law 11<sup>th</sup> Transnational Commercial Law Teachers' Meeting** which was held in London. Professor Ignacio Tirado delivered the opening remarks with Professor Sir Roy Goode, whereas Professor Anna Veneziano moderated a panel on "Customary practices in the modern business context 1: Governance and Enforcement";



- on 18 September 2019, on the occasion of the launch of the posthumous publication of "*Diritto del Commercio Internazionale: Fondamenti e Prospettive*" (Mazzoni, A., Malaguti, M.C., Giappichelli Editore, 2019, Turin), UNIDROIT hosted a round table in memory of President Professor Alberto Mazzoni. The event, *co-organised with the Cattolica University of Milan*, was an opportunity to share and celebrate the late President Mazzoni's life through his final effort to provide scholars with a text book on the tenets of international commercial law, from the origins of Lex Mercatoria, to the present day. The proceedings were opened by Professor Ignacio Tirado, who will also be the author of the preface of the English version, followed by Professor Duccio Regoli (Cattolica University), who also spoke in the name of Professor Mazzoni's students. Professors Angel Rojo (Emeritus, University of Madrid) and Christoph Paulus (Emeritus, Humboldt University of Berlin), respectively preface authors of the Spanish and German versions, each then took the floor to share their interpretation and respects for Professor Mazzoni's last publication and body of work as a whole. Professor Maria Chiara Malaguti (Cattolica University, Rome), co-author of the publication, concluded the discussions;

- on 20 September 2019, **Roma Tre University** and UNIDROIT co-hosted the Sixth Edition of the Annual International Arbitration Lecture entitled "Globalization. A Deconstruction and Reformulation of Investor-State Arbitration within the Rubric of the UNIDROIT Principles. A Conceptual Journey", as part of the programme of the International Commercial and Investment Arbitration Theory and Practice Certificate, jointly organised by Roma Tre, the Italian Arbitration Association, the International Court of Arbitration, and the Chamber of Arbitration of Milan. This edition was dedicated to the memory of the late President of UNIDROIT, Professor Alberto Mazzoni. Professor Ignacio Tirado and Professor Andrea Zoppini (Faculty of Law, Roma Tre University) opened the event, recalling the Professor Mazzoni's enthusiasm for this Lecture Series, and introduced the Keynote speaker, Professor Pedro Martinez Fraga (Co-Head, International Arbitration, BCLP, Adjunct

Professor, NYU School of Law - ICSID Panel of Conciliators). Some 70 participants gathered in the UNIDROIT Library to attend the event.

- on 5 November 2019, Secretary General Ignacio Tirado delivered the Keynote address entitled "Rethinking Transnational Law", in the context of the Faculty of Law of the University of Hong Kong's 50<sup>th</sup> Anniversary Distinguished Lecture Series and 17<sup>th</sup> Asian Institute of International Financial Law Distinguished Public Lecture, hosted by the Faculty of Law of The University of Hong Kong. Prof. Tirado presented a critical analysis of the current state of transnational law and the interaction between the different players involved, sharing some reflections as to where this field of international should be headed for.

## 2. Co-operation agreements

In 2019, UNIDROIT signed several co-operation agreements with different institutions. The following are some representative examples:

- in January 2019, UNIDROIT and the **University of Nicosia** (Cyprus) signed a Memorandum of Understanding (MoU) to promote cooperation between UNIDROIT and the University of Nicosia School of Law. Cooperation will cover the consideration of UNIDROIT instruments and projects within the University's relevant academic programs, the promotion of the UNIDROIT Research and Internship Programme and the creation of a fellowship scheme;

- in February 2019, UNIDROIT and the **University of Opole** (Poland) signed a MOU to expand and enhance their cooperation by considering the UNIDROIT instruments and projects within the University of Opole's relevant academic programs; by promoting the UNIDROIT Research and Internship Programme and by creating a Fellowship Scheme;



- in April 2019, the **University of Strathmore** (Nairobi, Kenya) and UNIDROIT signed a Memorandum of Understanding to establish a partnership whereby UNIDROIT instruments and projects will be included in the relevant academic programs, featuring also the promotion of the internship opportunities, and the creation of a fellowship scheme;

- in April 2019, an MOU was signed between UNIDROIT and the **International Training Centre for the International Labour Organization** (ITCILO). The purpose of the MOU is to cooperate mainly in the areas of the Master of International Trade Law programme (contribution to training) and to facilitate visits and lectures for trainees and ITCILO representatives and lecturers at UNIDROIT events;

- in September 2019, UNIDROIT and the **Comité Americano de Derecho Agrario** (CADA) signed a MOU to provide high quality research and education to cover, amongst other things, exchange and internships of members and associates, joint research projects, joint publications, joint organization of conferences and seminars, co-sponsorship of seminars, conferences and workshops, exchange of academic publication material or other information and special short term academic programs;

- in December 2019, a MOU between UNIDROIT and the **International Institute of Air and Space Law at Leiden University** (The Netherlands) was signed to expand and enhance their cooperation by considering the UNIDROIT instruments and projects, especially the Convention on International Interests in Mobile Equipment and its Aircraft and Space Protocols, within IIASL's academic programme, by promoting the UNIDROIT Research and Internship Programme and by creating a UNIDROIT-IIASL Fellowship scheme;

- finally, in December 2019 the **University of Nottingham, Commercial Law Centre** (UNCLC) and UNIDROIT signed a MOU to enhance their collaboration by considering the UNIDROIT instruments and projects, in particular concerning the international protection of cultural property within the 1995 UNIDROIT Convention Academic Project ("UCAP") within the University of Nottingham's relevant academic programmes, by promoting the UNIDROIT Research and Internship Programme and by promoting knowledge sharing.



## II. LEGISLATIVE ACTIVITIES

### A. WORK IN PROGRESS

#### 1. *International Interests in Mobile Equipment*

##### a. **Protocol to the Cape Town Convention on Matters specific to Mining, Agricultural and Construction equipment**

###### *Adoption of the MAC Protocol*

2019 was a momentous year for the Cape Town Convention system. On 22 November 2019, the fourth Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment (the “MAC Protocol”) was adopted in Pretoria. The treaty was a result of 14 years of work for UNIDROIT, culminating in an intense and collaborative two weeks of negotiations at a Diplomatic Conference hosted by the Department of International Relations and Cooperation (DIRCO) in the Republic of South Africa under the auspices of UNIDROIT.



Over 150 delegates from 42 States, one regional economic integration organisation, three inter-governmental organisations, four international non-governmental organisations, and one technical adviser participated in the negotiations. The Republic of Congo, the Republic of Gambia, the Republic of Paraguay and the Federal Republic of Nigeria all signed the treaty on adoption. During the signing ceremony, an additional 20 States expressed their support for the treaty and declared

their intention to initiate domestic processes to sign the instrument. In appreciation of the Republic of South Africa hosting the Diplomatic Conference, the MAC Protocol will informally be known as the “Pretoria Protocol”.

In preparing for the Diplomatic Conference, UNIDROIT organised a series of fifteen domestic, regional and international consultation events throughout 2019 designed to raise awareness of the treaty, discuss the core legal concepts of the MAC Protocol, and encourage States to participate in the Diplomatic Conference. International and regional consultation events were organised in Brazil, Italy, Kenya and the United Kingdom, as well as in Brussels at the Council of the European Union under the Finnish Presidency. Collectively, the five multilateral consultation events brought together over 200 Governmental representatives, private sector stakeholders and legal experts from 81 States. In August, the Secretariat presented the Cape Town Convention and future MAC Protocol to the Asia Pacific Economic Cooperation (APEC) Economic Committee meeting in Puerto Varas, Chile. Domestic consultations also took place in Canada, Chile, China, France, Ireland, Mauritius, South Africa, Spain and the United States of America.

To assist States in considering the treaty, in advance of the Diplomatic Conference the Secretariat published a series of analytical documents which explained the legal operation of the draft treaty. With a view to progressing legal issues in the draft text requiring further consideration, UNIDROIT also organised two informal expert meetings in Paris (31 January 2019) and Oxford (9 September 2019). A dedicated [website for the MAC Protocol Diplomatic Conference](#) was created in August 2019.

###### *International and regional seminars, conferences and consultation events*

- On 8 August 2019, UNIDROIT organised a **regional consultation workshop in São Paulo** Brazil on the Legal and Economic Benefits of the future MAC Protocol for Latin American States. Hosted by the University of São Paulo Faculty of Law (USP), the workshop brought together 40 participants from eight countries the region (Argentina, Bolivia, Brazil, Chile, Guatemala, Mexico, Paraguay, Uruguay) including Government representatives, private sector stakeholders, legal practitioners and academic experts. The purpose of the event was to discuss how the MAC Protocol will provide a legal framework in Latin America for the financing of mining, agricultural and



construction (MAC) equipment to facilitate cross-border trade and investment. The event highlighted the economic opportunities that the MAC Protocol will create for the Brazilian manufacturing industry, given Brazil's status as the region's major exporter of MAC equipment.



The workshop was co-Chaired by the UNIDROIT Secretary-General Ignacio Tirado and the Head of the University of São Paulo Commercial Law Department Paula Forgioni and featured presentations from representatives of the International Finance Cooperation (John Wilson), the MAC Working Group (Felipe Bonsenso Veneziano), the

National Law Center for Inter-American Free Trade (Adalberto Elias), USP (Paolo Fontoura) and UNIDROIT (Ignacio Tirado and William Brydie-Watson).

- Between 25 and 27 August 2019, UNIDROIT participated in a number of meetings convened as part of the **Asia Pacific Economic Cooperation (APEC)** 2019 Third Senior Officers Meeting in Puerto Varas, **Chile**. During a policy dialogue on secured transactions reform delivered in partnership with UNCITRAL and the International Finance Corporation, Senior Legal Officer William Brydie-Watson presented on the legal and economic benefits of the Cape Town Convention and the MAC Protocol for APEC Member Economies;

- A technical consultation workshop jointly organised by UNIDROIT and the Commercial Law Centre of Harris Manchester College titled 'The scope of the MAC Protocol and the Harmonized System' was held at **Harris Manchester College in the University of Oxford** on 9 September 2019. This event brought together 30 legal experts, government representatives and industry stakeholders to discuss the relationship between the future MAC Protocol and the Harmonized System (HS), with a particular focus on (1) the use of HS codes to define the application of the MAC Protocol in relation to mining, agricultural and construction (MAC) equipment, (2) the HS codes currently proposed for inclusion in the draft MAC Protocol and (3) how the MAC Protocol will adapt to revisions to the Harmonized System;

- An **international conference** titled 'The MAC Protocol: Legal and economic benefits for States, international trade and development' was held at Clyde & Co in **London** on 12 September 2019. This event was jointly organised by UNIDROIT, the South African Department of International Relations and Cooperation (DIRCO), the MAC Working Group and was hosted by Clyde & Co LLP. The conference was attended by delegates from 18 different States as well as notable experts from the private sector. The conference brought together diplomatic representatives, legal experts and industry stakeholders to discuss the beneficial impact of the MAC Protocol, with a particular focus on developing countries and emerging markets. The event was opened jointly by Professor Ignacio Tirado and His Excellency Marc Jürgens (Acting High Commissioner, South African High Commission in London);



- On 14 October 2019 the Finnish Presidency of the Council of the European Union, in partnership with UNIDROIT, convened a **workshop in Brussels** to discuss the MAC Protocol. Hosted at the EU Council, the event brought together approximately 40 experts and representatives of **EU**



**Member States** to discuss the beneficial economic and legal effects of the MAC Protocol. The workshop was chaired by UNIDROIT Governing Council Member and Director General of the Finnish Ministry of Justice Antti Leinonen and featured presentations by Professor Ignacio Tirado, Professor Anna Veneziano, William Brydie-Watson and Patrizia De Luca (Team Leader, European Commission Directorate-General for Justice, Freedom and Security);

- On 15 October 2019 UNIDROIT held an **international briefing** event to discuss the MAC Protocol to the Cape Town Convention at the UNIDROIT headquarters in Rome, Italy. The briefing brought together over 40 diplomatic representatives from 34 States to discuss the legal and

economic benefits of the MAC Protocol, with a **particular focus on developing countries and emerging markets**. The event provided an opportunity for diplomatic missions to discuss the treaty in preparation for the Diplomatic Conference;



- On 22 October, at an event hosted by Strathmore University Law School in **Nairobi**, UNIDROIT organised an **International Conference** to discuss the MAC Protocol, as well to discuss the benefits of the Luxembourg Rail Protocol for Africa as an adopted treaty within the framework of the Cape Town Convention. The event drew the participation of diplomatic and government representatives, legal experts and industry stakeholders to discuss the beneficial of the Rail and MAC Protocols to the Cape Town Convention on developing countries and emerging markets, providing the African States represented at the event with a further opportunity to learn more about the future of the treaty in advance of the adoption of the MAC Protocol at the Diplomatic Conference in Pretoria.

#### *National seminars, conferences and consultation events*

- On 22 January 2019 the Secretariat held a consultation event with the **Irish Government** on the MAC Protocol at the Irish Department of Foreign Affairs and Trade in Dublin. Representatives from different areas of the Irish Government attended the event, including the Department of Foreign Affairs and Trade, the Department of Agriculture, Food and the Marine, the Department of Finance, Enterprise Ireland and Aviareto Ltd.;

- On 1 February 2019 Université Paris 2 hosted a **French domestic consultation event** for the Cape Town Convention. Panels covered the Convention, Aircraft, Rail and MAC Protocols, as well as specific issues associated with implementation of the treaty system in France. The meeting was attended by approximately 30 participants from Government, the private sector and academia;



- A **Colloquium** entitled "The Cape Town Convention – Past successes and Future Opportunities" was held on 30 April 2019 at the Law Faculty of the Université de Montréal. The event was a joint undertaking between the **Department of Justice Canada and the Université de Montréal**, with the financial support of the MAC Working Group. Some sixty speakers and participants representing academia, agricultural and aerospace financing, the International Civil Aviation Organization, governments and lending institutions discussed the benefits associated with the Convention and its Aircraft Protocol and draft MAC Protocol. In addition to disseminating information about the Cape Town Convention to Canadian practitioners and users, the colloquium provided a valuable opportunity for Canadian stakeholders to provide input on the draft MAC Protocol in advance of its adoption;

- On 13 May 2019 UNIDROIT partnered with the *Catedra de Estudios Juridicos Iberoamericanos* to deliver a **seminar** on "UNIDROIT and the Codification of International Private Law". Hosted by the **Universidad Carlos III de Madrid** and co-chaired by Professor Ignacio Tirado and UNIDROIT Governing Council Member Professor Alfonso-Luis Calvo Caravaca, the seminar brought together experts and academics working in the fields of private international law and international commercial law. Presentations were made by Spanish experts and UNIDROIT Secretariat officers on UNIDROIT'S role in unifying international private law and the lex mercatoria, the UNIDROIT Principles of International Commercial Contracts, the Cape Town Convention and its Protocols (including the MAC Protocol) and UNIDROIT'S work on Contract Farming and Agricultural Land Investment Contracts;

- On 27 June 2019, Professor Ignacio Tirado was invited to address a **talk** to the APRIMIN (*Asociación de Proveedores Industriales de la Minería*), the national association of suppliers of the mining industry of **Chile** on the Protocol to the Cape Town Convention on Matters Specific to Mining, Agricultural, and Construction Equipment;

- On 8 – 9 July 2019, UNIDROIT participated in a **high-level conference** entitled "UNIDROIT and **China**: The Cape Town Convention, Investing in Agriculture and UPICC", hosted by the University of International Business and Economics (UIBE) in Beijing. The conference was co-

sponsored by FAO, IFAD and the Ministry of Commerce of the People's Republic of China (MOFCOM). The event brought together Governmental representatives, academics, legal experts, international organisations and private sector stakeholders to examine a range of UNIDROIT instruments and their legal and economic impact in China. The conference focused among other on the Cape Town Convention Protocols, including the MAC Protocol;

- On 2 September 2019, the UNIDROIT Secretariat participated in **meetings in Mauritius** to support the Government in its implementation of the Cape Town Convention and its Protocols. The meetings were facilitated by the Mauritius Economic Development Board (EDB) and included a series of technical consultations with the Law Reform Commission, which had prepared the draft implementing legislation for the Convention and its Protocols;

- On 5 September 2019, the UNIDROIT Secretariat participated in a **consultation event** on the MAC and Rail Protocols, hosted by the South African Department of International Relations and Cooperation (DIRCO) in Pretoria, **South Africa**. The meeting included representatives from five Government agencies and discussed various aspects of South Africa's progress towards implementation of the Rail Protocol and MAC Protocol.

## **b. Preparation of other Protocols to the Cape Town Convention**

Upon recommendation from the Governing Council, the General Assembly at its 75<sup>th</sup> session (Rome, 1 December 2016) decided to include the preparation of additional Protocols to the Cape Town Convention on matters specific to (i) ships and maritime transport equipment, and (ii) renewable energy equipment on the Institute's 2017-2019 Work Programme. Both projects were assigned a low priority by the General Assembly at that session. At its 78<sup>th</sup> session (Rome, 12 December 2019), the General Assembly decided to maintain the two projects on its Work Programme for the triennial period 2020-2022 and confirm its low level priority status.

Consistent with the assigned level of priority, the Secretariat has continued to monitor developments in the area of ships and maritime equipment and to conduct research and engage with industry to further determine the viability of a future Protocol on renewable energy equipment.

## **2. Private Law and Agricultural Development**

### **a. Preparation of an international guidance document on agricultural land investment contracts**

Consistent with UNIDROIT's Work Programme for the 2017-2019 triennium, which includes a project on agricultural land investment contracts as a high priority item and next step in UNIDROIT's ongoing collaboration with FAO and IFAD in the area of private law and development, the Working Group on Agricultural Land Investment Contracts (ALIC)<sup>8</sup> continued to prepare a future Legal Guide on such contracts in 2019.

The future Legal Guide is to be used by counsels working on the leasing of agricultural land – whether from a State, local community, customary authority or private party – in order to support the preparation, negotiation and implementation of agricultural land investment contracts that are consistent with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (VGGT), the CFS Principles for Responsible Investment in Agriculture and Food Systems (CFS-RAI Principles), the UN Guiding

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<sup>8</sup> The Working Group is chaired by Mr José Antonio Moreno Rodríguez, a member of the UNIDROIT Governing Council, and currently includes: Mr Lorenzo Cotula, Principal Researcher in Law and Sustainable Development at the International Institute for Environment and Development (IIED); Mr D. Daryono, Professor at Universitas Terbuka, Jakarta; Ms Bénédicte Fauvarque-Cosson, Professor at Université Paris 2; Mr James Gathii, Wing-Tat Lee Chair in International Law and Professor of Law at Loyola University Chicago School of Law; Ms Jean Ho, Assistant Professor at the National University of Singapore; Mr Pierre-Etienne Kenfack, Professor at Université Yaoundé 2; Ms Yuliya Panfil, Associate, Investments at Omidyar Network and Mr Virgilio de los Reyes, Professor, De La Salle University, Manila. The Working Group also includes representatives of FAO; IFAD; the International Land Coalition (ILC); NGOs and research institutes; the World Farmers Organisation; and the Private Sector Mechanism at CFS, which provides views on behalf of the wider private sector.



Principles for Business and Human Rights and other international instruments. The Legal Guide – which is to build upon the success of the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming and the UNIDROIT Principles of International Commercial Contracts – does not endorse large-scale land acquisitions and purports to raise awareness on alternative investment models. The Legal Guide will help to ensure that leases of agricultural land are done responsibly and that stakeholders’ rights, including those of legitimate tenure right holders, are both protected and respected. To do so, the Legal Guide is addressing, among other relevant matters, the following six main aspects: the legal framework; parties, due diligence and formation; obligations and rights of the parties; contractual non-performance; transfer and return; and dispute resolution.

## b. Consultations on the ALIC Zero Draft

At its fourth meeting (Rome, 9-11 October 2018), the Working Group agreed that the revised draft Guide – the ALIC Zero Draft – should be submitted to broad and extended consultations to raise awareness about the Legal Guide and to seek further input from stakeholders, in order to ensure a high-quality product that responds to actual needs and complies with ascertained best practices. This course of action was endorsed by the Governing Council at its 98<sup>th</sup> session (Rome, 8-10 May 2019).

ONLINE CONSULTATION:  
Review of the Draft UNIDROIT-FAO-IFAD  
Legal Guide on Agricultural Land Investment Contracts

From 1 June until 31 October 2019, the ALIC Zero Draft was made available for comments and feedback as part of an **online consultation** on the UNIDROIT website, as well as on a number of other key online platforms, including the

Global Forum on Food Security and Nutrition (FSN Forum) hosted by FAO, the LandPortal.org, and the Afronomics law website. Comments were also welcomed through UNIDROIT, FAO and IFAD’s social media networks (e.g. Facebook, LinkedIn, Twitter). For more information on the feedback received see the [Online Consultations Report](#).

A **series of regional consultation events** were also held around the world in coordination with Working Group experts, with the input received to be incorporated into the future Legal Guide by the Secretariat together with the experts and representatives. UNIDROIT is grateful to IFAD for the financial support provided through a “mini-grant” and which facilitated these consultation events:

### *First regional consultation workshop – Beijing*

On 8 and 9 July 2019 UNIDROIT delivered its *first regional consultation* on the ALIC Zero Draft in Beijing. Delivered as part of a high-level conference entitled “UNIDROIT and China: The Cape Town Convention, Investing in Agriculture and UPICC” and hosted by the University of International Business and Economics (UIBE), the event was co-sponsored by FAO and IFAD.

During the consultation, experts provided an overview of the key issues underpinning the Legal Guide and facilitated comments on the Zero Draft from Chinese stakeholders (for the detailed agenda see the [Report](#)). A separate panel discussed the dissemination of the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming in China. Speakers included Professor Ignacio Tirado, Professor Anna Veneziano, UNIDROIT Governing Council Member and Chair of the Contract Farming Working Group Henry Gabriel, FAO Representative in China and DPR Korea Vincent Martin, Head of IFAD’s East Asia Regional Hub and South-South Cooperation Center Matteo Marchisio and ALIC Working Group Members Virgilio de los Reyes and Ho Qing Ying. Associate Professor at the China Agriculture University Zhou Chao acted as discussant in relation to the Contract Farming Legal Guide.



### *The second regional consultation workshop – Brazil*

The event took place on 9 August 2019 at the University of São Paulo Faculty of Law (USP) and was co-sponsored by IFAD and FAO. As part of the finalization of the future Legal Guide, the purpose of the workshop was to raise awareness and to receive feedback from stakeholders in Latin America, including investors’ legal counsels, government officials, non-governmental organisations, academics and private sector representatives. The workshop garnered 40 participants from several

Latin American countries including Brazil, Chile, Argentina, Bolivia, Guatemala, Mexico, Paraguay, and Uruguay.

The workshop was co-Chaired by Professors from USP's Civil and Commercial Law Departments (José Simão and Paula Forgioni). The program included an introduction to the ALIC Guide by the UNIDROIT Secretary-General and two sessions of discussions on agricultural land investment contracts in Brazil and Latin America with speakers from FAO Regional Office for Latin America and the Caribbean (Rolf Hackbart); the Country Director of IFAD in Brazil (Claus Reiner); the vice-president of the Brazilian Rural Society (Francisco de Godoy Bueno); a member of the ALIC Working Group (Priscila Pereira de Andrade); the Coordinator of the Graduate Course on Agricultural Law and AgriBusiness of the Superior School of the Public Prosecution Office (Antonio Zanette); an International Investment Law Professor from the Center University of Brasília (Nitish Monebhurum); a Private Law Professor from USP-Ribeirão Preto (Flavia Trentini) and a Law Professor from Getulio Vargas Foundation (Rabih Nasser). For the detailed agenda see the [Report](#).



#### *The third consultation workshop – Nairobi*



The third event was held in Nairobi (Kenya) on 23 October 2019 at the Strathmore University Law School in Nairobi, gathering more than 40 experts from a number of African States, including Kenya, Ethiopia, Nigeria, Uganda, Tanzania, South Africa, and Sudan, as well as legal experts from international organisations such as UN Environment. The workshop was organized in four sessions: to provide an overview of the Guide and its primary

objectives (Session 1); to delve into the key issues of drafting and implementing responsible agricultural land investment contracts (Session 2); to strike the right balance between the rights and obligations of the parties in Africa (Session 3); and to explore remedies and dispute resolution in the context of agricultural land investment contracts (Session 4) (For the detailed agenda see the [Report](#)).

All the feedback received through the online consultation and the regional consultation events has been submitted to the Working Group and taken into account, as appropriate, for the draft's final revision, with a view to incorporating those inputs into the final draft of the future Legal Guide in order to ensure a high-quality product that responds to actual needs and complies with ascertained best practices in the relevant region.

### **3. Transnational Civil Procedure – Formulation of Regional Rules**

In 2014, UNIDROIT and the European Law Institute (ELI) agreed on a Memorandum of Understanding specifically related to a project on European civil procedure rules based on the American Law Institute (ALI)/UNIDROIT Principles of Transnational Civil Procedure.

The final Annual meeting with the Steering Committee, Structure Group and Co-Reporters of the Working Groups was held in Rome on 25-26 February 2019. The meeting began by addressing the current status of the Consolidated Draft, on the basis of the text provided by the Working Group on "Structure" and explored the main issues that were still under consideration. The discussion included the revised output of five Working Groups, the updated structure of the Rules, an introductory part containing the general provisions and an additional set of rules on pleadings developed by the Structure Group. The plenary meeting went on to monitor the progress of the working drafts on "Costs", "Judgements", and "Appeals", with fruitful presentations and discussions to facilitate their completion.

In the course of 2019, work continued on the Black-Letter Rules and the Comments to prepare a complete draft to be presented at the ELI General Assembly for further discussion.

#### *Seminars and conferences*

- The ELI/ UNIDROIT project was discussed at a conference organised by the *Wissenschaftliche Vereinigung für Internationales Verfahrensrecht* held in Hamburg at the Bucerius Faculty of Law from 13 to 16 March 2019, opened by Professors Burkhard Hess, Katharina Boele-Woelki and Karsten Thorn; the seminar featured presentations by Professors Rolf Stürner and Xandra Kramer, followed by a Round Table chaired by Professor Paul Oberhammer with participation of Professor Beate Czerwenka, Dr. Gottfried Hammer and Professor Roman Poseck.



- on 4 September 2019, the consolidated draft of the Rules in English was presented and discussed in Vienna, in the occasion of ELI's General Assembly. Professor Anna Veneziano participated in the opening session together with Diana Wallis, former ELI President and member of the Steering Committee, and Matthias Storme, Chairman of the Members Consultative Committee for the project. The sessions' aim was to present the consolidated draft of the Rules in

English to the ELI constituency, as well as to collect inputs from the Members' Consultative Committee and the ELI Advisory Board for the project and prepare for approval of the finalised text in English by ELI at its next Executive Committee Meeting in early 2020. The panels, opened by Diana Wallis, Anna Veneziano and Matthias Storme, focused on four key topics: "General Principles, case management and pleadings" (John Sorabji, Anne Nylund, Rolf Stürner); "Evidence" (Xandra Kramer, Nicolò Trocker, Fernando Gascón Inchausti); "Collective Redress" (Remo Caponi, Vincent Smith and Christopher Hodges; "Appeals" (Rolf Stürner; Raffaele Sabato, Christopher Kern). Paul Oberhammer provided concluding remarks. All other Co-Chairs of the Project Working Groups were invited to contribute to the discussions.

## **4. UNIDROIT Principles of International Commercial Contracts**

### **a. Formulation of Principles of Reinsurance Contracts**

The 6<sup>th</sup> Workshop of the Project was held in Frankfurt on 6-8 June 2018, with the participation of UNIDROIT, following which the Working Group finalised a consolidated draft that was presented to the UNIDROIT Governing Council at its 98<sup>th</sup> session (Rome, 8-10 May 2019).

At its 98<sup>th</sup> session, the Governing Council took note of the finalised version of the black-letter rules and comments of the PRICL, commended their use of the UNIDROIT Principles on International Commercial Contracts as a model and as rules of general contract law, and authorised the Secretariat to refer to the text of the PRICL on the UNIDROIT Website once the publication was finalised.

In December 2019, the PRICL were published online and can be accessed as Version 1.0 of 2019 at the following website: <https://www.ius.uzh.ch/de/research/projects/pricl.html>.

Following approval by the General Assembly on the recommendation of the Governing Council at its 98<sup>th</sup> session, the continuation of the project on Reinsurance Contract Law was included in the 2020-2022 Work Programme of the Institute. The first Workshop of this new phase, the 7<sup>th</sup> PRICL Workshop, was held in Zurich, Switzerland on 4-6 December 2019.

#### *Seminars and Conferences*

On 10 May 2019, as a conclusive event to the 98<sup>th</sup> session of the UNIDROIT Governing Council, members of the Working Group on the Principles of Reinsurance Contract Law Project, Professors Helmut Heiss and Diana Cerini as well as Mr Lari Kuitunen and Dr Eberhard Witthoff made presentations on the finalised PRICL rules and comments. The panel was introduced by Professor Arthur Hartkamp, UNIDROIT Vice President, and chaired by Professor



Professor Anna Veneziano, Professor Helmut Heiss (University of Zurich), provided an Introduction to the PRICL and their Relationship with the Unidroit Principles on International Commercial

Contracts, which was followed by a presentation of “Duties” and “Remedies” in the PRICL as compared with the UNIDROIT Principles by Professor Diana Cerini (University of Milan Bicocca). The PRICL were then discussed both from a Direct Insurer’s perspective (Mr Lari Kuitunen, If P&C Insurance), and from a Reinsurer’s perspective (by Dr Eberhard Witthoff, Munich Re Group). The presentations were published in March 2020 in the Uniform Law Review, [volume 25](#).

## **b. UNILEX**

A database of international case law and bibliography on the UNIDROIT Principles of International Commercial Contracts and the 1980 UN Convention on Contracts for the International Sale of Goods (CISG), UNILEX was set up in the mid-nineties by a team of young research fellows of the University of Rome I “La Sapienza” under the supervision of Mr Michael Joachim Bonell, Emeritus Professor of comparative private law at the University of Rome I. UNILEX is accessible free of charge on the Internet at [www.unilex.org](http://www.unilex.org) and has become a widely used source of information worldwide.

The collected decisions are recorded not only in their original language in full text (if available) but also in the form of keywords and abstracts in English, summarising the relevant facts and the *ratio(nes) decidendi* of the case. From the beginning, it has provided access to the decisions not only by date, court or arbitral tribunal, and article(s) of the instrument expressly referred to, but also by “issues” listed under each article in a systematic order, thereby making it possible to find out immediately if and, if so, how, a particular question concerning the application of the provision has already been decided by a court or arbitral tribunal.

In 2018-2019, thanks to a generous gift from a German donor, it was possible to redesign the UNILEX system, which risked becoming obsolete as a result of the developments in software techniques. The new, updated version of UNILEX, which presented significant innovations both in form and in substance, was launched at the beginning of May 2019.

By using the newest standards of technology, the database has been upgraded to support user on all devices (smartphones included) and has also been optimised for search-engines such as Google.

The number of decisions collected in UNILEX referring in one way or another to the UNIDROIT Principles has gone from 68 in the first year of operation of the database (2002) to around 500 in 2019.

Important in this respect is the joint venture between the International Bar Association (IBA) and UNIDROIT, which led to the establishment of an IBA Working Group made up of 42 specialised practitioners, advocates, arbitrators, professors, former judges and corporate counsels from 25 countries to give their views on the UNIDROIT Principles 2016 as seen from practice. In their national reports, the members of this Working Group provided quite a number of summaries of decisions relating in one way or another to the Principles. These materials were published by the IBA at the end of 2019 in the book “Perspectives in Practice of the UNIDROIT Principles 2016”, which is available on the IBA website.

## **5. International Sales Law**

### **Preparation of a guidance document on existing texts in the area of international sales law in cooperation with UNCITRAL and the Hague Conference on Private International Law**

In February 2019, the Working Group of Experts on the “Legal Guide to Uniform Legal Instruments in the Area of International Commercial Contracts (with a focus on sales)” (composed by Neil B. Cohen, Lauro Gama Jr, Hiroo Sono, Pilar Perales Viscasillas and Stefan Vogenauer) produced a first non-consolidated draft of the instrument.

During 2019, the representatives of the Secretariats of UNCITRAL, the HCCH and UNIDROIT set up an intense plan of work involving the experts, which was implemented through access to an electronic platform and numerous conference calls to revise the first draft.

On 25-26 September 2019, the Working Group held its second face-to-face meeting at the Max Planck Institute for European Legal History in Frankfurt at the kind invitation of Stefan Vogenauer and with participation of Luca Castellani (UNCITRAL), Ning Zhao (HCCH) and Anna Veneziano (UNIDROIT). This meeting discussed the status of the project, addressed the open issues and conducted a thorough revision of the text based on internal comments. The Group also agreed on the next steps including further consolidation of the text, consultation periods, linguistic review, translations, and modalities of approval/presentation.



In October 2019, a further revised draft of the entire Guide was submitted to the HCCH, with a view to receiving comments particularly regarding the first three Chapters by 6 December 2019. The outcome of this consultation as well as the finalisation of the remaining Chapters were then discussed by the Working Group in a teleconference held in December 2019.

## B. FOLLOW-UP OF INSTRUMENTS ADOPTED BY UNIDROIT

The Secretariat continued to do its utmost, in 2019, to promote the UNIDROIT Conventions and other instruments, by presenting them at conferences or by publishing articles focussing on them.

Annex II provides an overview of the instruments drawn up, as well as the status of implementation of Conventions prepared by UNIDROIT and approved at diplomatic Conferences convened by UNIDROIT Member States. For the implementation of instruments based on work conducted within UNIDROIT, see Annex III.

### 1. Private Law and Agricultural Development

#### UNIDROIT/FAO/IFAD Legal Guide on Contract Farming

Co-authored by UNIDROIT, FAO and IFAD, the UNIDROIT/FAO/IFAD **Legal Guide**



**on Contract Farming** was published in 2015 in English and French, and in 2017 in Spanish. Under an implementation programme financed by IFAD, and relying on UNIDROIT's cooperation, in 2016-2017, FAO prepared outreach materials, knowledge and implementation tools based on the Legal Guide, to be used in local capacity building and development programmes in diverse contract farming contexts.

As part of the promotion plan of the Legal Guide, which was focused in particular on legal issues, UNIDROIT launched a **Forum on Legal Aspects of Contract Farming** – formerly *Community of Practice* – (<http://www.unidroit.org/community-of-practice/home>) - intended as a platform to promote sharing and dissemination of knowledge, as well as projects pursued individually by partners and members, or on the basis of joint initiatives, in order to strengthen the legal environment for contract farming operations. Actions in the 2017-2019 triennium included the translation of the Legal Guide in Portuguese and Chinese as a basis for the preparation of dissemination tools, as well as academic or regulatory projects developed in South American countries.

Over the 2020-2022 triennium, the UNIDROIT Secretariat intends to develop a global project of **preparation of country-specific Legal Guides** tailored to the particular context of each jurisdiction, which will significantly increase the operational impact of the Legal Guide for users in domestic environments. Meetings to develop such a project in Chile and Colombia are already underway. UNIDROIT was awarded the United Rule of Law Appeal (UROLA) Prize for 2019. UROLA is an NGO jointly managed by the International Law Institute and other NGOs focused on the rule of law. UNIDROIT's winning proposal was to set up a pilot project for fostering good practices for agricultural contracts by preparing country-specific legal guides on contract farming. The overall goal of the project is to foster sustainable economic growth and social stability in rural economies through legal support to achieve more equitable contract farming. This project will include, among other things, a country assessment through an economic, legal, administrative and social analysis/diagnostics in partnership with local



partners; drafting a country-specific Legal Guide on Contract Farming; managing a process of consensus building through a policy dialogue; and possible technical assistance.

### Seminars and conferences

The UNIDROIT/FAO/IFAD Legal Guide on Contract Farming was presented and discussed on several events. The following are representative examples:

- on 20 February 2019, UNIDROIT Deputy Secretary-General Professor Anna Veneziano presented the *Legal Guide on Contract Farming*, its main features and key aspects of its implementation, at the Food for Law Conference hosted by **McGill University in Montreal** and its Centre for Intellectual Property Policy (CIPP). This presentation was part of a panel moderated by Pierre-Emmanuel Moyse, Director of the CIPP and Associate Professor, McGill University, which discussed the practice of contract farming and its implications for rural development. The other panellists were Martin Cloutier (Professor, *Département de management et technologie*, l'ESG UQAM), Matteo Ferrari (Assistant Professor of Private Law, University of Trento) and Paola Iamiceli (Professor of Private Law at University of Trento);



- on 28 February 2019, Ms Frédérique Mestre (Senior Legal Officer, UNIDROIT) attended a Workshop on "*Agricultura por contrato – Aspectos legales y regulatorios, ordenamiento productivo, instrumentos financieros*" organised by **FAO Colombia for the Ministry of Agriculture and Rural Development (MADR)**, within a priority programme promoted by the new Government to develop contract farming;



- on 1<sup>st</sup> March 2019, Ms Frédérique Mestre gave a lecture at the **Universidad Externado in Bogotá** to a group of approximately 25 professors from different areas of the law faculty and also from the department of rural development focusing on UNIDROIT and current agriculture related activities. The contract farming topic elicited a high level of interest, also in consideration of the Government's initiative as a possible new line of research for the law faculty. The discussion also touched upon the UNIDROIT's global project on "The Legal Guide on Contract Farming under a Country Approach";

- on 25 May 2019, Anna Veneziano presented on the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming in the conclusive roundtable of the XXV Biennial Colloquium of the **Italian Association of Comparative law (AIDC)**, dedicated to "Food Law – A Comparative Perspective" and hosted by the University of Parma.

## 2. International Interests in Mobile Equipment

### a. Cape Town Convention and its Protocols

#### Depositary

UNIDROIT has been designated as the Depositary of 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 December 2019, there were 79 Contracting States and one Contracting Regional Economic Integration Organisation to the Convention and 76 Contracting States and one Contracting Regional Economic Integration Organisation to the Aircraft Protocol.

Between 1 January and 31 December 2019 the Republic of Moldova deposited its instrument of accession to the Aircraft Protocol.

UNIDROIT has been designated Depositary of the *Rail Luxembourg Protocol* (pursuant to Article XXXIV(1)). The Luxembourg Rail Protocol was adopted on 23 February 2007 at a Diplomatic Conference held in Luxembourg and has six Signatory States (France, Germany, Italy, Mozambique, Switzerland and United Kingdom), three Contracting States (Gabon, Luxembourg and Sweden) and

one Contracting Regional Economic Integration Organisation (the European Union). The Protocol is not yet in force.

UNIDROIT has been designated Depositary of the *Space Protocol* (pursuant to Article XLVIII(1)). The Space Protocol was adopted on 9 March 2012 at a Diplomatic Conference held in Berlin (Germany) and has four Signatory States (Burkina Faso, Germany, Saudi Arabia and Zimbabwe). The Protocol is not yet in force.

UNIDROIT has been designated as the Depositary of the *MAC Pretoria Protocol* (pursuant to its Article XXXVII(1)). The Pretoria Protocol was adopted on 22 November 2019 at a Diplomatic Conference held in Pretoria (South Africa) and has 4 Signatory States (Congo, Gambia, Nigeria and Paraguay). The Pretoria Protocol has not yet entered into force.

#### *Seminars, conferences and lectures*

During 2019 the Cape Town Convention and its Protocols were the focus of a number of conferences, seminars and lectures around the world. With particular regard to the activities in which UNIDROIT was directly involved (and in addition to what was already mentioned above, para. A, No. 1), the following are representative examples:

- **Cape Town Convention and Aircraft Protocol**



- On 22 January 2019 the UNIDROIT Secretariat attended an exceptional event in Dublin, Ireland, celebrating, at the seat of Aviareto, the **millionth registration in the International Registry of Mobile Assets**, as established under the Aircraft Protocol to the Cape Town Convention (Aircraft Registry). To mark the occasion, presentations were made by Rob Cowan (Managing Director

of Aviareto), Sir Roy Goode (author of the Aircraft Protocol Official Commentary) and Michael D'Arcy TD (Minister of State at the Irish Department of Finance);

- on 1 February 2019 the UNIDROIT Secretariat participated in a consultation workshop considering France's possible ratification of the Cape Town Convention. Hosted by the **Université Paris II** (Panthéon-Assas) and the late Professor Pierre Crocq, the workshop brought together international experts, government representatives, private sector lawyers and academia to discuss the benefits and challenges associated with implementing the Cape Town Convention and its Protocols;

- on 30 April 2019, a Colloquium entitled "The Cape Town Convention – Past successes and Future Opportunities" was held at the Law Faculty of the *Université de Montréal*. The event was a joint undertaking between the **Department of Justice Canada and the Université de Montréal**, with the financial support of the MAC Working Group. Some sixty speakers and participants representing academia, agricultural and aerospace financing, ICAO, UNIDROIT, governments and lending institutions discussed the benefits associated with the Convention and its Aircraft Protocol and draft MAC Protocol. The similarities and the differences between the Cape Town Convention and Canadian law were presented as well as specific issues relating to the draft MAC Protocol and the implementation of private law treaties in Canada. In addition to disseminating information about the Cape Town Convention to Canadian practitioners and users, the Colloquium provided a valuable opportunity for Canadian stakeholders to provide input on the draft MAC Protocol in advance of its adoption;



- on 13 May 2019, UNIDROIT partnered with the *Cátedra de Estudios Jurídicos Iberoamericanos* to deliver a seminar hosted by Alfonso-Luís Calvo Caravaca, member of the UNIDROIT Governing Council, at the **Universidad Carlos III de Madrid** on "UNIDROIT and the Codification of International Private Law". Presentations were made by Spanish experts and UNIDROIT Secretariat officers on UNIDROIT's role in unifying international private law and the *lex mercatoria*, the UNIDROIT Principles of International Commercial Contracts, the Cape Town Convention and its Protocols and UNIDROIT's work on Contract Farming and Agricultural Land Investment Contracts;

- on 21 June 2019, Deputy Secretary-General Professor Anna Veneziano delivered a presentation on “The Cape Town Convention and its Aircraft Protocol” at a Conference organised by Professor Laura Pierallini at the **LUISS University in Rome** on “Facing the New Challenges in the Aviation Industry: How Regulators and Air Law Experts are Addressing them”;

- on 25-26 June 2019 the Aviation Working Group (AWG) invited key stakeholders to attend an important **AWG South American regional event** on the Cape Town Convention (CTC) and its Aircraft Protocol and cross border transferability of aircraft (XBT). This AWG event was hosted by, and was held in Brasilia in association with the National Civil Aviation Agency of Brazil, with the support of the International Civil Aviation Organization (ICAO) and UNIDROIT. Secretary-General Professor Ignacio Tirado participated in a panel with the Secretary-General of the Aviation Working Group, Professor Jeffrey Wool, illustrating the legal aspects of the Aircraft Protocol;

- on 8 July 2019, the UNIDROIT Secretariat participated in an event in Beijing promoting the Cape Town Convention, the Luxembourg Rail Protocol and future Mining, Agricultural and Construction (MAC) Protocol. Delivered as part of a high-level conference entitled “UNIDROIT and China: The Cape Town Convention, Investing in Agriculture and UPICC” and hosted by Professor Shi



Jingxia, member of the UNIDROIT Governing Council, at the **University of International Business and Economics (UIBE)**, the event brought together Chinese Government representatives (including the Ministry of Commerce of the People’s Republic of China (MOFCOM), the National Bureau of Railway Administration and the China Banking and Insurance Regulatory Commission), legal experts in secured

transactions, academics and private sector stakeholders involved in the rail, mining, agriculture and construction industries. Speakers included Professor Ignacio Tirado, Professor Anna Veneziano, Chair of the Rail Working Group Howard Rosen, Secretary-General of the MAC Working Group Phil Durham, Professor of Law at Gakushuin University Megumi Hara and UNIDROIT Senior Legal Officer William Brydie-Watson. Deputy Division Director of the National Bureau of Railway Administration Duan Jin discussed China’s consideration of the Rail Protocol and the Division Director in the Department of Law of the China Banking and Insurance Regulatory Commission Pan Limei discussed how the MAC Protocol could benefit Chinese creditors.

#### • **Luxembourg Rail Protocol**

- The Luxembourg Rail Protocol was discussed during the consultation workshop on France’s possible ratification of the Cape Town Convention, hosted by the **Université Paris II** (Panthéon-Assas) and the late Professor Pierre Crocq on 1 February 2019. In particular, Professor Jean-François Riffard (Université Clermont-Ferrand) presented on the declarations under the Convention and Protocol which might be most appropriate for France;

- on 13 March 2019, Professor Anna Veneziano participated remotely in a special workshop co-organised by the Rail Working Group with the Ministry of Law and Human Rights in **Jakarta** entitled “The Future for Railway Finance: How the Luxembourg Rail Protocol will transform the Rail Sector in Indonesia and beyond”. The Workshop included an introduction to the operation and benefits of the Rail Protocol by Rail Working Group Chairman Howard Rosen and other speakers from the private sector, as well as participants from the Ministry of Law and Human Rights, Foreign Affairs and Transport Ministries of Indonesia and representatives of national railways, regulators, local law firms, financiers and manufacturers. The workshop in Jakarta focussed on the major economic and strategic advantages for Indonesia;



- on 23 March 2019, UNIDROIT was invited to participate in a High-Level Seminar entitled “Railway rolling stock financing: a new solution for Africa” in Marrakech, organised by the **UN Economic Commission for Africa (UNECA)**. Professor Anna Veneziano shared the introductory addresses on a panel moderated by the Chief of UNECA Energy, Infrastructure and Services Team Robert Lisinge, together with UNECA Director of Regional Integration and Trade Division Stephen





Karingi, followed by presentations by Rail Working Group Chairman Howard Rosen, Senior Economic Affairs Officer Energy, Infrastructure and Services Section of UNECA Soteri Gatera and CEO of the RailRoad Association Mesela Nhlapo. The objective of the event, attended by high level governmental officials and private sector representatives, was to discuss Rail financing in Africa and how the Luxembourg Rail Protocol may play a key role in attracting private capital to create a sustainable model for existing and new rail projects in the context the 2030 Agenda for sustainable development and Agenda 2063;

- on 26 March 2019, the UNECA plenary, meeting in Marrakech, chaired by the Minister of Economy and Finance of the Kingdom of Morocco, HE Mr. Mohamed Benchaaboun, adopted a *ministerial resolution mandating the Commission to raise the awareness of, and advocate the adoption of, the Luxembourg Rail Protocol across Africa*<sup>9</sup>;

- on 14 May 2019, the Luxembourg Rail Protocol was presented in the context of an exclusive Rail Working Group briefing in Spanish in the **Madrid** offices of Watson Farley & Williams, with participation of key stakeholders. Presentations were delivered by Secretary-General Professor Ignacio Tirado and Professor Teresa Rodríguez de las Heras Ballel;

- on 16 July 2019, Professor Anna Veneziano participated in a meeting in Berne hosted by the Secretary General of the Intergovernmental Organisation for International Carriage by Rail (**OTIF**), Wolfgang Küpper, with participation of the Chair of the Rail Working Group Howard Rosen and the Co-Chair of the Preparatory Commission Peter Bloch as well as Lunesterline Andriamahatahitry and Bas Leermakers for OTIF, where the cooperation between the two organisations and the way forward for the implementation of the Rail Protocol were discussed;

- on 14 October 2019, the Secretary-General of UNIDROIT delivered a general presentation on the Cape Town Convention including the Luxembourg Rail Protocol to the **EU Working Party on Civil Law Matters at the EU Council** in Brussels under the Finnish Presidency. Moreover, the Secretary-General, the Deputy Secretary-General, Mr Howard Rosen and Mr Peter Bloch met with Mr Maurizio Castelletti (Head of Unit, Directorate-General for Mobility and Transport, EC) and Mr Laurent Prat (Policy Officer) of the European Commission (DG MOVE);

- on 22 October 2019, UNIDROIT organised an international conference hosted by Strathmore University Law School in **Nairobi**, Kenya, on the Cape Town Convention and its MAC and Luxembourg Rail Protocols, with participation of international experts, representatives of global and regional organisations, governmental officials of Kenya and other African countries and industry

stakeholders. The Acting Dean of Strathmore Law School Professor Francisco B. Lopez-Jurado and Professor Ignacio Tirado opened the event, the first session of which focussed on the Cape Town Convention and its Rail Protocol (Professor Anna Veneziano, Mr Howard Rosen, and Ms Galetlwe, Semenya Senior Manager, Passenger Rail Agency of South Africa). The final session, moderated



by Ms Beatrice Osicho, focused on the advantages of the Cape Town Convention system for Africa, featured presentations from Ms Leah Mumbi Kiwara (World Bank Group), Chief, Industrialisation and Infrastructure Mr Soteri Gatera (UNECA), as well as the Secretary-General of UNIDROIT;

- on 29 October 2019, Professor Ignacio Tirado participated in a high-level symposium organised by **OTIF** in **Vilnius**, to mark the 20<sup>th</sup> anniversary of the Vilnius Protocol. He spoke on a roundtable alongside OTIF Secretary-General, Mr Wolfgang Küpper, EC-DG MOVE Head of Single European Rail Area unit, Mr Maurizio Castelletti, moderated by the Ambassador of the Republic of Lithuania H.E. Dr. Vytautas Naudužas;

- on 12 November 2019, during the MAC Diplomatic Conference in **Pretoria**, UNIDROIT and the Rail Working Group co-organised a side event on the "Legal Operation and Economic Benefits of the Luxembourg Rail Protocol to the Cape Town Convention", hosted at the Department of

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<sup>9</sup> For the Report, see [https://www.uneca.org/sites/default/files/uploaded-documents/CoM/2019/1900609-ministerial-report-correction-final\\_english.pdf](https://www.uneca.org/sites/default/files/uploaded-documents/CoM/2019/1900609-ministerial-report-correction-final_english.pdf) , p. 18-19

International Relations and Cooperation of South Africa (DIRCO). The event was opened by Chief State Law Adviser of DIRCO Adv. Sandea de Wet, Professor Ignacio Tirado and Head of Administration and Finance Department of OTIF Lunesterline Andriamahatahitry, and featured presentations on the legal operation and the economic and social benefits of the Protocol by Professor Anna Veneziano and RWG Chair Howard Rosen, followed by a concluding panel on the potential advantages of its implementation Africa with participation of Chief of Energy, Infrastructure and Services Team of UNECA Robert Lisinge, CEO for Railroad Association and RWG Director for Africa Mesela Nhlapo, and Senior Specialist at the IFC John Wilson;

- from 30 November to 2 December 2019, Professor Anna Veneziano participated in ministerial and governmental meetings in **Cairo**, Egypt, concerning the Luxembourg Rail Protocol in particular, together with Howard Rosen (RWG), Robert Lisinge (Head of Energy, Infrastructure and Services UNECA) and Khaled Hussein (Director of sub-regional section North Africa, UNECA).

#### • **Space Protocol**

- on 25-28 March 2019, Mr Hamza Hameed, Legal Consultant at UNIDROIT, participated in the *Global Space Congress 2019* in Abu Dhabi, and in the UN/Jordan Workshop on Global Partnership in Space Exploration and Innovation in **Amman**. The *Global Space Congress*, hosted by the UAE Space Agency, is an annual strategic gathering of global space industry leaders which focusses on



key issues faced by the space industry. Mr Hameed participated in the Space Policy and Law Symposium as a panellist in the discussion entitled "Policies and frameworks to spur innovation" moderated by Michael Gold (Vice President for Regulatory & Policy at Maxar Technologies). The UN/Jordan Workshop was a partnership between the United Nations Office for Outer Space

Affairs (UNOOSA) and the Regional Center for Space Science and Technology Education for Western Asia. It brought together about 200 high-level participants from the Arab region as well as partners from around the world. Mr Hameed made a presentation as part of Thematic Session 3 chaired by Piero Benvenuti (Italian Space Agency)- Developing open and inclusive global space exploration partnerships – in which he focussed on highlighting the usefulness of the Space Protocol of the Cape Town Convention towards augmenting the availability of private capital in the space industry, and the benefits of asset-based financing to the NewSpace sector;

- on 16 April 2019, Deputy Secretary-General Anna Veneziano and Legal Consultant Hamza Hameed delivered a joint lecture to the students of the Advanced Master's LLM in Air and Space Law Programme at **Leiden** University. The lecture focussed on two separate parts: the fundamentals of the Cape Town Convention and the Space Protocol, and practical examples of the application and usefulness of asset-based financing to the NewSpace sector;

- Professor Veneziano and Mr Hameed also participated in the meetings of The Hague International Space Resources Governance Working Group which took place in Leiden between 15 and 17 April 2019;

- on 23- 25 August 2019, Mr Hameed participated in a regional conference co-hosted by the US Department of State, the Thai Geo-Informatics and Space Technology Development Agency (GISTDA), and the Space Generation Advisory Council (SGAC) held in **Bangkok**. This event was part of the activities scheduled for Thai Space Week and had 50 delegates from 15 different countries, mostly from the ASEAN region;

- On 23-26 September 2019, Mr Hameed participated in the United Nations/Turkey/APSCO Conference on Space Law and Policy held in **Istanbul** presenting on financing in the space sector.

#### **b. Cape Town Convention Academic Project (CTCAP)** <sup>10</sup>

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<sup>10</sup> For more information see <http://www.ctcap.org/>.



The Cape Town Convention has established itself as a major treaty system in the field of transnational commercial law. The CTCAP provides for academic study and assessment of the Cape Town Convention, seeking to advance the understanding and effective implementation of, and compliance with, the treaty. The Cape Town Convention Academic Project, before and during 2019 a joint endeavour of the University of Oxford, Faculty of Law, and the University of Washington, School of Law (as well as under the auspices of

UNIDROIT for the repository and the journal), held its **8<sup>th</sup> Annual Conference in Oxford on 10 and 11 September 2019** at the Blavatnik School of Government. The Conference was attended by 120 international experts involved with the Cape Town Convention and its Protocols.

The Conference featured several panel discussions relating in particular to the Aircraft Protocol and the future MAC Protocol to the Cape Town Convention. The first panel, chaired by Mr Phillip Durham (Secretary-General of the MAC Working Group) consisted in an assessment of provisions in MAC Protocol based on the existing Cape Town Convention Protocols in order to evaluate the need for changes regarding the draft MAC Protocol. The second and third panels were co-chaired by Jeffrey Wool (Secretary-General of the Aviation Working Group) and Kenneth Basch (Basch & Rameh São Paulo) and provided a comprehensive case study on the Oceanair insolvency in Brazil, involving experts from various different fields involved in the matter. The fourth panel, chaired by the Secretary-General of UNIDROIT Ignacio Tirado, focussed on linguistics and the interpretation of the Cape Town Convention. The fifth session considered the Cape Town Convention Compliance Index and the sixth and final panel, chaired by Louise Gullifer (Professor of Commercial Law, University of Oxford) examined the relationship between the Protocols and domestic secured transactions law. Professor Henry Gabriel, UNIDROIT Governing Council member attended the Conference.



On 13 November 2019, in Pretoria at the Diplomatic Conference for the adoption of the MAC Protocol, UNIDROIT, the University of Cambridge Faculty of Law (Cambridge), and the Aviation Working Group (AWG) announced their **agreement to continue the work of the Cape Town Convention Academic Project (CTCAP)**. The CTCAP will be continued under the joint auspices of Cambridge and UNIDROIT, with AWG noted as the founding sponsor.

The CTCAP will be strengthened by the **inclusion of related joint projects** for (1) economic assessment of international commercial law reform, and (2) best practices in the design and operation of electronic registries.

The CTCAP, including these projects, will be directed by Jeffrey Wool (Senior Advisor to UNIDROIT on Cape Town Convention matters) and their academic lead will be Louise Gullifer. The CTCAP will operate within the Cambridge Faculty of Law under the auspices of the Centre for Corporate and Commercial Law. Professor Sir Roy Goode (Oxford) and Robert Cowan (Aviareto) have been appointed as senior advisers to the project.

### **3. UNIDROIT Principles of International Commercial Contracts**

#### **a. Promotion of the UNIDROIT Principles 2016**

The Organization of American States officially published the [\*Guide to the Applicable Law to International Contracts in the Americas\*](#) which promotes de use of the UNIDROIT Principles. UNIDROIT Governing Council Member, Professor José Antonio Moreno Rodríguez, acted as Rapporteur for the OAS Guide.

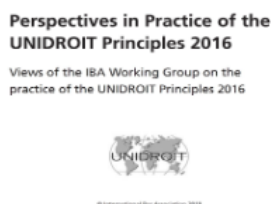
The 2016 version of the UNIDROIT Principles was published in Paraguay by Intercontinental Editora and the Centro de Estudios de Derecho, Economía y Política (CEDEP).

In the course of 2019, the UNIDROIT Principles 2016 were presented at a number of seminars, conferences and lectures to interested academic and business circles, the following being representative examples:

- On 18-19 March 2019, Mr Neale Bergman (Legal Officer, UNIDROIT) delivered a lecture on “International Sources of Contract Law: The UNIDROIT Principles of International Commercial Contracts” to 21 students, hailing from 15 countries, in the ITC-ILO’s LLM Programme in International Trade Law. The lecture covered: (1) UNIDROIT and its working methods; (2) the UNIDROIT Principles, including their content and application; and (3) the influence of the Principles on related areas of work, such as the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming and the future Legal Guide on Agricultural Land Investment Contracts. The lecture not only raised awareness about UNIDROIT and the UNIDROIT Principles, but is also expected to serve as a basis for further collaboration and partnership with the ITC-ILO’s LLM Programme in the promotion of UNIDROIT’s instruments and its ongoing work.
- On 3 May 2019, Deputy Secretary-General Anna Veneziano delivered a lecture in the framework of the Luiss B&C Law Masters Course on the Regulation of International Commerce, on “Soft Law – International Conventions and the UNIDROIT Principles”.
- On 19 September 2019 the Moot organised by the *Universidad de Buenos Aires* and the *Universidad del Rosario de Bogotá* took place in Asunción, with the local organisation in charge of the Centro de Estudios de Derecho, Economía y Política (CEDEP). The case discussed issues related to the UNIDROIT Principles.

#### **b. Cooperation with the International Bar Association (IBA)**

At the initiative of Don Wallace jr., Chairman of the International Law Institute, Washington D.C., and of Christopher R. Seppälä, Legal Advisor of the FIDIC Contracts Committee, four IBA committees (International Commerce and Distribution, Arbitration, Litigation and Corporate M&A Law) and the European Regional Forum, created a working group of 51 specialised practitioners, advocates, arbitrators, professors, former judges, corporate counsel and transactional lawyers from 28 countries, coordinated by Willem Calkoen (Netherlands), with a view to assist UNIDROIT to further promote the knowledge and use of the UNIDROIT Principles in international contract and dispute resolution practice all over the world.



This Working Group published the results of its work “**Perspectives in Practice of the UNIDROIT Principles 2016**” which comprises country perspective reports describing the application of the UNIDROIT Principles in their respective jurisdictions to be used in international cases. The study includes a collection of over 250 summaries of court and arbitration cases where the UNIDROIT Principles were referred to or relied on either by the

parties themselves or by the arbitrators or judges. The members of the IBA Working Group compiled these summaries to illustrate the manner in which domestic courts and international tribunals apply the UNIDROIT Principles to the resolution of real disputes.

## **4. International Protection of Cultural Property**

### **a. 1995 UNIDROIT Convention on Stolen or Illegally exported Cultural Objects and UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects**

#### *Status*

On 31 December 2019, there were 48 Contracting States of the *UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects* (cf. Annex II). Latvia (on 8 February), Montenegro (on 8 July) and Ghana (on 20 September) acceded to the Convention in 2019. Other instruments of ratification/accession are to be deposited with the Depositary and procedures are in progress in other countries.



### *Institutional cooperation*

On the basis of a report by its Committee on Legal Affairs, the **European Parliament** adopted a Resolution on 17 January 2019 on *Cross-border restitution claims of works of art and cultural goods looted in armed conflicts and wars* (2017/2023(INI)) in which it calls on the Member States to accede to the 1995 UNIDROIT Convention, and the Commission, in its future work, to take into account or incorporate the principles set out in the Convention on issues relating to rules on the search for provenance, the register of documents or transactions, cooperation with third countries and the establishment of effective partnerships favouring the return of cultural objects, etc.

UNIDROIT was represented at the meeting of the **Group of Friends for the Protection of Cultural Heritage**, launched in 2018 at the United Nations in New York and co-chaired by Italy and Cyprus, which was held on 8 May 2019. The Group aims to raise awareness and mobilise the international community with a view to implement the international legal framework.



On 17 July 2019, the Ministers of Culture of the *Economic Community of West African States (ECOWAS)* adopted the **2019-2023 Regional Action Plan for the return of African cultural artefacts to their countries of origin**<sup>11</sup> and the Regional Cultural Policy Document. The document requests that Member States take measures to become a party to the

1995 UNIDROIT Convention as soon as possible, and UNIDROIT is collaborating with a number of African States to implement this part of the Action Plan.

On 7 August 2019, the **Council of Ministers of Benin** decided to transmit the 1995 UNIDROIT Convention to the *Assemblée Nationale* to obtain authorization to accede.

On 19 July 2019, **Mr Boil Banov, Minister of Culture of Bulgaria**, visited UNIDROIT to strengthen cooperation between his Ministry and the Institute and to confirm the decision of Bulgaria to accede to the 1995 UNIDROIT Convention which has become a priority for his country. He was welcomed at the UNIDROIT Headquarters by Professors Ignacio Tirado and Anna Veneziano and the meeting was



followed by a technical meeting between Ms Marina Schneider, UNIDROIT, Mr Peter Miladinov, Director, Directorate "International cooperation, European programs and regional activities", Ministry of Culture, and Ms Mariya Todorova-Simova, Chief Inspector, DG "Inspectorate for Protection of Cultural Heritage", Ministry of Culture.

On 21 June 2019, Ms Marina Schneider met the newly appointed **Minister of Culture of Lebanon, Mr Mohammad Daoud**, to discuss the 1995 UNIDROIT Convention and the importance for Lebanon to accede. The Minister clearly indicated that it was a priority for his country.

The **High Commissions of Cyprus and Rwanda** invited UNIDROIT to an event on the "International Dimensions for the Protection of Cultural Heritage and for Tackling the Illicit Trafficking of Cultural Goods" held on 25 June 2019 in London which focussed on the instruments developed by the Commonwealth Secretariat and UNIDROIT.

### *The 1995 UNIDROIT Convention Academic Project*

The [1995 UNIDROIT Convention Academic Project](#) ("UCAP") consists an online platform of shared materials related to the 1995 UNIDROIT Convention, and is designed primarily to raise awareness on UNIDROIT's instruments aimed at protecting cultural heritage from illicit conduct.

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<sup>11</sup> ECOWAS was instructed to submit such a regional action plan by the Heads of State and Government in Abuja in December 2018. The Action Plan was then validated by the Ministers of Culture of ECOWAS in Cotonou (Benin) in April 2019.



UCAP addresses universities and professors that teach and conduct research in the field of cultural heritage or art law, which will be encouraged to set up courses and design research endeavours in partnership with UNIDROIT to create an academic network. UCAP also aims to involve, *inter alia*, practicing lawyers, judges, other government's officials, as

as well as art market players so as to assess the implementation of the Convention at national level and the influence of the UNIDROIT Convention in States not yet party to the Convention.

As of December 2019, the Academic Project counted 15 institutional partners, 30 individual partners, mainly academic experts in the field of cultural heritage law, and is supported by UNESCO, INTERPOL and UNODC. In the past months UNIDROIT has received a number of project proposals linked to UCAP.<sup>12</sup>

On 25 January 2019, UNIDROIT was invited to attend the *Opening Conference of the Judicial Year 2019* organised by the Milano Bar Association entitled "The international circulation of artworks" and to deliver a lecture on the 1995 Convention.

The *first conference held under the auspices of the UCAP* was organised by the University of Opole in Poland (UNESCO Chair on Cultural Property Law), the University of Gdansk and UNIDROIT. and was held in Gdansk on 6 and 7 June 2019. The first day focussed on providing support for the accession of Poland to the 1995 UNIDROIT Convention (the procedure is underway) and the second addressed the topic of private art collections.



UNIDROIT contributed to a course of the *Geneva Summer School of International Cultural Heritage Law* – University of Geneva, on 20 June 2019. The module, taught by Ms Marina Schneider, focused on the 1995 UNIDROIT Convention and its impact on Swiss law.

UNIDROIT was also invited by the *Università degli Studi di Torino* to participate in the "International Master in Cultural protection on Crises Response" Module on International law for the protection of cultural heritage. Ms Schneider presented the 1995 UNIDROIT Convention and its interaction with the other instruments in this field on 4 March 2019.

UNIDROIT contributed to a conference organised in Milan on 4 and 5 December 2019 by the *Università degli Studi di Milano*, in co-operation with the International Society of Research and Cultural Heritage Law (ISCHAL), on "The international protection of cultural heritage: new trends in restitution and return of cultural property".

#### *UNIDROIT and its partners*

UNIDROIT was closely involved in the Statutory meetings relating to the 1970 UNESCO Convention trainings (5<sup>th</sup> Meeting of States Parties and 7<sup>th</sup> Subsidiary Committee of the Meeting of States Parties (UNESCO HQ, 21-23 May 2019) as well as in the capacity building events that **UNESCO** organised on the fight against illicit trafficking in cultural objects in several regions of the world.

UNIDROIT attended the *Greater Mekong Sub-regional Symposium of Ministerial Executives on International Cooperation to Protect Antiquities and Art Objects* held in Bangkok from 10 to 13 June 2019 and jointly organised by UNESCO, the Royal Thai Government and the Thai National Commission. That meeting aimed to create a high-level network among decision-makers and executives from six Greater Mekong sub-region countries, namely, Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam.



UNIDROIT also contributed to a meeting to review a draft publication ("*Countering illicit trafficking of cultural objects in Southeast Asia: Capacity-building guide and methodologies*"), to provide suggestions on how capacity-building activities can be carried out at sub-regional and national levels

<sup>12</sup> <https://1995unidroitcap.org/getinvolved/>

(publication foreseen in 2020). It will contain modules on various topics related to the issue of fighting illicit trafficking, aiming to help interested entities to develop training programmes and workshops that are rich in content and effective in methodology.

In the framework of the MoU with **ICCROM**, after the two experts meetings (held in Krakow in 2017 and Sharjah in 2018), UNIDROIT, INTERPOL, UNESCO and ICCROM met in Rome on 13 and 14 May 2019 to discuss the operational phase to be implemented by the partners within their respective mandates on enhancing institutional and legal framework, international cooperation, and capacity building.

As to the cooperation with the **Council of Europe**, after the adoption in 2017 of the Council of Europe Convention on Offences relating to Cultural Property, UNIDROIT was invited to attend the conference "Act for Heritage! - Promoting the Convention on Offences relating to Cultural Property withing governments and civil society" organised in Nicosia (Cyprus) on 24-25 October 2019 by the Commissioner for Volunteerism and Non-Governmental Organisations of the Republic of Cyprus, in co-operation with the Ministry of Foreign Affairs of Cyprus, the Council of Europe and the European Union.



UNIDROIT was invited to attend the conference organized to celebrate the 50<sup>th</sup> anniversary of the **Comando Carabinieri Tutela Patrimonio Culturale** entitled "*International Conference on the Protection of Cultural Heritage - 50 years of experience looking to the future*" (Rome, 24 and 25 October 2019). The Conference analysed the achievements and the investigative successes that had been reached, also thanks to Cultural Diplomacy and international instruments such as the 1995 UNIDROIT Convention, and to the cooperation of other international police forces.

UNIDROIT was also invited to participate in various capacity-building workshops or other expert meetings organised by its partners in 2019, among which some representative examples are:

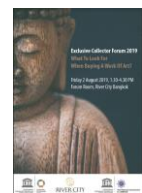
- UNESCO national and regional Workshops on the Fight against Illicit Traffic of Cultural Property for Kuwait (Kuwait City, February 2019), for Greater Mekong States (Bangkok, June 2019), for Seychelles (Mahé, July 2019), for Djibouti and Yemen (Djibouti, November 2019), for Maghreb countries (Algiers, December 2019);
- Workshop on "Countering illicit trafficking of cultural property" jointly organised by the Italian Carabinieri and the African Union for representatives of Botswana, Egypt, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Nigeria, Rwanda, Seychelles, South Africa, Tanzania, Togo, Uganda and Zimbabwe (Rome, October 2019).

## b. Private art collections

Considering the fact that this subject is on the Work Programme 2017-2019 with low priority, and will be in the Work Programme 2020-2022, but that it is also closely linked with the 1995 UNIDROIT Convention, UNIDROIT continued to consider the subject and work on raising private collector awareness on ethical acquisition.

As part of the abovementioned conference organised by the University of Opole (UNESCO Chair on Cultural Property Law), the University of Gdansk and UNIDROIT in Gdansk, the second day, 7 June 2019, a specific scientific was dedicated to "*Private Collections: Historical and Legal Perspective*".

UNIDROIT was also invited to participate in the "Exclusive collector forum 2019: what to look for when buying a work of art?" organised by an important auction house, The River City Bangkok, and UNESCO, with support from Thai National Commission for UNESCO. The event was organised on the eve of a major art auction of Asian objects and aimed at providing insight on private laws to help buyers to be confident with their purchase.



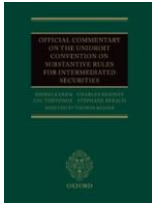
To date, UNIDROIT is moving towards new collaborations for future studies.

## 5. Capital markets instruments

UNIDROIT's work in the area of capital markets has resulted in three instruments for all of which the Secretariat is ready to assist implementing States.

*Geneva Securities Convention and UNIDROIT Legislative Guide on Intermediated Securities*

The *Convention on Substantive Rules regarding Intermediated Securities* (Geneva, 5-9 October 2009) seeks to enhance the internal stability of domestic financial markets and their cross-border compatibility, and currently has one Signatory State, Bangladesh.



The *Official Commentary on the UNIDROIT Convention on Substantive Rules for Intermediated Securities* was published in 2012 and provides interpretation on measures in the treaty with reference to discussion and negotiation between the participating States. It clearly explains the aims of each provision, its genesis, and practical application by way of examples; the article-by-article structure produces precise and easy-to-access technical advice on each provision of the treaty.

The *Principles on the Operation of Close-out Netting Provisions* were adopted in 2013 and provide detailed guidance to national legislators of implementing States seeking to revise or introduce legislation relevant to the functioning of close-out netting.

The *UNIDROIT Legislative Guide on Intermediated Securities* (the "Legislative Guide") was adopted in 2017 to complement and promote the Geneva Securities Convention by summarising the Convention's key principles and rules and by offering guidance on choices to be made and matters to be addressed or clarified in establishing an intermediated securities holding system or evaluating an existing one.

Since the Legislative Guide's adoption, the Secretariat has taken various steps to promote its use and implementation. The Secretariat has made significant supplementary resources available on UNIDROIT's webpage for the Legislative Guide, such as: (a) reports and documents from the Committee's meetings;<sup>13</sup> (b) model examples of legislative or regulatory texts or related descriptions, which are ordered by the paragraph number to which they relate;<sup>14</sup> and (c) bibliographic references, which are organised alphabetically by the entity or individual authors, with indications for those sources that are expressly referenced in the Legislative Guide.<sup>15</sup>

The Legislative Guide also complements and promotes the 2013 UNIDROIT Principles on the Operation of Close-Out Netting Provisions by offering guidance consistent with those Principles and incorporating references to them.

UNIDROIT is currently building on our capital market's work for the current project on digital assets, and generally on platforms used in the negotiation of receivables (ie, Factoring Model Law) and warehouse receipts.

<sup>13</sup> Overview, <https://www.unidroit.org/instr-capitalmarkets-legislative-guide>.

<sup>14</sup> Model examples for the UNIDROIT Legislative Guide on Intermediated Securities, <https://www.unidroit.org/model-examples>.

<sup>15</sup> Bibliography for the UNIDROIT Legislative Guide on Intermediated Securities, <https://www.unidroit.org/instr-capitalmarkets-legislative-guide-select-bibliography>.



### III. LEGAL CO-OPERATION PROGRAMME AND NON-LEGISLATIVE ACTIVITIES

#### A. LEGAL CO-OPERATION PROGRAMME

The broad aim of the legal co-operation programme is to promote relations between UNIDROIT and Member and non-Member States with a view to achieving the statutory aims of the Organisation. Above all, the Programme is designed for countries lacking sufficient resources to participate in the legal harmonisation process, particularly developing countries and countries in economic transition. It 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. 9.

##### 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, particularly in the framework of the Institute's legislative activities (see *supra* p.17).

##### 2. Research Scholarships Programme

Since it was first launched in 1993, the Research Scholarship Programme has allowed the Institute to host over 400 scholars from more than 65 countries for them to conduct in-depth research on their chosen subject, in line with UNIDROIT's activities involving uniform law, in the Institute Library for an average of two months.

In 2019, donations were received from the UNIDROIT Foundation, the Ministry of Commerce of the People's Republic of China (MOFCOM), as well as from members of the UNIDROIT Governing Council.

##### *Visiting Scholars and Researchers*

Under the Legal Co-operation Programme, the Secretariat has hosted ten researchers from eight different countries in 2019:

Ms GUO YU (PR China), PhD, Associate Professor, Law School, Beijing University - Research on: "Legal framework for Electronic Delivery in International Trade" – Scholarship of the Ministry of Commerce of the People's Republic of China (MOFCOM) - Visiting Scholar (19 November 2018 – 15 February 2019);

Ms Patricia LEAL BARROS (Venezuela), PhD Candidate, Universidad de los Andes, Santiago de Chile - Research on: "The right of retention. A configuration of this right in the Chilean legal system based on the New Law of Obligations" – UNIDROIT General Fund Scholarship - Visiting researcher (8 January - 14 February 2019);

Mr Ihab AMRO (Jordan/Palestine), Post-Doctoral researcher, Central European University (CEU), Budapest - Research on: "Electronic commerce Contracts and online Arbitration agreements under the UNIDROIT Principles" - UNIDROIT Foundation scholarship - Visiting researcher (4 February – 29 March 2019);

Ms Radwa ELSAMAN (Egypt), PhD, American University Washington School of Law, Assistant Professor, Cairo University - Research on: "Derivatives and Enhancing the Capital Market in a Transition Economy: The case study of Egypt as an Emerging Market Research period"- UNIDROIT Foundation scholarship- Visiting Scholar (25 March – 10 May 2019)

Ms Nataliia FILATOVA (Ukraine), PhD. Yaroslav Mudryi National Law University, Kharkiv - Research on: "Peculiarities of formation of international sales contracts by various electronic means" —

UNIDROIT General Fund Scholarship - Visiting researcher (29 April – 10 May 2019 /1 – 31 July 2019)

Mr HAN Shuli (PRC), Doctor of Law, Jinan University, Guangdong, Assistant Research Fellow, School of Law, Sun Yat-sen University, Guangzhou – Research on: "Soft law in international commercial cooperation from the perspective of UNIDROIT" - Scholarship of the Ministry of Commerce of the People's Republic of China (MOFCOM) – Visiting Researcher (16 May – 30 July 2019)

Mr Mehmet Sait UGUR (Turkey), LL.M. /JD Cand., University of Miami, School of Law – Research on: "The effective application of the MAC Protocol in Turkey" – Visiting researcher - UNIDROIT General Fund Scholarship (1 July – 14 August 2019)

Mr Athanassios SKONZOS (Greece), PhD Cand., National & Kapodistrian University of Athens - Research on: "Pro-enforcement bias (favor arbitri) considerations in interpreting and applying the New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards in Greek case-law" - Visiting researcher - UNIDROIT General Fund Scholarship (2 September – 5 October 2019)

Mr LI Xiansen (PRC), Doctor of Law, Renmin University, Beijing - Research on: "The application and Development of Party Autonomy in International Commercial Arbitration - Visiting researcher – Scholarship of the Ministry of Commerce of the People's Republic of China (MOFCOM) (23 September – 20 December 2019)

Mr Kamil ZEIDLER (Poland), Doctor of Law, Professor, University of Gdansk - Research on: "Ratification and Implementation of the 1995 UNIDROIT Convention in Polish Law- Assumptions" Visiting scholar - UNIDROIT Foundation scholarship (14 October – 8 November 2019)

#### *Scholars and Guests lectures*

UNIDROIT is inviting visiting scholars and researchers to give lectures during their stay in Rome, for example:

- on 29 January 2019, Professor Ms GUO Yu (Law School, Beijing University (PRC)), delivered a lecture entitled "The electronic delivery in international trade: the recently adopted UNCITRAL Model Law on Electronic Transferable Record (MLETR)". Professor GUO Yu was a former representative of the Chinese delegation to the UNCITRAL Working Group that drafted the Model Law on Electronic Transferable Records. The lecture was followed by a Q&A session, and, building on the presentation, an exchange ensued on the different methodological approach to the drafting of international instruments between UNCITRAL and UNIDROIT. Prof. Guo Yu and Secretary General Professor Tirado acted as main discussants.

- on 22 February 2019, Professor Lionel D. Smith, Faculty of Law, McGill University, Montreal, Canada, delivered a guest lecture entitled "Acting for Others in Law". The lecture was followed by a Q&A session, moderated by Professor Ignacio Tirado.

### **3. Interns and researchers**

The following students were welcomed as *Interns* collaborating on current projects within the UNIDROIT Secretariat:



Mr Jeremy Cummings (Australia), Ms Federica Ippoliti, Ms Laura Papasodaro (Italy), Mr Gordon Wai Chung (Hong Kong), Ms Hermine Vaquier, Mr Edouard Adelus, Ms Laura Galliano, Mr Michel Boudot (France), Ms Anna-Sophie Pues, Mr Christoph Luettenberg (Germany), Mr Shunsuke Fukuda (Japan), Ms Annette Acosta (Mexico), Ms Zheng Yafeng, Ms Liu Zhaoan, Ms Xie Nanxi, Mr Deng Zeyi, Ms Yan Mingmin, Ms Cao Shangxian, Mr Lu Yige, Ms Xu Yixin (PRC), Mr Dylan Reeves (South Africa), Mr Gonzalo Sanz Setién (Spain), Ms Christina Buru, Mr Andrew B. Toporoff (USA), Ms Nguyen Thu Thuy (Vietnam).

The following people were welcomed as *Researchers* in the UNIDROIT Library:

Ms Denisa Docaj (Albania/Italy), Mr Mostefa Trari-Tani, Mr Sofiane Benmessaoud, Mr Nassim Baba Hameed (Algeria), Ms Ana Filipa Vrdoljak (Australia), Mr Marcelo Romao Marineli, Ms Viviane Limongi

(Brazil), Mr Lionel Smith (Canada), Mr Alvaro Rodrigo Vidal Olivares, Mr Gonzalo Severin Fuster (Chile), Mr Roderic Kermarec, Mr Thomas Genicon (France), Mr Zurabi Arsenishvili (Georgia), Mr Philipp Paech, Mr Ben Koehler, Mr Christian Krueger (Germany), Ms Mahsa Farshbaf Khoshnazar, Mr Younes Aghapour Sabbagh, Mr Mohammad Soltani (Iran), Ms Francesca Pellegrini, Mr Manuel Franchi, Mr Antonio Bernardi, Ms Sabrina Contino, Mr Vincenzo Fucci, Mr Giovanni Nunziante Salazar, Mr Emanuele Stabile (Italy), Ms Akane Kido (Japan), Mr Jong Kyu Han, Ms Nayoung Youn (Korea), Mr Jack Robinson (New Zealand), Ms Mari Belen Saldana Solari, Mr Mijail Cienfuegos (Peru), Mr Maciej Kochanowski (Poland), Mr César Manuel Ferreira Pires (Portugal), Mr Zhang Jian, Ms Li Yingyi, Ms Hao Zilin (PRC), Mr Anton Shagalov, Ms Nadeshda Ogneva (Russian Federation), Ms Teresa Rodriguez Cachon, Mr Juan Pablo Rodriguez Delgado, Mr Joaquin Valcarcel Martinez (Spain), Ms Ada Sofie Altobelli (Switzerland), Ms Talya Sans Ucaryilmaz (Turkey), Ms Joy Faida (Uganda), Ms Galyna Prusenko (Ukraine) Mr Iyare Otabor-Olubor, Ms Nadia Naim (UK).

## B. UNIDROIT ON INTERNET AND SOCIAL MEDIA

UNIDROIT website - <http://www.unidroit.org>



The UNIDROIT website is monitored with Google Analytics. In the period from 1 January to 31 December 2019, most UNIDROIT website users were in the United States (10.46%), followed by France (8.63%), Italy (5.48%), the United Kingdom (5.34%) and India (3.92%). The first Latin American country was Mexico, in 7<sup>th</sup> position, with 2.90% of the users, and the first African country Morocco, in 30<sup>th</sup> position with 0.77% of the users. Continent by continent, of the first 100 countries, 37 were European (Russia and Ukraine included),

20 Asian, 22 American (North and South), 13 African, 7 from the Middle East, and 2 from Oceania. One was unaccounted for.

The most consulted page was the English page on the UNIDROIT Principles 2016 (7.56% of the pages consulted, but it should be noted that individual chapters are recurrently listed separately), followed by the page "About UNIDROIT" (3.59%), the page on contracts (2.86%) and the Cape Town Convention (2.48%), the status of the Cape Town Convention (1.80%), the UNIDROIT Principles 2010 (1.48%), the Aircraft Protocol (1.33), the page on research and internships (1.17%), the page on the member States of the organisation (1.15%), and the 1995 Cultural Property Convention (1.17%). The ALI-UNIDROIT Principles of Transnational Civil Procedure came in 18<sup>th</sup> position (0.83%), but the work-in-progress on Transnational Civil Procedure (ELI-UNIDROIT Regional Rules) came only in 51<sup>st</sup> position (0.28%) and Agricultural land investment contracts came in 48<sup>th</sup> position (0.29%). Most pages consulted were in English. All in all, as was the case the year before, the pages consulted were varied and included also older materials, such as the 1973 Wills Convention (20<sup>th</sup> position, 0.79 of users), and the 1964 Convention relating to a Uniform Law on the International Sale of Goods (ULIS) (30<sup>th</sup> position, 0.53%). The Model Franchise Disclosure Law in English came in 47<sup>th</sup> position (0.30%). The MAC Protocol came in 9<sup>th</sup> position, with 1.43% of users.

### UNIDROIT on Social Media

The purpose of the Institute's social media program is to promote UNIDROIT's work to a wider audience in an innovative, efficient and cost-effective manner.

UNIDROIT launched its social media program during the Institute's 90<sup>th</sup> anniversary celebrations in April 2016. UNIDROIT currently maintains accounts on LinkedIn (2016), Facebook (2016), Twitter (2018) and YouTube (relaunched in 2019). Maintaining a presence on LinkedIn 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. UNIDROIT expanded its presence on social media by establishing a Twitter profile in February 2018, to allow UNIDROIT to reach an additional audience in the promotion of the Institute. At the beginning of 2019, UNIDROIT relaunched its presence on YouTube in order to promote videos of expert presentations made at the Institute by international legal experts and visiting scholars, as well as share promotional videos about UNIDROIT instruments and events.



The three key performance indicators for the Institute's social media program are (i) number of followers, (ii) the "reach" of the social media program (the total number of people that see UNIDROIT social media content) and (iii) the number of referrals to the UNIDROIT website. Since its launch, the UNIDROIT social media program has exceeded expectations on all three key performance indicators. As of 5 February 2020, the Institute had 8,7556 followers on LinkedIn, 3,408 followers on Facebook, and 667 followers on Twitter and 91 subscribers on You Tube who receive several weekly updates on UNIDROIT activities. These figures represent an annual growth rate of 140% for LinkedIn followers and 23% for Facebook followers and 97% for Twitter followers. In relation to the Institute's "reach" on social media, UNIDROIT content was delivered to 133,166 people on Facebook, while it was displayed on news feeds 412,512 times on LinkedIn, and around 211,800 times on Twitter over the past twelve months.

UNIDROIT participates in a social media roundtable organised by the US mission to the UN agencies in Rome which brings together the social media officers of the largest Rome-based international agencies to share knowledge and coordinate promotional campaigns. This has allowed UNIDROIT to benefit from the expertise and experience of larger organisations that have entire teams dedicated to digital communication.

## C. DEPOSITORY LIBRARIES FOR UNIDROIT DOCUMENTATION

Before the age of websites, UNIDROIT asked Member States to appoint specific libraries or other official institutions to act as Depository Libraries for UNIDROIT documentation and to indicate what materials they would be interested in storing (only documents, or also publications, the Uniform Law Review, etc.). With the adoption of the policy to post all documentation on the website, the interest in Depository Libraries waned, but some States are still keen to maintain them. The list of Member States on the website indicates also if Depository Libraries have been appointed.

To date, 53 libraries in 48 Member States have been designated depositories for UNIDROIT documentation. For a list of Depository Libraries see Annex IV.<sup>16</sup>

## D. UNIDROIT LIBRARY

### *Library cooperation and networking*

In 2019 the UNIDROIT Library continued its cooperation strategy with other Roman and foreign libraries. In particular, first steps have been taken to create a future collaboration between the UNIDROIT Library and the "Biblioteca jurídica" of the Bank of Italy.

### *Library management software upgrading*

The Library's software management system Aleph500 was upgraded to the latest version Aleph 23.2.3 without any interruption of services for the Institute's professional staff or the researchers in the Library.

### *Digitisation*

On the occasion of the Governing Council's 97<sup>th</sup> session, Rome, 2 - 4 May 2018, it was agreed to proceed with the proposed in-house digitisation project, as an attractive opportunity to make the collection of a large library, such as the UNIDROIT Library, accessible in digital form.

In 2019, therefore, work progressed on the digitisation project of the Library. In 2019, 664 monographs (389 titles of the Gorla collection, as well as 275 titles regarding, in particular, the

<sup>16</sup> Available also on the UNIDROIT website at <https://www.unidroit.org/about-unidroit/membership>

'Chiamenti collection' and various other titles regarding comparative law and unification of laws) were digitally prepared and added to the Library's electronic collection.

#### *Update of Law Reviews List*

The list of law reviews to which the library is subscribed has been completely revised. The links of those publications that are also available online have been included in the relevant bibliographic data sheet in the online catalogue and can now be easily consulted by readers.

#### *Acquisitions, donations, exchanges*

In 2019, the Library's holdings increased by 865 titles, of which 512 were purchased outright, 112 were obtained on an exchange basis, while 241 further titles were received as gifts for a total value of € 9.640,00. The expansion of the Library's holdings has been hampered by steady increases in the price of publications and a chronic lack of resources.



In 2019, as in previous years, the Library received donations in kind from the Max-Planck-Institute of Foreign Private and Private International Law in Hamburg.

#### *Visitors*

The Library continues to attract readers from all over the world. Among the 145 visitors in 2019, the 68 foreign guests came from 32 different countries.

## **E. PUBLICATIONS**

#### *The Uniform Law Review*

In 2012, UNIDROIT concluded a contract with Oxford University Press (OUP) for five years renewable, under which OUP would take over editing, formatting and publishing and distributing the Uniform Law Review from 2013. The agreement was tacitly renewed at the expiry of the first five years (2018) as the first five years of the cooperation with Oxford University Press were found to have been positive by the Editorial board. Users of the Uniform Law Review website are located in a large number of countries, many of which the Review would never have reached without the resources of the OUP. As the Review is a prime tool in the spreading of information on the Institute, the importance of a tool such as the Review in reaching these countries cannot be overly stressed. Furthermore, the standing of the Review has been greatly enhanced: the introduction of the peer review system has meant that academics who need to publish in periodicals of standing for their academic career, can now do so in the Uniform Law Review without hesitations. Furthermore, the number of articles submitted spontaneously has increased, many being submitted by authors in African and other developing countries.



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 paper copies have decreased, while at the same time, subscriptions to online copies increased. The greatest increase has been to collection subscriptions, i.e. subscriptions through the OUP collection of journals available online.

As regards online usage, the visits to the Uniform Law Review pages on the OUP site have increased steadily. The geographical breakdown of usage by region was January-November 2019 35.3% in Europe, 18% in North America, 11.8% in Asia, 5% in Oceania, 1.3% in South America and 1.2% in Africa.

#### *Official Commentaries on the Convention on International Interests in Mobile Equipment and its Protocols*

The fourth edition of the Official Commentary on the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft Equipment by Professor Sir Roy Goode was printed in April 2019.

The third edition of the Aircraft Official Commentary also exists in an electronic, pdf version, with internal and external links. This was prepared following an agreement between the Institute and Aviareto, the Registrar of the Cape Town Convention and Protocols, as the latter had expressed the need for an electronic version for the Registry users. Access to this electronic version is limited to users of the Registry. An electronic version of the fourth edition is being prepared and is expected to be ready by June 2020.

The Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol thereto on Matters specific to Mining, Agricultural and Construction Equipment is due to be published in 2020.

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

Four editions of the *Principles of International Commercial Contracts* have been published so far.

The fourth edition of the Principles, the *Principles of International Commercial Contracts 2016*, was printed by the Institute in both English and French in 2017. In the course of 2019 the Spanish version of the fourth edition version was published for sale in Chile, Colombia, Mexico and Paraguay. As regards publication in other languages, Mr Alexander Komarov, member of the UNIDROIT Governing Council, prepared the Russian version, published by the publisher Statut, and the translation of the Principles into Korean was prepared by Mr June-Sun Choi (Emeritus Professor, Sungkyunkwan University) in collaboration with Messrs Kwang-Hyun Suk (Seoul National University) and Hai-Kwan Heo (Soongsil University). Also in 2019 the Principles 2016 were translated into Chinese by Mr Zhang Yuqing, former member of the UNIDROIT Governing Council and currently of the Beijing Zhang Yuqing Law Firm. Agreements for their translation into Latvian and Portuguese were concluded with Ms Baiba Broka, member of the UNIDROIT Governing Council and Mr Lauro Gama Jr, Professor at the Faculty of Law of the *Pontifícia Universidade Católica do Rio de Janeiro* in Brazil.

## F. UNIDROIT FOUNDATION

Throughout 2019, the UNIDROIT Foundation ([unidroitfoundation.org](http://unidroitfoundation.org)) continued to support both the substantive and non-legislative work of UNIDROIT.



The Foundation's two active projects continued to build momentum through workshops held at UNIDROIT's seat in Rome.



The third workshop for the project on **Best Practices in the Field of Electronic Registry Design and Operation** (BPER) was held on 8-9 April 2019. The project is a joint undertaking between the UNIDROIT Foundation, the Commercial Law Centre of Harris Manchester College at Oxford University, and the Global Business Law Institute at the University of Washington, and is primarily supported by Aviareto.

The purpose of the project is to provide guidance on the design and operation of electronic registries. To assess best practice, the project has identified Critical Performance Factors (CPFs) against which electronic registries can be measured. CPFs change depending on the particular registry being evaluated. The third workshop was chaired jointly by Professor Ignacio Tirado, Secretary-General of UNIDROIT, and Professor Jeffrey Wool, President of the UNIDROIT Foundation. It brought together international stakeholders with expertise in the design, operation and evaluation of different types of electronic registries, including government representatives, officials from regional and intergovernmental organisations, policy makers, private sector experts and academics.



Building upon the first and second project workshops, the workshop focused upon the application of the best practice standards developed by the project to the design and operation of electronic collateral registries. Discussion was based on an extensive case study prepared by Dr Marek Dubovec, Executive Director of the Kozolchuk National Law Center. Participating experts discussed which CPFs were particularly relevant for collateral registries and shared practical experiences in relation to the challenges that arise in the design and operation of such registries. The group identified additional CPFs which could be incorporated into the case study and suggested that the CPFs should be further tested against functioning collateral registries (workshop [summary report](#)).

The fifth workshop of the **Economic Assessment of International Commercial Law Reform Project** was held

on 10-11 April 2019. The purpose of this joint undertaking is to develop a uniform analytical framework for economic assessments of international commercial law reform so as to improve the quality of economic assessments underpinning international commercial law reform. Higher quality assessments will allow international organisations and national governments to identify and prioritise reforms that will have the most significant economic benefits.



During the workshop, invited experts presented papers on specific issues within the framework. The workshop brought together lawyers, economists, and academics from various international organisations, national banks and leading universities from across the world. The participants discussed each of the framework's variables individually in small focus groups to refine their scope and operation. At the conclusion of the workshop, the framework was updated to reflect this discussion (please see the workshop [summary report, for further details](#)).

In its work towards further advancing legislative and non-legislative activities at UNIDROIT, the Foundation sponsored a number of scholarships as part of the UNIDROIT Research Scholarship Programme over the course of 2019. The Foundation also continues to support the Institute's social media platforms in order to promote UNIDROIT and its work.

The Board of Governors for the Foundation met twice in 2019 for its 22<sup>nd</sup> and 23<sup>rd</sup> sessions on 8<sup>th</sup> April and 7<sup>th</sup> May 2019 respectively at the seat of UNIDROIT in Rome. Board members were able to participate in the meeting in person or via teleconference. During the board meetings, several important administrative decisions were made, including the appointment of Professor Louise Gullifer and Professor Ignacio Tirado to the Board of Governors of the Foundation, appointment of Mr Marco Nicoli and Mr Michael Farley as Senior Counsellors of the Foundation and adoption of the Strategic Plan for 2019-2020. The Foundation also renewed the terms for its other Board of Governors.

## ANNEX I

### LIST OF THE DOCUMENTS PUBLISHED BY THE UNIDROIT SECRETARIAT IN 2019 ON THE IMPLEMENTATION OF ITS WORK PROGRAMME

The following documents relating to the implementation of the Institute's Work Programme were published in 2019, in English and French unless otherwise stated:

#### STUDY LXV – LEGAL COOPERATION PROGRAMME

Scholarships: Impl. 30 – Research Scholarships Programme. Implementation report for 2019

#### STUDY LXXIIK – PROTOCOL ON MATTERS SPECIFIC TO MINING, AGRICULTURAL AND CONSTRUCTION EQUIPMENT (MAC PROTOCOL)

Diplomatic Conference (Pretoria, 11 – 22 November 2019)

Doc. 1	Provisional agenda
Doc. 2	Provisional Rules of Procedures
Doc. 3	Draft MAC Protocol (as prepared by the Committee of Governmental Experts and approved by the Governing Council)
Doc. 4 corr.	Explanatory Report to the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment
Doc. 5 corr.	Legal Analysis
Doc. 5 corr.	Legal Analysis – Appendices
Doc. 6	Harmonized System codes proposed for inclusion in the MAC Protocol Annexes
Doc. 7	The CTC and draft MAC Protocol - an overview
Doc. 8	Convention on International Interests in Mobile Equipment
Doc. 9	Preliminary comments on the draft MAC Protocol (Submitted by the People's Republic of China)
Doc. 10	Comments on the draft MAC Protocol (Submitted by the United States of America)
Doc. 11	Comments on the draft MAC Protocol (Submitted by the Government of Japan)
Doc. 12	Comments on the draft MAC Protocol – Working paper on Administrative Authorities and a Proposal to extend the scope of application of the MAC Protocol to milking machines (Presented by Germany)
Doc. 13	Comments on the draft MAC Protocol (Submitted by Canada)
Doc. 14	Comments on the draft MAC Protocol (Submitted by the United Kingdom) /
Doc. 15	Comments on the draft MAC Protocol (Submitted by the MAC Working Group)
Doc. 16	Analysis on the additional Harmonized System code proposals received in comments on the draft MAC Protocol (Prepared by the UNIDROIT Secretariat)
Doc. 17	Final Clauses Committee - Interim Report (Prepared by the Chairs of the Final Clauses Committee)
Doc. 18	Summary Report for 11 November 2019
Doc. 19	Interim Report by the Drafting Committee to the Commission of the Whole (presented by the Chairman of the Drafting Committee)
Doc. 20	Report of the Working Group on HS Codes to the Commission of the Whole (presented by the Chair of the Working Group on HS Codes)
Doc. 21 rev.	Summary report for 12 November 2019

Doc. 22	UNIDROIT and the Depositary functions
Doc. 23 rev.	Summary report for 13 November 2019
Doc. 24 rev.	Summary report for 14 November 2019
Doc. 25	Draft Resolution 1 Relating to the establishment of the Preparatory Commission for the establishment of the International Registry for Mining, Agricultural and Construction Equipment (prepared by the UNIDROIT Secretariat) (not available)
Doc. 26	Draft Resolution 2 Relating to the establishment of the Supervisory Authority of the International Registry for Mining, Agricultural and Construction Equipment (prepared by the UNIDROIT Secretariat) (not available)
Doc. 27	Draft Resolution 3 Relating to Technical Assistance with regard to the Implementation and Use of the International Registry for Mining, Agricultural and Construction Equipment (prepared by the UNIDROIT Secretariat) (not available)
Doc. 28	Draft Resolution 4 Relating to the Official Commentary on the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment (prepared by the UNIDROIT Secretariat) (not available)
Doc. 29	Interim Report by the Drafting Committee to the Commission of the Whole (presented by the Chairman of the Drafting Committee)
Doc. 30	Draft Final Act of the diplomatic Conference for the adoption of the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment held at the invitation of the Government of the Republic of South Africa and under the auspices of the International Institute for the Unification of Private Law (UNIDROIT) in Pretoria from 11 to 22 November 2019 (presented by the UNIDROIT Secretariat)
Doc. 31	Draft Resolution 5 - Expressing the gratitude of the Conference to the Government of the Republic of South Africa for hosting and organising the Conference (not available)
Doc. 32 rev.	Summary report for 15 November 2019
Doc. 33	Final Clauses Committee – Final Report (Prepared by the Chairs of the Final Clauses Committee)
Doc. 34 corr.	Report by the Drafting Committee to the Commission of the Whole (presented by the Chairpersons of the Drafting Committee)
Doc. 35 rev.	Summary report for 18 November 2019
Doc. 36 rev.	Summary report for 19 November 2019
Doc. 37	Report of the Credentials Committee to the Conference (presented by the Chairperson of the Credentials Committee)
Doc. 38	Draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment
Doc. 39	Final Act - of the diplomatic Conference for the adoption of the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment held at the invitation of the Government of the Republic of South Africa and under the auspices of the International Institute for the Unification of Private Law (UNIDROIT) in Pretoria from 11 to 22 November 2019 (presented by the UNIDROIT Secretariat)
Doc. 40	Report of the Credentials Committee to the Conference (presented by the Chairperson of the Credentials Committee)
Doc. 41	Summary report for 20 November 2019
Doc. 42	Summary report for 21 November 2019
Doc. 43	Summary report for 22 November 2019

**STUDY LXXVIA – TRANSNATIONAL CIVIL PROCEDURE - FORMULATION OF REGIONAL RULES / ELI –  
UNIDROIT RULES OF TRANSNATIONAL CIVIL PROCEDURE**

Steering Committee and Working Groups – Joint Meeting (Rome, 25-26 February 2019)

SC VII – Doc. 1	Draft agenda
SC VII – Doc. 2	Presentation and discussion of the Consolidated Draft of the Working Group on “Structure”
SC VII – Doc. 3	Not available
SC VII – Doc. 4	Presentation and discussion of the draft rules of the Group on “Judgements” (restricted distribution)
SC VII – Doc. 5	Presentation and discussion of the draft rules of the Group on “Appeals”
SC VII – Misc. 1	Provisional order of business
SC VII – Misc. 2	List of participants

**STUDY LXXXB – PREPARATION OF AN INTERNATIONAL GUIDANCE DOCUMENT ON AGRICULTURAL LAND  
INVESTMENT CONTRACTS**

**Working Group on agricultural land investment contracts – online consultation**

UNIDROIT/FAO/IFAD Legal Guide on Agricultural Land Investment Contracts - ALIC Zero Draft  
1 June 2019

## ANNEX II

## 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 (LUFC)* \*
- 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*

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\* The ULIS and ULFIS Conventions have been denounced by Belgium, Germany, Italy, Luxembourg, the Netherlands and San Marino. 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 and the United Kingdom / *Les Conventions LUVI et LUFC ont été dénoncées par l'Allemagne, la Belgique, l'Italie, le Luxembourg, les Pays-Bas et Saint-Marin. 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 et le Royaume-Uni.*

- 2010 Principles of International Commercial Contracts / *Principes relatifs aux contrats du commerce international*
- 2011 UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects / *Dispositions modèles UNESCO-UNIDROIT définissant la propriété de l'Etat sur les biens culturels non découverts*
- 2012 Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets / *Protocole portant sur les questions spécifiques aux biens spatiaux à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*
- 2013 Principles on the Operation of Close-out Netting Provisions / *Principes concernant l'applicabilité des clauses de résiliation-compensation*
- 2013 Model Clauses for Use by Parties of the UNIDROIT Principles of International Commercial Contracts / *Clauses types sur l'utilisation des Principes d'UNIDROIT relatifs aux contrats du commerce international par les parties*
- 2016 Principles of International Commercial Contracts / *Principes relatifs aux contrats du commerce international*
- 2016 UNIDROIT/FAO/IFAD Legal Guide on Contract Farming / *Guide juridique sur l'agriculture contractuelle UNIDROIT/FAO/FIDA*
- 2017 UNIDROIT Legislative Guide on Intermediated Securities / *Guide législatif d'UNIDROIT sur les titres intermédiés*
- 2019 Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agriculture and Construction Equipment / *Protocole portant sur les questions spécifiques aux matériels d'équipement miniers, agricoles et de construction à la Convention relative aux garanties internationales portant sur des matériels d'équipement mobiles*

**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)**

<b>Adoption:</b>	Place: Brussels / <i>Lieu: Bruxelles</i> Date: 23-04-1970
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes / <i>Oui</i> ~ Date: 24-02-1976 Conditions: 5 ratifications (art. 36)
<b>Contracting States /</b> <b>Etats contractants</b>	6
<b>Etat</b>	<a href="https://www.unidroit.org/status-ccv-1970">https://www.unidroit.org/status-ccv-1970</a> <a href="https://diplomatie.belgium.be/sites/default/files/downloads/iii12.pdf">https://diplomatie.belgium.be/sites/default/files/downloads/iii12.pdf</a>
<b>Depositary / Dépositaire:</b>	Government of Belgium / <i>Gouvernement belge</i> (art. 34)
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/transport/ccv">https://www.unidroit.org/instruments/transport/ccv</a> <a href="https://www.unidroit.org/fr/instruments/instruments-transport/instruments-voyage-ccv">https://www.unidroit.org/fr/instruments/instruments-transport/instruments-voyage-ccv</a>

(\*) Based on information available to the Secretariat as of 31 December 2019 / *Ce document est basé sur les informations dont dispose le Secrétariat au 31 décembre 2019.*

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.*



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 / Argentine	–	25-11-76	25-02-77	–	14-01-10
Belgium / Belgique	23-04-70	11-04-73	24-02-76	–	04-10-94
Cameroon / Cameroun	–	16-04-75	24-02-76	D: Art. 13(1)	–
Côte d'Ivoire	23-04-70	–	–	–	–
Dahomey	–	28-03-75	24-02-76	–	–
Haute-Volta	27-04-70	–	–	–	–
Italy / Italie	23-04-70	04-07-79	04-10-79	R: Art. 40(1)(a)	–
Lebanon / Liban	23-04-70	–	–	–	–
Morocco / Maroc	23-04-70	–	–	R: Art. 40(1)(a)-(b)	–
Niger	23-04-70	–	–	–	–
Philippines	23-04-70	–	–	–	–
Portugal	23-04-70	–	–	–	–
Rep. of China / Rép. de Chine	30-12-71	16-08-72	24-02-76	–	–
San Marino / Saint-Marin	23-04-70	16-04-09	16-07-09	R: Art. 40(1)(a)	–
Togo	25-03-71	24-11-75	24-02-76	–	–
Vatican City / Cité du Vatican	23-04-70	–	–	–	–

**CONVENTION PROVIDING A UNIFORM LAW ON THE FORM OF AN INTERNATIONAL WILL  
CONVENTION PORTANT LOI UNIFORME SUR LA FORME D'UN TESTAMENT INTERNATIONAL**

<b>Adoption:</b>	Place / Lieu: Washington Date: 26-10-1973
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes/Oui ≈ Date: 09-02-1978 Conditions: 5 ratifications (Art. XI)
<b>Contracting States / Etats contractants</b>	13
<b>Etat</b>	<a href="https://www.unidroit.org/status-successions">https://www.unidroit.org/status-successions</a> <a href="https://www.state.gov/wp-content/uploads/2019/05/226-Wills-status-table-5.3.2019.pdf">https://www.state.gov/wp-content/uploads/2019/05/226-Wills-status-table-5.3.2019.pdf</a>
<b>Depositary / Dépositaire:</b>	Government of the United States of America / Gouvernement des Etats-Unis d'Amérique
<b>UNIDROIT website page / Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/international-will">https://www.unidroit.org/instruments/international-will</a> <a href="https://www.unidroit.org/fr/instruments/testaments-instruments">https://www.unidroit.org/fr/instruments/testaments-instruments</a>

STATE / ETAT	SIGNATURE	RATIFICATION ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. or RESERV. DECL. ou RESERVES
Australia / Australie	–	10-09-14	10-03-15	–
Belgium / Belgique	17-05-74	21-04-83	21-10-83	–
Bosnia-Herzegovina / Bosnie-Herzégovine *	–	15-08-94	15-08-94	–
Canada for / pour	–	24-01-77		D: Art. XIV
Manitoba			09-02-78	
Newfoundland / Terre Neuve			09-02-78	
Ontario			15-09-78	
Alberta			01-12-78	
Saskatchewan			08-10-82	
Prince Edward Island / Ile du Prince Edouard			22-03-95	
New Brunswick / Nouveau Brunswick			05-12-97	
Nova Scotia / Nouvelle Ecosse			27-05-01	
British Colombia / Colombie britannique			31-03-14	
Croatia / Croatie *	–	18-05-94	18-05-94	–
Cyprus / Chypre	–	19-10-82	19-04-83	–
Ecuador / Equateur	26-07-74	03-04-79	03-10-79	D
France	29-11-74	01-06-94	01-12-94	–
Holy See / Saint-Siège	02-11-73	–	–	–
Iran	27-10-73	–	–	–
Italy / Italie	–	16-05-91	16-11-91	D: Arts. I, II, III
Laos	30-10-73	–	–	–
Libya / Libye	–	04-08-77	09-02-78	–
Niger	–	19-05-75	09-02-78	–
Portugal	–	19-11-75	09-02-78	–
Russian Fed. / Féd. de Russie	17-12-74	–	–	D: Art. XIII
Sierra Leone	27-10-73	–	–	–
Slovenia / Slovénie *	–	20-08-92	20-08-92	–

United Kingdom / Royaume-Uni	10-10-74	-	-	-
United States of America / Etats-Unis d'Amérique	27-10-73	-	-	-

\* Dates of notification of succession to the Convention by Bosnia-Herzegovina, Croatia and Slovenia. The former Socialist Federal Republic of Yugoslavia deposited an instrument of accession to the Convention on 9 August 1977. / *Dates de notification de succession à la Convention par la Bosnie-Herzégovine, la Croatie et la Slovénie. L'ancienne République fédérale socialiste de Yougoslavie avait déposé un instrument d'adhésion le 9 août 1977.*

## CONVENTION ON AGENCY IN THE INTERNATIONAL SALE OF GOODS CONVENTION SUR LA REPRESENTATION EN MATIERE DE VENTE INTERNATIONALE DE MARCHANDISES

<b>Adoption:</b>	Place: Geneva / <i>Lieu</i> : Genève Date: 17-02-83
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	No / <i>Non</i> Conditions: 10 ratifications (art. 33)
<b>Contracting States /</b> <b>Etats contractants</b>	/
<b>Etat</b>	<a href="https://www.unidroit.org/status-agency">https://www.unidroit.org/status-agency</a> <a href="https://www.eda.admin.ch/dam/eda/fr/documents/aussenpolitik/voelkerrecht/autres-conventions/divers/Cvim-parties_fr.pdf">https://www.eda.admin.ch/dam/eda/fr/documents/aussenpolitik/voelkerrecht/autres-conventions/divers/Cvim-parties_fr.pdf</a>
<b>Depositary:</b> <b>Dépositaire:</b>	Government of Switzerland <i>Gouvernement suisse</i> (art. 21)
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/agency">https://www.unidroit.org/instruments/agency</a> <a href="https://www.unidroit.org/fr/instruments/representation">https://www.unidroit.org/fr/instruments/representation</a>

STATE / <i>ETAT</i>	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE / <i>ENTREE</i> EN <i>VIGUEUR</i>	DECL. or RESERV. <i>DECL. ou RESERVES</i>	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

<b>Adoption:</b>	Place / <i>Lieu</i> : Ottawa Date: 28-05-88
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes / <i>Oui</i> ≈ Date: 01-05-95 Conditions: 3 ratifications (art. 16.1)
<b>Contracting States /</b> <b>Etats contractants</b>	10
<b>Etat</b>	<a href="https://www.unidroit.org/status-leasing-conv-1988">https://www.unidroit.org/status-leasing-conv-1988</a> <a href="https://treaty-accord.gc.ca/details.aspx?id=104674">https://treaty-accord.gc.ca/details.aspx?id=104674</a>
<b>Depositary / Dépositaire:</b>	Government of Canada / <i>Gouvernement du Canada</i> (art. 25.1)
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/leasing/convention-leasing">https://www.unidroit.org/instruments/leasing/convention-leasing</a> <a href="https://www.unidroit.org/fr/instruments/credit-bail/credit-bail-convention-fr">https://www.unidroit.org/fr/instruments/credit-bail/credit-bail-convention-fr</a>

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>	30-09-90	–	–	–
France	07-11-89	23-09-91	01-05-95	Art. 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	–
Marshall Islands / <i>Iles Marshall</i>	19-10-11	19-10-11	01-05-12	–
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	Art. 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**

<b>Adoption:</b>	Place / <i>Lieu</i> : Ottawa Date: 28-05-88
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes / <i>Oui</i> ≈ Date: 01-05-95 Conditions: 3 ratifications (art. 14.1)
<b>Contracting States / Etats contractants</b>	9
<b>Etat</b>	<a href="https://www.unidroit.org/status-1988-factoring">https://www.unidroit.org/status-1988-factoring</a> <a href="https://treaty-accord.gc.ca/details.aspx?id=104673">https://treaty-accord.gc.ca/details.aspx?id=104673</a>
<b>Depositary / Dépositaire:</b> <b>UNIDROIT website page / Page internet d'UNIDROIT</b>	Government of Canada / <i>Gouvernement du Canada</i> (art. 23.1) <a href="https://www.unidroit.org/instruments/factoring">https://www.unidroit.org/instruments/factoring</a> <a href="https://www.unidroit.org/fr/instruments/affacturation">https://www.unidroit.org/fr/instruments/affacturation</a>

STATE / ETAT	SIGNATURE	RATIFICATION ACCESSION / ADHESION	ENTRY INTO FORCE ENTREE EN VIGUEUR	DECL. or RESERV. / DECL. ou RESERVES
Belgium / <i>Belgique</i>	21-12-90	18-03-10	01-10-10	Art. 18
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	Art. 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	Art. 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	–	–	–
Russian Fed. / <i>Féd. de Russie</i>	22-08-14	22-08-14	01-03-15	–
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**

<b>Adoption:</b>	Place / Lieu: Rome Date: 24-06-1995
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes / Oui ≈ Date: 01-07-1998 Conditions: 5 ratifications (Art. 12)
<b>Contracting States /</b> <b>Etats contractants</b>	48
<b>Etat</b>	<a href="https://www.unidroit.org/status-cp">https://www.unidroit.org/status-cp</a>
<b>Depositary / Dépositaire:</b>	Italian Government / Gouvernement italien
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/cultural-property/1995-convention">https://www.unidroit.org/instruments/cultural-property/1995-convention</a> <a href="https://www.unidroit.org/fr/instruments/biens-culturels/convention-de-1995">https://www.unidroit.org/fr/instruments/biens-culturels/convention-de-1995</a>

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECLARATIONS
Afghanistan	–	23-09-05	01-03-06	Art. 16
Algeria / Algérie	–	09-04-15	01-10-15	Art. 16
Angola	–	19-06-14	01-12-14	Arts. 16, 17
Argentina / Argentine	–	03-08-01	01-02-02	Art. 16
Azerbaijan / Azerbaïdjan	–	06-06-03	01-12-03	Art. 16
Bolivia / Bolivie	29-06-96	13-04-99	01-10-99	Art. 16
Bosnia and Herzegovina / Bosnie Herzégovine	–	08-05-17	01-11-17	Art. 16
Botswana	–	28-08-17	01-02-18	Art. 16
Brazil / Brésil	–	23-03-99	01-09-99	Art. 16
Burkina Faso	24-06-95	02-10-18	01-04-19	Arts. 16, 17
Cambodia / Cambodge	24-06-95	11-07-02	01-01-03	Arts. 3(5), 16
China / Chine	–	07-05-97	01-07-98	Arts. 3(5), 16
Colombia / Colombie	–	14-06-12	01-12-12	–
Côte d'Ivoire	24-06-95	–	–	–
Croatia / Croatie	24-06-95	20-09-00	01-03-01	Arts. 16, 17
Cyprus / Chypre	–	02-03-04	01-09-04	–
Denmark / Danemark	–	01-01-11	01-07-11	Arts. 14(1), 16, 17
Ecuador / Equateur	–	26-11-97	01-07-98	Arts. 3(5), 16
El Salvador	–	16-07-99	01-01-00	Art. 16
Finland / Finlande	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 / Géorgie	27-06-95	–	–	–
Ghana	–	20-09-19	01-03-20	Arts. 16, 17
Greece / Grèce	–	19-07-07	01-01-08	Arts. 3(5), 13(3), 16
Guinea / Guinée	24-06-95	–	–	–
Guatemala	–	03-09-03	01-03-04	Arts. 3(5), 16
Honduras	–	27-08-13	01-02-14	–
Hungary / Hongrie	24-06-95	08-05-98	01-11-98	Arts. 3(5), 16
Iran (Islamic Rep. of / Rép. islamique d')	–	22-06-05	01-12-05	Art. 16
Italy / Italie	24-06-95	11-10-99	01-04-00	Arts. 13(3), 16
Lao People's Democratic Republic / Rép. dém. Populaire lao	–	18-05-17	01-11-17	Art. 16
Latvia / Lettonie	–	08-02-19	01-08-19	Art. 16
Lithuania / Lituanie	24-06-95	04-04-97	01-07-98	Art. 16
Montenegro / Monténégro	–	08-07-19	01-01-20	Art. 16
Myanmar	–	20-06-18	01-12-18	Arts. 3(5), 16, 17
Netherlands / Pays-Bas	28-06-96	–	–	Arts. 3(5), 13(3)
New Zealand / Nouvelle-Zélande	–	16-11-06	01-05-07	Art. 16
Nigeria / Nigéria	–	10-12-05	01-06-06	–
North Macedonia / Macédoine du nord	–	22-08-13	01-02-14	Art. 16
Norway / Norvège	–	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	Arts. 16, 17
Peru / Pérou	28-06-96	05-03-98	01-09-98	Art. 16
Portugal	23-04-96	19-07-02	01-01-03	Arts. 16, 17
Romania / Roumanie	27-06-96	21-01-98	01-07-98	Arts. 16, 17
Russian Fed. / Féd. de Russie	29-06-96	–	–	–
Senegal / Sénégal	29-06-96	–	–	–
Slovakia / Slovaquie	–	16-06-03	01-12-03	Art. 16
Slovenia / Slovénie	–	08-04-04	01-10-04	Art. 16
South Africa / Afrique du sud	–	09-01-18	01-07-17	Arts. 16, 17
Spain / Espagne	–	21-05-02	01-11-02	Arts. 3 (5), 13(3), 16

Sweden / <i>Suède</i>	–	28-06-11	01-12-11	Arts. 13(3), 16, 17
Switzerland / <i>Suisse</i>	26-06-96	–	–	–
Syrian Arab Rep. / <i>Rép. arabe syrienne</i>	–	27-04-18	01-10-18	Arts. 16, 17, D
Tunisia / <i>Tunisie</i>	–	02-03-17	01-09-17	Art. 16
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**

<b>Adoption:</b>	Place: Cape Town / <i>Lieu</i> : Le Cap Date: 16-11-2001
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	Yes / <i>Oui</i> ≈ Date: 01-03-2006 Conditions: 3 ratifications (Art. 49(1))
<b>Contracting States /</b> <b>Etats contractants</b>	79
<b>Status</b>	<a href="https://www.unidroit.org/english/conventions/mobile-equipment/181219-ctc-print-ef.pdf">https://www.unidroit.org/english/conventions/mobile-equipment/181219-ctc-print-ef.pdf</a>
<b>Regional economic integration organisations / Organisations régionale d'intégration économique</b>	1
<b>Depository / Dépositaire:</b>	UNIDROIT
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/security-interests/cape-town-convention">https://www.unidroit.org/instruments/security-interests/cape-town-convention</a> <a href="https://www.unidroit.org/fr/instruments/garanties-internationales/convention-du-cap">https://www.unidroit.org/fr/instruments/garanties-internationales/convention-du-cap</a>

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)
Argentina / <i>Argentine</i>	–	10-04-18	01-08-18	D: Art. 39(1)(a)-(b), 39(4), 53, 54(2)
Australia / <i>Australie</i>	–	26-05-15	01-09-15	D: Art. 39(1)(a), 53, 54(2), 55
Bahrain / <i>Bahrein</i>	–	27-11-12	01-03-13	D: Arts. 39(1)(a)-(b), 40, 54(2)
Bangladesh	–	15-12-08	01-04-09	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Belarus / <i>Bélarus</i>	–	28-06-11	01-01-12	D: Art. 54(2)
Bhutan	–	04-07-14	01-11-14	D: Arts. 39(1)(a), 54(2)
Brazil / <i>Brésil</i>	–	30-11-11	01-03-12	D: Arts. 39(1)(a)-(b), 39(4), 53, 54(2)
Burkina Faso	–	12-12-14	01-01-18	D: Art. 54(2)
Burundi	16-11-01	–	–	–
Cameroon / <i>Cameroun</i>	–	19-04-11	01-08-11	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
Canada	31-03-04	21-12-12	01-04-13	D: Arts. 39(1)(a)-(b), 39(4), 52*, 53*, 54(2), 60
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	25-01-13	01-05-13	D: Arts. 39(1)(a)-(b), 40, 52, 53, 54(2)
Costa Rica	–	26-08-11	01-12-18	D: Arts. 53, 54(2)
Côte d'Ivoire	–	09-02-15	01-07-16	D: Arts. 39(1)(a)*, 40*, 52*, 53*, 54(2)*
Cuba	16-11-01	28-01-09	01-05-09	D: Art. 54(2)
Democratic Republic of the Congo / <i>Rép. démocratique du Congo</i>	–	06-05-16	01-09-16	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Denmark / <i>Danemark</i>	–	26-10-15	01-02-16	D: Arts. 39(1)(a)-(b), 40, 52, 54(2), 55
Egypt / <i>Egypte</i>	–	10-12-14	01-04-15	D: Arts. 39(1)(a)*, 53, 54(2)*
Eswatini	–	17-11-16	01-09-17	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)
Fiji / <i>Fidji</i>	–	05-09-11	01-01-12	D: Art. 54(2) *
France	16-11-01	–	–	–
Gabon	–	16-04-10	01-08-17	D: Art. 54(2)
Germany / <i>Allemagne</i>	16-11-01	–	–	D
Ghana	16-11-01	20-12-18	01-04-19	D: Arts. 39(1)(a)-(b), 53, 54(2), 60(1)
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	01-10-11 <sup>3</sup>	D: Arts. 39(1)(a)*-(b)*, 39(4)*, 40*, 53*, 54(2)*
Kenya	16-11-01	13-10-06	01-02-07	D: Arts. 39(1)(a)*-(b), 40, 53, 54(2)
Kuwait / <i>Koweït</i>	–	31-10-13	01-02-14	D: Art. 54(2)
Latvia / <i>Lettonie</i>	–	08-02-11	01-06-11	D: Art. 54(2)
Lesotho	16-11-01	–	–	–
Luxembourg	–	27-06-08	01-10-08	D: Arts. 53, 54(2)
Madagascar	–	10-04-13	01-08-13	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Malawi	–	16-01-14	01-05-14	D: Arts. 39(1)(a)-(b), 40, 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
Moldova	–	26-06-15	01-06-19	D: Art. 54(2)
Mongolia / <i>Mongolie</i>	–	19-10-06	01-02-07	D: Arts. 39(1)(a)-(b), 53, 54(2)
Mozambique	–	30-01-12	01-11-13	D: Arts. 39(1)(a), 40, 54(2)
Myanmar	–	03-12-12	01-04-13	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
Namibia / <i>Namibie</i>	–	23-07-18	01-11-18	D: Arts. 39(1)(a), 39(4), 54(2), 55
Netherlands / <i>Pays-Bas</i> <sup>4</sup>	–	17-05-10	–	D: Arts. 39(1)(a)-(b), 52, 53, 54(2)
Caribbean part/ <i>Partie caraïbe</i>	–	–	01-10-10	–
Aruba	–	–	01-09-10	–
Curaçao	–	–	01-10-10	–
Sint Maarten	–	–	01-10-10	–
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)*
Norway / <i>Norvège</i>	–	20-12-10	01-04-11	D: Arts. 39(1)(a)-(b), 40, 54(2), 55
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)
Paraguay	–	19-12-18	01-04-19	D: Arts. 39(1)(a)-(b), 39(4), 53, 54(2)
Romania / <i>Roumanie</i>	–	30-03-18	01-07-18	D: Arts. 39(1)(b), 54(2)
Russian Federation / <i>Fédération de Russie</i>	–	25-05-11	01-09-11	D: Arts. 39(1)(a)-(b), 53, 54(2)
Rwanda	–	28-01-10	01-05-10	D: Arts. 39(1)(a), 40, 52, 53, 54(2)
San Marino / <i>Saint-Marin</i>	–	09-09-14	01-01-15	D: Arts. 39(1)(a)-(b), 39(4), 40, 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	–	–
Sierra Leone	–	26-07-16	01-11-16	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
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)
Spain / <i>Espagne</i>	–	28-06-13	01-03-16 <sup>1</sup>	D: Arts. 39(1)(a)-(b)*, 40*, 52, 53*, 54(2)
Sudan / <i>Soudan</i>	16-11-01	–	–	–
Sweden / <i>Suède</i>	–	30-12-15	01-04-16	D: Arts. 39(1)(a)-(b), 39(4), 40, 54(2)
Switzerland / <i>Suisse</i>	16-11-01 (ad ref.)	–	–	–
Syrian Arab Republic / <i>République arabe syrienne</i>	–	07-08-07	–	–
Tajikistan / <i>Tadjikistan</i>	–	31-05-11	01-09-11	D: Art. 54(2)
Togo	–	25-01-10	01-04-12 <sup>3</sup>	D: Arts. 39(1)(a)*-(b)*, 40*, 53*, 54(2)*
Tonga	16-11-01	–	–	–
Turkey / <i>Turquie</i>	16-11-01	–	–	–
Ukraine	09-03-04	31-07-12	01-11-12	D: Arts. 39(1)(a)-(b), 40, 50, 54(2)
United Arab Emirates / <i>Emirats arabes unis</i>	–	29-04-08	01-08-08	D: Arts. 50, 53, 54(2)
United Kingdom / <i>Royaume-Uni</i>	16-11-01	27-07-15–	01-11-15	D: Arts. 39(1)(a)*-(b)*, 39(4)*, 52*, 53*, 54(2)*
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)
Uzbekistan / <i>Ouzbékistan</i>	–	31-01-18	01-05-18	D: Arts. 53, 54(2)
Viet Nam	–	17-09-14	01-01-15	D: Arts. 39(1)(a)-(b), 40, 53, 54(2)
Zimbabwe	–	13-05-08	–	–
<b>Regional economic integration organisations / Organisations régionale d'intégration économique</b>				
European Union / <i>Union européenne</i> <sup>2</sup>	–	28-04-09	01-08-09	D: Arts. 48(2), 55



<sup>1</sup> Subject to Article 49(1) / *Sous réserve de l'article 49(1)*.

<sup>2</sup> Regional Economic Integration Organisation / *Organisation régionale d'intégration économique* (Art. 48).

<sup>3</sup> This State has provided UNIDROIT with information about its laws and policies in relation to the Convention: see [www.unidroit.org/english/conventions/mobile-equipment/informationcontractingstates.htm](http://www.unidroit.org/english/conventions/mobile-equipment/informationcontractingstates.htm) // *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de sa législation et des politiques applicables aux matières couvertes par la Convention: voir www.unidroit.org/french/conventions/mobile-equipment/informationcontractingstates.htm*

<sup>4</sup> The Kingdom of the Netherlands deposited its instrument of accession to the Convention on 20 July 2010 for the Netherlands Antilles (Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba) and Aruba. As from 10 October 2010, following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the reference to the "Netherlands Antilles" is to be replaced by "Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Saba and Sint Eustatius)" / *Le Royaume des Pays-Bas a déposé son instrument d'adhésion à la Convention le 20 juillet 2010 pour les Antilles néerlandaises et Aruba. A compter du 10 octobre 2010, suite à une réforme des relations constitutionnelles au sein du Royaume des Pays-Bas, la référence aux "Antilles néerlandaises" doit être remplacée par "Curaçao, Sint Maarten et la partie caraïbe des Pays-Bas (les îles de Bonaire, Saba et Sint Eustatius)."*

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

**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**

<b>Adoption:</b>	Place: Cape Town / <i>Lieu: Le Cap</i> – Date: 16-11-2001
<b>Entry into force:</b>	Yes / <i>Oui</i> ≈ Date: 01-03-2006
<b>Entrée en vigueur:</b>	Conditions: 8 ratifications (Art. XXVIII(1))
<b>Contracting States / Etats contractants</b>	76
<b>Regional economic integration organisations / Organisations régionale d'intégration économique</b>	1
<b>Status</b>	<a href="https://www.unidroit.org/english/conventions/mobile-equipment/181219-ctc-ac-print-ef.pdf">https://www.unidroit.org/english/conventions/mobile-equipment/181219-ctc-ac-print-ef.pdf</a>
<b>Depositary / Dépositaire:</b>	UNIDROIT
<b>UNIDROIT website page / Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/security-interests/aircraft-protocol">https://www.unidroit.org/instruments/security-interests/aircraft-protocol</a> <a href="https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-aeronautique">https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-aeronautique</a>

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)
Argentina / <i>Argentine</i>	–	10-01-18	01-08-18	D: Arts. XIX, XXX(1), (2), (3)
Australia / <i>Australie</i>	–	26-05-15	01-09-15	D: Art. XXX(1), (3)
Bahrain / <i>Bahrein</i>	–	27-11-12	01-03-13	D: Art. XXX(1), (2), (3)
Bangladesh	–	15-12-08	01-04-09	D: Arts. XXIX, XXX(1), (2), (3)
Belarus / <i>Bélarus</i>	–	27-09-11	01-01-12	–
Bhutan	–	04-07-14	01-11-14	–
Brazil / <i>Brésil</i>	–	30-11-11	01-03-12	D: Arts. XIX, XXX(1), (2), (3)
Burkina Faso	–	08-09-17	01-01-18	–
Burundi	16-11-01	–	–	–
Cameroon / <i>Cameroun</i>	–	19-04-11	01-08-11	–
Canada	31-03-04	21-12-12	01-04-13	D: Arts. XXIX*, XXX(1), (2), (3)
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	–	–	–
Costa Rica	–	08-08-18	01-12-18	–
Côte d'Ivoire	–	01-03-16	01-07-16	D: Arts. XIX(1)*, XXIX*, XXX(1)*, (2)*, (3)*
Cuba	16-11-01	28-01-09	01-05-09	–

Democratic Republic of the Congo / <i>Rép. démocratique du Congo</i>	-	06-05-16	01-09-16	-
Denmark / <i>Danemark</i>	-	26-10-15	01-02-16	D: Art. XXIX, XXX(1), (3), (5)
Egypt / <i>Egypte</i>	-	10-12-14	01-04-15	D: Arts. XIX(1)*, XXX(1)*,(2)*,(3)*
Eswatini	-	26-05-17	01-09-17	-
Ethiopia / <i>Ethiopie</i>	16-11-01	21-11-03	01-03-06	D: Art. XXX(1), (2), (3)
Fiji / <i>Fidji</i>	-	30-05-12	01-09-12	D: Art. XXX(1), (2), (3)
France	16-11-01	-	-	-
Gabon	-	04-04-17	01-08-17	-
Germany / <i>Allemagne</i>	16-11-01	-	-	D
Ghana	16-11-01	20-12-18	01-04-19	D: Art. XXX(1), (2), (3)
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)
Kazakhstan	-	01-06-11	01-10-11	D: Art. XXX(1), (2), (3)
Kenya	16-11-01	13-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Kuwait / <i>Koweït</i>	-	31-10-13	01-02-14	-
Latvia / <i>Lettonie</i>	-	08-02-11	01-06-11	-
Lesotho	16-11-01	-	-	-
Luxembourg	-	27-06-08	01-10-08	D: Art. XXX(1), (2), (3)
Madagascar	-	10-04-13	01-08-13	D: Art. XXX(1), (2), (3)
Malawi	-	16-01-14	01-05-14	D: Art. XXX(1), (2), (3)
Malaysia / <i>Malaisie</i>	-	02-11-05	01-03-06	D: Art. XXX(1), (2), (3) <sup>+</sup>
Malta / <i>Malte</i> <sup>2</sup>	-	01-10-10	01-02-11	D: Art. XXX(1)
Mexico / <i>Mexique</i>	-	31-07-07	01-11-07	D: Arts. XIX, XXX(1), (3)
Moldova	-	19-02-19	01-06-19	D: Art. XXX(1)
Mongolia / <i>Mongolie</i>	-	19-10-06	01-02-07	D: Art. XXX(1), (2), (3)
Mozambique	-	18-07-13	01-11-13	D: Art. XXX(1), (2), (3)
Myanmar	-	03-12-12	01-04-13	D: Arts. XXIX, XXX(1), (2),(3)
Namibia / <i>Namibie</i>	-	23-07-18	01-11-18	D: Art. XXX(1)
Netherlands / <i>Pays-Bas</i> <sup>3</sup>	-	17-05-10	-	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)*
Norway / <i>Norvège</i>	-	20-12-10	01-04-11	D: Art. XXX(1), (3), (5)
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)
Paraguay	-	19-12-18	01-04-19	D: Arts. XIX, XXX(1), (2), (3)
Romania / <i>Roumanie</i>	-	30-03-18	01-07-18	D: Art. XXX(1)
Russian Federation / <i>Fédération de Russie</i>	-	25-05-11	01-09-11	D: Arts. XXX(1)*, (3)
Rwanda	-	28-01-10	01-05-10	D: Arts. XXIX, XXX(1), (2), (3)
San Marino / <i>Saint-Marin</i>	-	09-09-14	01-01-15	D: Art. 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)
Sierra Leone	-	26-07-16	01-11-16	D: Art. 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)
Spain / <i>Espagne</i>	-	27-11-15	01-03-16	D: Arts. XIX, XXIX, XXX(1)
Sudan / <i>Soudan</i>	16-11-01	-	-	-
Sweden / <i>Suède</i>	-	30-12-15	01-04-16	D: Art. XXX(1)
Switzerland / <i>Suisse</i>	16-11-01 (ad ref.)	-	-	-
Tajikistan / <i>Tadjikistan</i>	-	31-05-11	01-09-11	D: Art. XXX(1), (2), (3)
Togo	-	01-12-11	01-04-12	D: Art. XXX(1), (2), (3)
Tonga	16-11-01	-	-	-
Turkey / <i>Turquie</i>	16-11-01	-	-	D: Art. XXX(1), (2), (3)
Ukraine	03-03-04	31-07-12	01-11-12	D: Arts. XIX, XXX(1), (3)
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	27-07-15	01-11-15	D: Arts. XXIX*, XXX(1)*, (2)*, (3)*
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)
Uzbekistan / <i>Ouzbékistan</i>	-	31-01-18	01-05-18	D: Art. XXX(1), (2), (3)
Viet Nam	-	17-09-14	01-01-15	D: Arts. XIX, XXX(1), (2), (3)

**Regional economic integration  
organisations / Organisations  
régionale d'intégration  
économique**

European Union / <sup>1</sup>  
Union européenne – 28-04-09 01-08-09 D: Arts. XXVII(2), XXX(5)

<sup>1</sup> Regional Economic Integration Organisation / *Organisation régionale d'intégration économique* (Art. XXVII).

<sup>2</sup> This State has provided UNIDROIT with information about its laws and policies in relation to the Aircraft Protocol: see [www.unidroit.org/english/conventions/mobile-equipment/information-contractingstates.htm](http://www.unidroit.org/english/conventions/mobile-equipment/information-contractingstates.htm) // *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de sa législation et des politiques applicables aux matières couvertes par le Protocole aéronautique: voir www.unidroit.org/french/conventions/mobileequipment/information-contractingstates.htm*

<sup>3</sup> The Kingdom of the Netherlands deposited its instrument of accession to the Aircraft Protocol on 20 July 2010 for the Netherlands Antilles (Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba) and Aruba. As from 10 October 2010, following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the reference to the "Netherlands Antilles" is to be replaced by "Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Saba and Sint Eustatius)" / *Le Royaume des Pays-Bas a déposé son instrument d'adhésion au Protocole aéronautique le 20 juillet 2010 pour les Antilles néerlandaises et Aruba. A compter du 10 octobre 2010, suite à une réforme des relations constitutionnelles au sein du Royaume des Pays-Bas, la référence aux "Antilles néerlandaises" doit être remplacée par "Curaçao, Sint Maarten et la partie caraïbe des Pays-Bas (les îles de Bonaire, Saba et Sint Eustatius)"*

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

**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))

**Contracting States /  
Etats contractants** 3

**Regional economic integration  
organisations / Organisations  
régionale d'intégration  
économique** 1

**Status** <https://www.unidroit.org/status-2007luxembourg-rail>

**Depositary / Dépositaire:** UNIDROIT

**UNIDROIT website page /  
Page internet d'UNIDROIT** <https://www.unidroit.org/instruments/security-interests/rail-protocol>  
<https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-ferroviaire>

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES
France	03-03-17	–	–	–
Gabon	23-02-07	04-04-17	–	–
Germany / Allemagne	21-11-12	–	–	D
Italy / Italie	23-02-07	–	–	D
Luxembourg	23-02-07	31-01-12	–	–
Mozambique	15-11-16	–	–	–
Sweden / Suède	27-06-17	02-07-18	–	D
Switzerland / Suisse	23-02-07	–	–	–
United Kingdom / Royaume-Uni	26-02-16	–	–	–
<b>Regional economic integration organisations / Organisations régionale d'intégration économique</b>				
European Union / Union européenne	10-12-09	18-12-14	–	D

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

<b>Adoption:</b>	Place: Geneva / <i>Lieu: Genève</i> Date: 09-10-09
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	No / <i>Non</i> Conditions: 3 ratifications (art. 42.1)
<b>Contracting States /</b> <b>Etats contractants</b>	/
<b>Etat</b>	<a href="https://www.unidroit.org/status">https://www.unidroit.org/status</a>
<b>Depositary / Dépositaire:</b>	UNIDROIT
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/capital-markets/geneva-convention">https://www.unidroit.org/instruments/capital-markets/geneva-convention</a> <a href="https://www.unidroit.org/fr/instruments/marches-financiers/geneva-convention">https://www.unidroit.org/fr/instruments/marches-financiers/geneva-convention</a>

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

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ON**  
**MATTERS SPECIFIC TO SPACE ASSETS**  
**PROTOCOLE PORTANT SUR LES QUESTIONS SPECIFIQUES AUX BIENS SPATIAUX A LA CONVENTION**  
**RELATIVE AUX GARANTIES INTERNATIONALES PORTANT SUR**  
**DES MATERIELS D'EQUIPEMENT MOBILES**

<b>Adoption:</b>	Place / <i>Lieu</i> : Berlin Date: 09-03-2012
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	No / <i>Non</i> Conditions: Art. XXXVIII
<b>Contracting States /</b> <b>Etats contractants</b>	/
<b>Etat</b>	<a href="https://www.unidroit.org/status-2012-space">https://www.unidroit.org/status-2012-space</a>
<b>Depositary / Dépositaire:</b>	UNIDROIT
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/security-interests/space-protocol">https://www.unidroit.org/instruments/security-interests/space-protocol</a> <a href="https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-spatial">https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-spatial</a>

STATE / ETAT	SIGNATURE	RATIFICATION / ACCESS. / ADHES.	ENTRY INTO FORCE / ENTREE EN VIGUEUR	DECL. OF RESERV. / DECL. OU RESERVES
Burkina Faso	09-03-12	—	—	—
Germany / <i>Allemagne</i>	21-11-12	—	—	—
Saudi Arabia / <i>Arabie saoudite</i>	09-03-12	—	—	—
Zimbabwe	09-03-12	—	—	—

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ON  
MATTERS SPECIFIC TO MINING, AGRICULTURE AND CONSTRUCTION EQUIPMENT**

**PROTOCOLE PORTANT SUR LES QUESTIONS SPECIFIQUES  
AUX MATERIELS D'EQUIPEMENT MINIER, AGRICOLES ET DE CONSTRUCTION  
A LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES PORTANT  
SUR DES MATERIELS D'EQUIPEMENT MOBILES**

<b>Adoption:</b>	Place / <i>Lieu</i> : Pretoria Date: 22-11-2019
<b>Entry into force:</b> <b>Entrée en vigueur:</b>	No / <i>Non</i> Conditions: Art. XXV
<b>Contracting States /</b> <b>Etats contractants</b>	/
<b>Etat</b>	<a href="https://www.unidroit.org/mac-protocol-status">https://www.unidroit.org/mac-protocol-status</a>
<b>Depositary / Dépositaire:</b>	UNIDROIT
<b>UNIDROIT website page /</b> <b>Page internet d'UNIDROIT</b>	<a href="https://www.unidroit.org/instruments/security-interests/mac-protocol-2019">https://www.unidroit.org/instruments/security-interests/mac-protocol-2019</a> <a href="https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-mac">https://www.unidroit.org/fr/instruments/garanties-internationales/protocole-mac</a>

<b>STATE / ETAT</b>	<b>SIGNATURE</b>	<b>RATIFICATION / ACCESS. / ADHES.</b>	<b>ENTRY INTO FORCE / ENTREE EN VIGUEUR</b>	<b>DECL. OF RESERV. / DECL. OU RESERVES</b>
Congo	22-11-19	–	–	–
Gambia / <i>Gambie</i>	22-11-19	–	–	–
Nigeria / <i>Nigéria</i>	22-11-19	–	–	–
Paraguay	22-11-19	–	–	–

## ANNEX III

### 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.  
*Status:* [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-B-11&chapter=11&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-11&chapter=11&clang=_en)
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.  
*Status:* <http://www.unesco.org/eri/la/convention.asp?KO=13637&language=E&order=alpha>
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.  
*Status:* [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XIV-3&chapter=14&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XIV-3&chapter=14&clang=_en)
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.  
*Status:* <https://www.hcch.net/en/instruments/conventions/status-table/?cid=38>
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.  
*Status:* <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/041/signatures>
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.  
*Status of the 1959 Convention:*  
[https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/029/signatures?p\\_auth=S5RsyC98](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/029/signatures?p_auth=S5RsyC98)
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.

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(\*) Based on information available to the Secretariat as of 31 December 2019.



Status: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/019/signatures?>

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. 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.  
Status of Protocol No. 1:  
[https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XII-4&chapter=12&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XII-4&chapter=12&clang=en)
  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.  
Status of Protocol No. 2:  
[https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XII-4&chapter=12&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XII-4&chapter=12&clang=en)
  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.  
Status:  
[https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=X-10&chapter=10&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=X-10&chapter=10&lang=en)
  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.  
Status:  
[https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-B-26&chapter=11&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-26&chapter=11&clang=en)
  12. **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 and entered into force on 5 June 2011. The Additional Protocol is based on a joint proposal submitted by UNIDROIT and UNCITRAL.  
Status: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-B-11-b&chapter=11&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-11-b&chapter=11&clang=en)
- 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.  
Status: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-D-1&chapter=11&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-D-1&chapter=11&clang=en)
  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.  
Status: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-D-2&chapter=11&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-D-2&chapter=11&clang=en)
  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.

Status: [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/056/signatures?p\\_auth=92tvxnflU](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/056/signatures?p_auth=92tvxnflU)

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.  
Status: [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/079/signatures?p\\_auth=92tvxnflU](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/079/signatures?p_auth=92tvxnflU)
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.  
Status: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-E-1&chapter=11&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-E-1&chapter=11&clang=_en)
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.  
Status: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-B-30&chapter=11&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-30&chapter=11&clang=_en)
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.  
Status: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=X-13&chapter=10&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=X-13&chapter=10&clang=_en)

**C. EUROPEAN 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. EUROPEAN DIRECTIVE BASED ON A UNIDROIT CONVENTION**

**Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 (Recast).**

**E. 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 B. 6.).

**F. 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.**
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.

**ANNEX IV**

**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://bibliothek.univie.ac.at/fb-rewi/>

**Belgium:** Federale Overheidsdienst Justitie  
<http://just.fgov.be/>

**Bolivia:** Biblioteca Central de la Cancillería de la República  
<http://www.cancelleria.gob.bo>

**Brazil:** Serviço de Biblioteca e documentação - SBD, Universidad de São Paulo, Faculdade de Direito  
<http://www.usp.br/bibliotecadireito/biblioteca.htm>

**Bulgaria:** Bulgarian National Library "St. Cyrill and St. Methodius"  
[http://nationallibrary.bg/wp/?page\\_id=1417&lang=en](http://nationallibrary.bg/wp/?page_id=1417&lang=en)

**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:** Academia Diplomática  
<https://minrel.gob.cl/>

**Colombia:** Biblioteca Luis Angel Arango  
<http://www.banrepcultural.org/bogota/biblioteca-luis-angel-arango>

**Czech Republic:** Library of the International Law Department, Ministry of Industry and Trade  
<https://www.mpo.cz/>  
Charles University in Prague  
<https://www.cuni.cz/UKENG-1.html>

**Egypt:** Documentation Center, General Directorate of International and Cultural Co-operation, Ministry of Justice, Cairo  
[www.jp.gov.eg](http://www.jp.gov.eg)

**Estonia:** Eesti Rahvusraamatukogu  
<https://www.nlib.ee/>

**Finland:** Eduskunnan Kirjasto  
<https://www.eduskunta.fi/EN/naineduskuntatoimii/kirjasto/Pages/default.aspx>

**France:** Bibliothèque Inter-universitaire Cujas  
<http://biu-cujas.univ-paris1.fr/>

**Germany:** Staatsbibliothek zu Berlin, Abteilung Amtsdruckschriften und Internationaler Amtlicher Schriftentausch <https://staatsbibliothek-berlin.de/en/>

**Greece:** Library of the Hellenic Institute of International and Foreign Law  
<http://www.hiifl.gr/>

**Holy See:** Biblioteca della Facoltà di Giurisprudenza, Libera Università Maria Ss. Assunta, Rome  
<https://www.lumsa.it/>

**Hungary:** Országgyűlési Könyvtár  
<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)  
<https://kemlu.go.id/portal/en>

**Iran:** Institute of Comparative Law, Faculty of Law and Political Science, University of Tehran  
<https://ut.ac.ir/en/page/619/institute-of-comparative-law> (<https://ut.ac.ir/en>)

**Ireland:** National Library of Ireland  
<http://www.nli.ie/>

**Japan:** Ministry of Justice Library (Branch of National Diet Library)  
<http://www.moj.go.jp/EN/index.html>

**Latvia:** Department of European and International Law, Ministry of Justice of the Republic of Latvia  
<https://www.tm.gov.lv/en>

**Luxembourg:** Bibliothèque Nationale  
<http://www.bnl.public.lu/fr/index.html>  
University of Luxembourg  
[https://www.wen.uni.lu/luxembourg\\_learning\\_centre](https://www.wen.uni.lu/luxembourg_learning_centre)

**Malta:** Library Services, University of Malta  
<http://www.um.edu.mt/library/>

**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  
<https://www.rijksoverheid.nl/ministeries/ministerie-van-justitie-en-veiligheid>

**Norway:** Det juridiske fakultetsbibliotek, Universitetsbiblioteket i Oslo  
<http://www.ub.uio.no>

**Paraguay:** Facultad de Derecho y Ciencias Sociales de la Universidad Nacional de Asunción  
<http://www.der.una.py/>

**People's Republic of China:** Trade and Policy Library, Department of Treaty and Law, Ministry of  
Commerce (MOFCOM)  
<http://english.mofcom.gov.cn/>

**Poland:** Biblioteka Sejmowa  
<http://biblioteka.sejm.gov.pl/?lang=en>

**Portugal:** Serviço de Biblioteca e Documentação Diplomática do Ministério dos Negócios Estrangeiros -  
Instituto Diplomático  
<https://idi.mne.pt/pt/arquivo-e-biblioteca/biblioteca>  
Gabinete de Documentação e Direito Comparado, Procuradoria Geral da República  
<http://qddc.ministeriopublico.pt/>

**Republic of Korea:** *Library of the Korea National Diplomatic Academy*  
<http://www.ifans.go.kr/knda/hmpg/eng/main/HmpgEngMain.do>

**Romania:** *Biblioteca Nationala*  
<http://www.bibnat.ro/>

**Russian Federation:** *Library of the Russian Academy of Foreign Trade*  
<http://eng.vavt.ru/>

**Serbia:** *Library of the Institute of Comparative Law*  
<http://iup.rs/en/about/>

**Slovak Republic:** *Právnická fakulta Trnavskej Univerzity*  
<https://www.truni.sk/en>

**Slovenia:** *Univerza v Mariboru Pravna fakulteta*  
<https://www.pf.um.si/en/>

**South Africa:** *Library of the Department of Justice, Directorate: Internal Affairs, Pretoria University of Johannesburg*  
<https://www.uj.ac.za/library>

**Spain:** *Universidad San Pablo CEU*  
<http://www.ceu.es>

**Sweden:** *Riksdagsbiblioteket*  
<http://www.riksdagen.se/>

**Switzerland:** *Library of the Swiss Institute of Comparative Law*  
<https://www.isdc.ch/en/>

**Turkey:** *Banca ve Ticaret Hukuku Arastirma Enstitüsü, Hukuk Fakültesi, Ankara Üniversitesi*  
<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*  
<https://www.smu.edu/Law/Library>

**Uruguay:** *Facultad de Derecho de la Universidad de la República*  
<https://www.fder.edu.uy/biblioteca>