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Item No. 15 on the agenda: UNIDROIT Library and Research Activities

(prepared by the Secretariat)

<i>Summary</i>	<i>The document illustrates developments at the Library and its activities in 2020, perspectives for 2021 as well as proposals for the coming years</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to take note of the progress made and to consider additional measures</i>
<i>Mandate</i>	<i>Work Programme 2020-2022</i>
<i>Priority level</i>	<i>High</i>
<i>Related document</i>	<i>Annual Report 2020 (C.D. (100) B.2); UNIDROIT 2020 – Study LXV/Scholarships: Impl. 31</i>

I. IMPACT OF COVID-19 PANDEMIC ON THE UNIDROIT LIBRARY'S ACTIVITIES: OPPORTUNITY FOR INNOVATION

1. Nothing in 2020 was business as usual in any library and for their staff, users, and services. The unprecedented circumstances imposed by the global pandemic have forced researchers and libraries to find ways to adapt. Reflecting on the year, the only way to report about the Library's activities is through the lens of the challenges and opportunities presented by COVID-19.

2. Library professionals answered the call to serve amid multiple emergencies in this extraordinary year. During times of crisis, the novel coronavirus made gathering indoors unsafe. Consequently, as of March 2020, many libraries closed their doors to the public. The UNIDROIT Library, however, did not shut down; rather it found new ways to serve and continue supporting researchers — often at a distance. It granted access exclusively upon request, followed recommended social distancing measures, sanitising surfaces twice a day, placing returned materials in quarantine for five days.

3. Throughout the pandemic, the UNIDROIT Library's role as a digital and virtual document provider broadened, confirming the importance of interlibrary collaborative network. The UNIDROIT Library was able to satisfy the large amount of requests from researchers who were unable to visit the Library in person due to travel restrictions, even between regions in Italy, through scanned texts sent by email or other means of communication. In addition, particularly for researchers in the United States, indications regarding their research were also provided virtually via Zoom. The year 2020 also proved to be a year of opportunity, as libraries kept researchers all over the world connected in

ways that brought our communities closer. Buildings may not have been kept open, but libraries, as the UNIDROIT Library, were never closed.

II. RESEARCH ACTIVITIES AND INTERNSHIPS

4. UNIDROIT's Research Scholarship and Internship Programmes are important tools to promote UNIDROIT's work and related research in the field of international and comparative law.¹ Since 2014, these Programmes have been entirely funded by voluntary contributions, relying on the benevolence and generosity of its sponsors, which include, amongst other, the Ministry of Commerce of the People's Republic of China (MOFCOM), the Members of the Governing Council, the UNIDROIT Alumni Association, the UNIDROIT Foundation, the Feldens Madruga law firm or the Transnational Law and Business University (TLBU). The long-term goal of the Scholarship and Internship Programmes is to provide funding to all accepted applicants, however, due to budget restrictions, only some of the applicants currently receive research scholarships or internship stipends.

5. While most of the scholars and researchers were hosted on an independent basis, often funded by their university, or under cooperation schemes with academic institutions or law firms, in 2020 one scholar was awarded a grant from the UNIDROIT Foundation under the Scholarship Programme. A further 23 scholars were invited to undertake research at the Institute as either unfunded scholars or independent researchers, 6 interns undertook internships on a paid basis and 15 interns on an unpaid basis. For a full presentation of the Scholarship Programme and its beneficiaries in 2020, see the Annual Report 2020 (C.D. (100) B.2), and the UNIDROIT Scholarship and Internship Programme Implementation Report for 2020 (UNIDROIT 2020 – Study LXV/Scholarships: Impl. 31).

6. In 2020, the Institute inaugurated the Sir Roy Goode Scholarship. The Scholarship provides one outstanding post-graduate (doctoral) law student, lawyer, academic or government official the opportunity to research in the UNIDROIT Library and work with the Secretariat for a period of six to nine months on a topic related to one of the high priority legislative projects or existing instruments. Ms Theodora Kostoula (Ph.D. candidate at the European University Institute) was selected as the first Sir Roy Goode Scholar to undertake research on information technology, digital assets and insolvency.

7. The implementation of the Research Scholarship and Internship Programme in 2020 was significantly impacted by the outbreak of the COVID-19 pandemic. Due to travel restrictions for international students and professionals, several interns and scholars that expected to conduct research at the Institute's Library deferred their visits to 2021. At the same time, the Library welcomed a higher number of independent researchers based in Italy. The COVID-19 pandemic affected the traditional working method, nevertheless, it also permitted new opportunities. Despite the challenges faced, the Library hosted a total of 683 visitors and researchers from 25 different countries.

8. The Secretariat expresses its gratitude to all donors in 2020 and hopes that they will wish to renew their financial commitment, and that new donors may join them.

Series of lectures and presentations

9. Taking advantage of the presence of distinguished guests at UNIDROIT, the Secretariat began to organise a series of lectures and presentations on topics related to the guest's areas of research in 2019. These lectures are attended by members of UNIDROIT Secretariat and current guests in the library, as well as interested external experts expressly invited to participate. This initiative

¹ For a full presentation of the Research Programme and the Internship Programme, including a list of current and former guests see: <https://unidroit.org/research-and-internships>.

unfortunately was interrupted in 2020 by the outbreak of the COVID-19 pandemic, but it was reinstated in May 2021. At the end of June, the presentations listed below were held followed by a Q&A session moderated by the Secretary-General Professor Ignacio Tirado:

- 21 May 2021

Mr José Manuel Canelas Schütt (Professor at the Universidad Católica Boliviana, Santa Cruz, Bolivia – UNIDROIT Scholar) presented his research on the “Legal Guide on Agricultural Land Investment Contracts (ALIC Guide) and Party Autonomy”;

- 11 June 2021

Ms TianShu Liu (Master, University of International Business and Economics, Beijing – MOFCOM Scholar), presented her research on the “Application of Distributed Ledger Technology in Factoring Transactions”;

- 18 June 2021

Ms Theodora Kostoula (Ph.D Candidate, European University Institute – Sir Roy Goode UNIDROIT Scholar) presented her research on “Cryptoassets, Security Rights and Insolvency”;

- 22 July 2021

Ms Gabriella Boger Prado (Ph.D Candidate, Université Paris II Panthéon-Assas – Feldens Madruga Scholar presented her research on “Applicable Law to International Commercial Contracts in Latin America”.

III. COOPERATION WITH ACADEMIC INSTITUTIONS

10. In line with its policy over the previous years, and with the intention to further develop in the future, the Secretariat has promoted cooperation with academic institutions in relation to the Institute’s activities. Although scholarship candidates are welcome to apply on an individual basis, cooperation agreements are in place for joint scholarships with a number of academic institutions. Cooperation agreements ² generally provide for a competitive selection procedure within the partner institution and may imply shared expenses or full coverage by the partner institution. Since the last session of the Governing Council, the following four agreements were signed:

- *The University of Hong Kong - HKU Law* (Hong Kong);
- *Law Schools Global League – (LSGL)* (31 universities worldwide);
- *University of Navarra* (Spain);
- *Fordham University* (United States of America).

² List of all agreements signed between UNIDROIT and academic institutions: Universidad Argentina de la Empresa (Argentina); Universidad de los Andes (Chile); Universidad de Talca (Chile); Pontificia Universidad Católica de Valparaíso (Chile); University of International Business and Economics, Beijing (China); Zhongnan University of Economics and Law, Wuhan (China); Shanghai University of Political Science and Law (China); Universidad Externado (Colombia); University of Nicosia (Cyprus); Cairo University Faculty of Law (Egypt); Université Clermont Auvergne (France); The University of Hong Kong - HKU Law (Hong Kong); Islamic Azad University – Science and Research Branch, Tehran (Iran); Strathmore University (Kenya); Law Schools Global League (31 universities worldwide); University of Opole (Poland); Transnational Law and Business University, Graduate School of Law (Republic of Korea); Nagoya University (Japan); Babes Bolyai University (Romania); University of Johannesburg (South Africa); University of Navarra (Spain); University of Oxford - Faculty of Law - Commercial Law Centre at Harris Manchester College (United Kingdom); Queen Mary University of London (United Kingdom); University of Nottingham (United Kingdom); Loyola University Chicago Rome Center (USA/Italy); Fordham University (USA).

IV. INTERLIBRARY COOPERATION AND NETWORKING

11. In 2020 the UNIDROIT Library continued its cooperation strategy with other Roman and foreign libraries, as for example the Library of the “University of La Sapienza, Rome”, or the “Library of the Max-Planck Institute of Foreign Private and Private International Law, Hamburg”. First steps have been taken to create a future collaboration with the Library of the *Organizzazione Internazionale Italo-Latinoamericana* (IILA).

V. ACQUISITIONS, DONATIONS, EXCHANGES

12. In 2020, the Library’s holdings increased by 901 titles, of which 489 were purchased outright, 118 were obtained on an exchange basis, while 294 further titles were received as gifts for a total value of € 11.251,00. The expansion of the Library’s holdings has been hampered by steady increases in the price of publications and a chronic lack of resources. The publication of some legal journals was interrupted after April 2020 for a few months due to the pandemic. In 2020, as in previous years, the Library received donations in kind from the Max-Planck-Institute of Foreign Private and Private International Law in Hamburg.

Library collection adaptation to the new topics of the Work Programme 2020-2022

13. Since its foundation, UNIDROIT has set the creation of an international legal documentation centre to assist in its research and work programme as one of its priorities. Special consideration is given to research projects that focus on past or current legislative activities and as part of the current Work Programme 2020-2022, a number of new projects have been added to UNIDROIT's traditional work topics, such as: work on digital assets; agricultural land investments; transnational civil procedure and effective enforcement; bank insolvency; warehouse receipts; and factoring. Accordingly, the library collection has been adapted to the needs of the professional staff, invited scholars and interns. The necessary books on the new topics were therefore purchased, in particular books on digital assets, blockchain contracts, enforcement proceedings and agricultural investment contracts.

Donation from Professor Achille De Nitto - The Scialoja Collection

14. In June 2021, Prof. Achille de Nitto donated a very precious collection of about 700 publications, mostly in the form of brochures, excerpts from various Italian reviews, in particular law reviews, and by collective works, between the last decades of the nineteenth century and the thirties of the twentieth century. The publications belonged to the Vittorio Scialoja library at the Institute of Roman law. Many copies contain an autographed dedication to Prof. Scialoja by the author. Other publications, in less substantial quantities, are dedicated or directed to Pietro Francisci. The names of Vittorio Scialoja, as well as Francisci, have been linked to UNIDROIT since its foundation. The Institute expresses its most sincere gratitude to the Donor. It is a great honour to be able to keep and enhance these testimonies of humanity and culture for scholars, not only Italians.

VI. DIGITISATION

15. On the occasion of the Governing Council's 97th session (Rome, 2 - 4 May 2018) the in-house digitisation project was agreed upon, as an attractive opportunity to make the collection of the UNIDROIT Library accessible in digital form.

16. As detailed in the table below, in 2020, 281 monographs (115 monographs of the Gorla collection and 166 monographs regarding the Chiomenti collection) and 123 monographs regarding comparative law and unification of laws, were digitally prepared and added to the Library's electronic collection. Special attention was paid to the digitisation of the historical Gorla Collection in order to preserve one of the Library's rarest and most valuable historical collections, from the 17th to the early part of the 19th Century. The digitisation of the Gorla collection will be completed approximately in September 2021.

Digitisation project of library materials				
	Gorla Collection	Chiomenti Collection	Other titles on comparative law and unification of laws	Total titles digitised
2018	-	-	302 monographs	302 monographs
2019	389 monographs	275 monographs	58 monographs	722 monographs
2020	115 monographs	166 monographs	123 monographs	404 monographs

VII. CATALOGUE ENRICHMENT AND ENHANCED ACCESS TO E-MATERIALS

17. In 2020, work continued on the upgrade of the library's list of law reviews and 136 scanned articles were added to the Library's online collection. The links of those publications have been included in the relevant bibliographic data sheet in the online catalogue. A large number of articles available in external databases to which the UNIDROIT library is subscribed to were added to the Library's online catalogue, and can now be easily consulted by readers.

VIII. UPGRADE OF THE LIBRARY MANAGEMENT SOFTWARE

18. In 2020, the Library's software management system Aleph500 was upgraded to the latest version Aleph 23.3.3 and the software firm ExLibris continued to be fully operational, with no disruption to the Institute's professional staff or the researchers in the Library.

IX. ACTION TO BE TAKEN

19. *The Governing Council is invited to take note of the progress made.*