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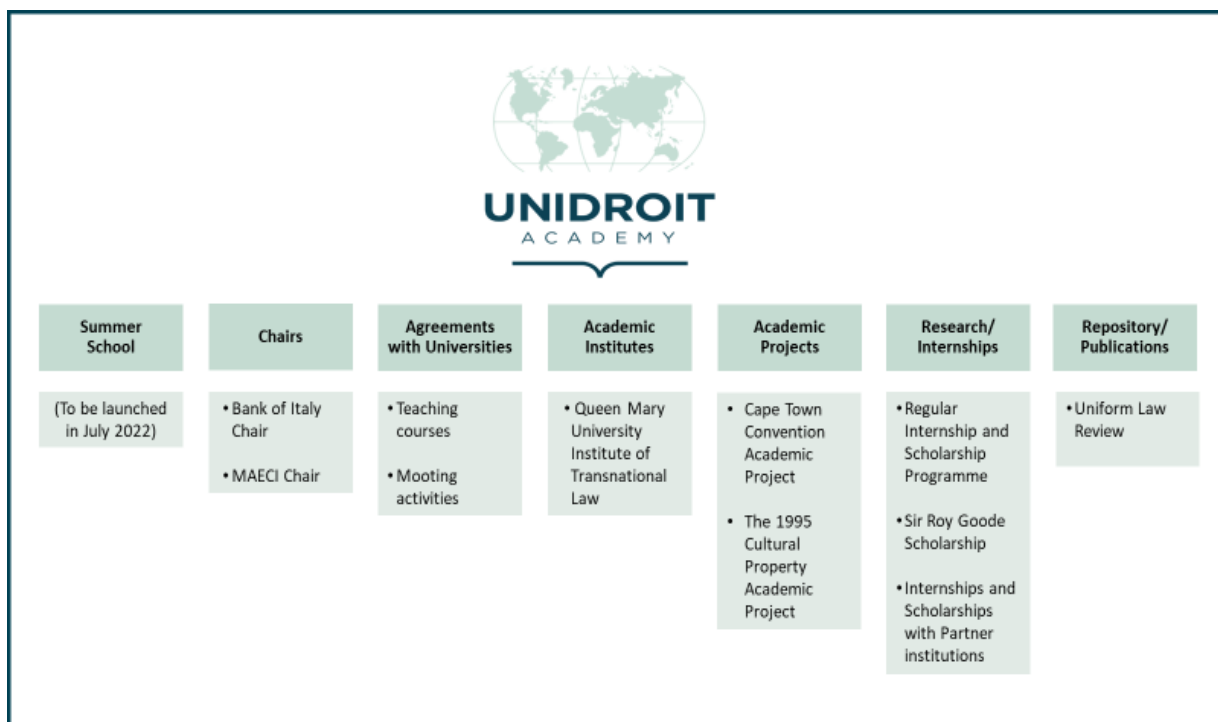
**Item No. 9 on the Agenda: UNIDROIT Academy**

(prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Development of UNIDROIT's academic network and activities</i>
<i>Action to be taken</i>	<i>Take note of the activities and support the initiatives of the Secretariat</i>
<i>Related documents</i>	<i>Linked within text</i>

**I. INTRODUCTION**

1. At its 100<sup>th</sup> session the Governing Council approved the Secretariat's proposal to create the UNIDROIT Academy with a view to enabling the adoption of a unified approach to the many interrelated non-legislative, academic activities (C.D. (100) B.22). This document provides an update on all activities with a predominantly academic component as noted in the figure below.



## II. UNIDROIT ACADEMIC PROJECTS

### A. Cape Town Convention Academic Project



2. The Cape Town Convention Academic Project (CTCAP) is a joint undertaking between UNIDROIT and the University of Cambridge Faculty of Law, under the auspices of the Centre for Corporate and Commercial Law (3CL). The Aviation Working Group is the founding sponsor of the project. Professor Ignacio Tirado (UNIDROIT), Professor Louise Gullifer (University of Cambridge), and Professor Jeffrey Wool (Aviation Working Group) serve as the Directors of CTCAP. It was originally founded in July 2011 as a collaboration between the University of Oxford and the University of Washington, in collaboration with UNIDROIT.

3. The primary objective of CTCAP is to facilitate and further the academic study and assessment of the Convention on International Interests in Mobile Equipment (the Cape Town Convention) and its Protocols. It does this by providing a comprehensive, digitised and searchable repository ([www.ctcap.org](http://www.ctcap.org)) of documents and publications related to the Cape Town Convention and its Protocols.

4. Additionally, from time to time, CTCAP issues annotations to the Official Commentary on the Convention and the Aircraft Protocol, in order to provide further guidance on specific issues relevant to practitioners and researchers of the Cape Town Convention. It also publishes the Cape Town Convention Academic Journal, as well as organises the annual Cape Town Convention Academic Project Conference.

5. Finally, CTCAP also oversees two related projects on the [Economic Assessment of International Commercial Law Reform](#), and on [Best Practices in the Field of Electronic Registry Design and Operation](#) (BPER). These projects further compliment research on the Cape Town Convention and assist in its implementation in different parts of the world. In 2021, the BPER Project published a [Best Practices Guide for Electronic Collateral Registries](#).

6. Since the last session of the Governing Council, CTCAP has continued to be very active and has organised a series of activities. On 28 September 2021, the [5<sup>th</sup> Workshop for the BPER Project](#) was organised at the University of Cambridge. The Project has now shifted its attention towards preparing a best practice guide for electronic business registries and has also hired a consultant to undertake research on this subject. Additionally, the [10<sup>th</sup> Cape Town Convention Academic Conference](#) took place at the University of Cambridge on 29-30 September 2021 and had 173 registered participants, 60 of which attended in person. The Conference featured commemorations of the 20<sup>th</sup> anniversary of the adoption of the Cape Town Convention and its Aircraft Protocol. This included a welcome address by the President of UNIDROIT, Professor Maria Chiara Malaguti, and a Keynote Address by Professor Sir Roy Goode. The Conference also looked at issues such as the Environmental, Social, and Governance impacts of the Cape Town Convention, as well as recent challenges posed to the implementation of the Convention by the COVID-19 Pandemic. Finally, CTCAP also organised a restricted session of its EA Project in Rome on 10 March 2022.

7. The work of CTCAP is aimed for the benefit of scholars, students, practising lawyers, judges, governments officials and others working in the relevant industries, including by the provision of information on, and education about the Cape Town Convention and its Protocols. The project seeks to enhance the study of the many questions posed by the application of the Cape Town Convention, including, but not limited to, aspects of commercial and financial law, including property rights, insolvency, electronic commerce, and dispute resolution. The Project seeks to further understanding and effective implementation of the treaty and its protocols, as well as advancing its aims. All additional information about CTCAP can be found on [www.ctcap.org](http://www.ctcap.org).

## **B. The 1995 UNIDROIT Cultural Property Academic Project**



8. The 1995 UNIDROIT Convention Academic Project (UCAP) is aimed at raising awareness and improving knowledge about the 1995 UNIDROIT Convention. UCAP is an online platform of shared material about the 1995 UNIDROIT Convention, UNESCO-UNIDROIT Model Provisions and other related international tools. UCAP provides an opportunity to assess the significance and operational aspects of the 1995 UNIDROIT Convention and its interaction with other regional and international instruments with a view also to assess their legal impact.

9. The project aims to promote a favourable legal environment for the restitution and return of stolen or illegally exported cultural objects through knowledge sharing and dissemination, as well as projects pursued individually by the partners and members or on the basis of joint initiatives. UCAP also seeks to assist practising lawyers, judges, other government officials, as well as art market players, such as art collectors, dealers, auction houses and museums by providing information about the legal framework protecting cultural property.

10. Taking a step further into cultural heritage education, studies and research carried out under UCAP will facilitate the identification of best practices in the art market in order to provide innovative means of implementation of the aforementioned instruments.

11. UNIDROIT is invited to deliver lectures on its instruments relating to cultural property in many universities and such activities are developed within the framework of the UNIDROIT Convention Academic Project (UCAP). The activities developed in this framework in 2021 can be found in the Annual Report 2021 (C.D.(101) 2). In 2022, UNIDROIT was invited to attend a conference entitled 'Culture and Law' organized on April 21 and 22 in Mexico City by the International Academy of Comparative Law and the Centro Mexicano de Derecho Uniforme to present the project on private art collections. Several other events are scheduled for the coming months such as a conference organised in Florence on 17 and 18 June by the Italian Ministry of Culture together with the Law School of the University of Florence on 'The Italian Law of Cultural Heritage: a Dialogue with the United States'. UNIDROIT also participated in the third edition of the Master in Cultural Property Protection in Crisis Response in Turin (Italy) on 21 February with a lecture on the UNIDROIT's instruments on cultural property in the module 'The law of international protection of cultural heritage'.

12. In March 2022, 14 universities (in Argentina, Australia, Brazil, China, Hungary, Italy, Netherlands, Poland, Switzerland and the United States of America), the Law Schools Global League (an association of 31 top law schools from all five continents) and the *European Students' Association for Cultural Heritage* (ESACH) joined UCAP as institutional partners, and 40 professors, researchers, lawyers, PHD candidates, etc, joined as individual partners. Several of them have organised courses or conferences to promote the UNIDROIT instruments in this field. In 2022, UNIDROIT was invited on 27-29 March to a Conference on Law, Art, and Cultural Heritage ('Due Diligence, Digital Databases, and Cultural Property Law & Policy') organised by an institutional partner of UCAP, the Reichman University of Herzliya (member of the Law Schools Global League) at which a specific session was dedicated to the UNIDROIT project on private art collections. A side event was also organised with the Tel Aviv Museum of Art and the national ICOM Committee on 'What museums and collectors should know about provenance and due diligence: an international perspective'. Memoranda of understanding have also been signed with some partners such as the Universities of Nicosia, Opole or the Law Schools Global League to organise seminars, workshops, courses or other events.

### **III. ACADEMIC INSTITUTES**

#### **QUEEN MARY UNIVERSITY LONDON / UNIDROIT INSTITUTE FOR TRANSNATIONAL COMMERCIAL LAW**

13. As a result of informal communications between the UNIDROIT Secretariat and the newly appointed Director of the Queen Mary University of London (QMUL) Centre for Commercial Law Studies, Professor Loukas Mistelis, an Advisory Board meeting of the QMUL/UNIDROIT Institute for Transnational Law was held in Rome, and remotely, on 21 September 2021. The meeting's purpose was to revitalise the activities of the Institute, that had been originally founded in 2016 following an initiative of Professor Sir Roy Goode and the former UNIDROIT President Professor Alberto Mazzoni through a concordat between QMUL and UNIDROIT, after their interruption caused by the COVID pandemic period, and to reengage with Advisory Board members. At the meeting, the Advisory Board appointed Professors Loukas Mistelis and Anna Veneziano as Co-Directors of the Institute and elected new members.

14. The current composition of the Advisory Board is as follows: Georges Affaki, Michael Bridge, Andromachi Georgosouli, Miriam Goldby, Sir Roy Goode, Louise Gullifer, Thomas Keijser, Maria Chiara Malaguti, Loukas Mistelis, Maria Pilar Perales Viscasillas, Jean-Francois Riffard, Djakhongir Saidov, Hiroo Sono, Chris Southworth, Ignacio Tirado, Patrick Trostle, John Taylor, Anna Veneziano, Catherine Walsh, Bruce Whittaker.

15. The meeting provided a good opportunity to discuss future activities to fulfil the Institute's goals of providing post-graduate teaching and research in the area of Transnational Law and supporting UNIDROIT's work in this field. Further, consideration was given to identifying new means of financing scholarships for researchers to come to UNIDROIT and work on matters related to the Institute's current projects and instruments. Moreover, at the meeting it was agreed that QMUL would update the webpage of the Institute to reflect the modified institutional structure, and would provide the necessary administrative support to the Institute's activities. It was further agreed to continue pursuing efforts to improve cooperation and coordination between Queen Mary and UNIDROIT, with special regard to the definition of periodic events of the Institute for Transnational Commercial Law. It is envisaged that the Institute will convene its governance bodies within shorter periods of time and intensify its activities to pursue its mandate. Since the meeting of 21 September, no activities were undertaken. The Secretariat will provide Governing Council members with an update as a basis to reflect on the future of the QMUL-UNIDROIT Institute.

#### **IV. UNIDROIT INTERNATIONAL SUMMER SCHOOL**

16. At the 100<sup>th</sup> session of the Governing Council, the Secretariat proposed to provide a unified approach to UNIDROIT's academic network and to organise the first edition of the UNIDROIT International Summer School in 2022. ([C.D. \(100\) B.22](#)).

17. The International Summer School received full funding from the Italian Government on July 9, 2021 for the total amount of € 98,550. Mr Marco Nicoli (UNIDROIT Foundation) was appointed Director of the Summer School to lead and manage the entire initiative, in coordination with the Secretariat staff.

18. The 1<sup>st</sup> edition of the International Summer School will be held in a hybrid format from June 20 to July 22, 2022. The first part of the school will take place online, with classes being held via zoom from June 20 to July 1. The second part will be organised at the UNIDROIT headquarters with in person classes from July 4 to 22.

19. A total of 26 participants from 17 African countries (Algeria, Cameroon, DRC, Egypt, Ethiopia, Ghana, Kenya, Liberia, Malawi, Mauritania, Mauritius, Morocco, Nigeria, South Africa, Tanzania, Tunisia and Zambia) of which 13 females and 13 males, have been admitted after a strict selection process. A [dedicated section](#) on the Institute's website has been developed to provide detailed information and for dissemination purposes. The programme includes an introduction to the role of transnational law and unification and a presentation of many UNIDROIT's instruments in different fields (international commercial contracts; private Law and sustainable agriculture; access to finance - Cape Town Convention and relevant Protocols, Warehouse Receipts Financing, Factoring; international protection of cultural property; procedural law and enforcement; law and technology). World-renowned experts in each field, who often participated in the elaboration of the instruments presented, will lecture at the International Summer School. In addition to reading material and the in-person presentations, participants will benefit from [seminars](#) addressing case studies presented by legal practitioners based on real cases, as well as from other [events](#) to facilitate networking among participants, with lecturers and legal experts.

#### **V. UNIDROIT CHAIR PROGRAMMES**

20. The UNIDROIT Joint Chair Programmes are part of a new approach that the Secretariat has adopted to bolster technical knowledge and expertise in certain areas of the Institute's work programme. Through the appointment of experts for periods of one year or more, depending on the specific Terms of Reference of the Chair, the Institute receives highly specialised advice without a need to resort to external experts, whose free time is often limited. This adds capacity and stability to the Secretariat's workforce. In our first experience, this approach has proven particularly useful in the exploratory phases of our projects, where few or no external experts are involved.

21. Born with the aim of supporting UNIDROIT staff in phases of projects in which research is instrumental, as well as reinforcing partnerships with relevant stakeholders, the results of the Chair Programmes is expected to feed into both the Academic and Project output of the Institute.

##### **A. The UNIDROIT-Bank of Italy Chair Programme**

22. The UNIDROIT-Bank of Italy Chair Programme has bolstered the existing cooperation between UNIDROIT, the Bank of Italy and IVASS (the Italian supervisor of the insurance and reinsurance markets) and has already contributed to joint research, training and dissemination of matters of common interest.

23. Under the Programme, the UNIDROIT Secretariat has successfully hosted Mr Hossein Nabilou (Assistant Professor of Law & Finance at University of Amsterdam), to work in the fields of (i) digital

assets and private law; (ii) the conception and analysis of specific procedures to deal with distressed financial institutions, with a focus on non-systemic banks. The two topics are part of current projects existing on the UNIDROIT 2020-2022 Work Programme, and constitute natural areas of interest for the Bank of Italy and/or IVASS.

24. During his stay at UNIDROIT, Prof. Nabilou contributed to developed of two ongoing projects (Bank Insolvency and Digital Assets and Private Law), prepared two papers and participated in a number of events:

25. The first paper on "[Probabilistic settlement finality in Proof-of-Work Blockchains: Legal Considerations](#)" combines the literature on financial regulation (in particular, the law of payments and financial market infrastructures), technology law (distributed systems and blockchains), and the private law (in particular, contract, commercial, and property law). A short summary of the paper has also appeared in the [Oxford Business Law Blog](#). The second paper on "[The law and macroeconomics of custody and asset segregation rules: Defining the future of crypto-banking](#)" covers the custody principle and how it has the potential to shape the future of cryptocurrencies and decentralised finance (DeFi). This paper is closely related to the project on the digital assets and private law, and in particular, the work carried out by the subgroup on custody. A short summary of the paper has also appeared in [Oxford Business Law Blog](#).

26. Moreover, Prof. Nabilou provided useful assistance to the Secretariat in the preparation of documents and in the discussions of the projects on "Digital Assets and Private Law" and "Bank Insolvency".

27. With this Chair candidate scheduled to leave the Secretariat in April 2022, following contacts with the legal department of the Bank of Italy, the Secretariat has been preparing and will submit a formal request to renew the Grant, which should be approved during the summer 2022.

28. Subject to the approval of the Bank of Italy, a new resource is therefore likely to join the Institute for a year, starting in Autumn 2022.

## **B. The UNIDROIT-Italian Ministry of Foreign Affairs Chair Programme**

29. In January 2022, UNIDROIT received a grant from the Italian Ministry of Foreign Affairs (MAECI) to host a Chair Programme in the field of private law and sustainable development. This new Programme aims at, more generally, involving a senior or mid-career professor/researcher in the development of the UNIDROIT/FAO/IFAD project on Legal Structure of Agricultural Enterprises (LSAE). The candidate is expected to assist the Secretariat with comparative research and data collection, as well as with the analysis of gender equality in the various collaborative forms of agricultural enterprises considered within the LSAE project. In addition, the prospective Chair will cooperate with the UNIDROIT Secretariat in activities for the implementation of other legal guides already developed by UNIDROIT in the field of private law and agricultural development (e.g. Contract Farming and Agricultural Land Investment Contracts).

30. The UNIDROIT/MAECI Chair must have consolidated experience as a jurist in the field of comparative private law (e.g. already in possession of a research doctorate or more than five years of practical experience). Ideally the candidate should have experience with contract, corporate and agricultural law and should be aware of the challenges faced by smallholders and small and medium-sized agricultural enterprises to access markets, technology, financial resources.

31. Preference will be given to women candidates from developing countries, preferably from countries of the African continent given the particular challenges that still exist in a number of these countries for the access of women to agricultural enterprises. A call for expression of interest will be

posted on UNIDROIT's website in May 2022 and it is expected that the new Chair will join the Institute for a year, starting in August or September 2022.

## **VI. LIBRARY**

32. Fortunately, the regular activities and services of the library returned to normal in the final months of 2021, after the emergency restrictions imposed by the COVID pandemic gradually began to be lifted in Italy. Guests from almost all parts of the world were able to visit the library again for research activities and internships.

### **A. Interlibrary Cooperation And Networking**

33. In 2021 the UNIDROIT Library continued its cooperation strategy with other Roman and foreign Libraries, as for example with the Library of the "University of Rome, La Sapienza" (Italy) and the Library of the "Max-Planck Institute of Foreign Private and Private International Law" in Hamburg (Germany). Preliminary steps have been taken to create a future collaboration with the Library of the University of Foggia (Italy).

### **B. Acquisitions, Donations, Exchanges**

34. In 2021, the Library's holdings increased by 680 titles, of which 389 were purchased outright, 135 were obtained on an exchange basis, while 156 further titles were received as gifts for a total value of € 9,360.00. In the first month of 2022, the Library holdings increased by 283 titles, of which 112 were purchased, 93 were obtained on an exchange basis, and 78 were received as gifts for a value of € 3.900,00. 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 2021, as in previous years, the Library received donations in kind from the Max-Planck-Institute of Foreign Private and Private International Law in Hamburg.

### **C. Cataloguing of the Scialoja Collection**

35. 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 autograph dedication to him by the single author. Other publications, in less substantial quantities, are dedicated or directed to Pietro Francisci. The names of Vittorio Scialoja, as well as de Francisci, have been linked to UNIDROIT since its foundation. The Institute expresses its gratitude and honor to be able to keep and enhance these testimonies of humanity and culture for scholars, not only Italians. Since the last Governing Council meeting in September 2021, work on the cataloguing of this precious collection has started, in order to make it accessible for readers.

### **D. Digitisation project**

36. The in-house digitisation project was agreed at the Governing Council's 97<sup>th</sup> session (Rome, 2 - 4 May 2018), as an attractive opportunity to make the collection of the UNIDROIT Library accessible in digital form.

37. In 2021, 314 monographs (139 titles of the Gorla collection and 103 titles regarding the Chiomenti collection) and 72 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 17<sup>th</sup> to the early part of the 19<sup>th</sup> Century. The digitisation of the Gorla collection was completed in December 2021.

<b>Digitisation project of library materials</b>				
	Gorla Collection	Chiomenti Collection	Other titles on comparative law and unification of laws	Total titles digitised
2018	-	-	302 titles	302
2019	389 titles	275 titles	58 titles	722 monographs
2020	115 titles	166 titles	123 titles	404 monographs
2021	139	103	72	314

### **E. Catalogue Enrichment and Enhanced Access To E-Materials**

38. In 2021, work continued on the upgrade of the library's list of law reviews and 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 references to articles available in external databases to which the UNIDROIT library is subscribed to were added to the Library's online catalogue.

## **VII. UNIDROIT RESEARCH SCHOLARSHIP AND INTERNSHIP PROGRAMME**

39. UNIDROIT's Research Scholarship and Internship Programme are important tools for promoting UNIDROIT's work and related research in the field of international and comparative law.<sup>1</sup> These Programmes have been entirely funded by voluntary contributions since 2014, relying entirely on the benevolence and generosity of its sponsors, which include the Ministry of Commerce of the People's Republic of China (MOFCOM), the Members of the Governing Council, the UNIDROIT Alumni Association, UROLA and the Feldens Madruga law firm. The long-term goal of the Scholarship and Internship Programme is to provide funding to all accepted applicants, however, due to the Institute's limited resources, currently only few applicants receive research scholarships or internship stipends.

40. In 2021, 48 interns from 24 countries undertook internships and collaborated on current projects with the UNIDROIT Secretariat. 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 2021 the Secretariat was able to fund seven scholars from seven different countries. Five scholars were funded under the UNIDROIT General Fund Scholarship. In addition, 40 scholars were invited to undertake research at the Institute as independent researchers.

41. Among the seven Scholars, the Institute received two Sir Roy Goode Scholars in 2021. First, Ms Theodora Kostoula (Greece), PhD candidate at the European University Institute, was selected to undertake research on "Information Technology, Digital Assets and Insolvency and current UNIDROIT legislative projects from 5 October 2020 to 2 July 2021. Then, Ms Teresa Rodriguez de las Heras Ballell (Spain), Professor at the University Carlos III - Madrid was selected to undertake research on

<sup>1</sup> 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>.



“Best Practices for Effective Enforcement, Warehouse Receipts, Digital Assets and Private Law, as well as on the Cape Town Convention and its Protocols from 1 September 2021 to 31 May 2022. Three more scholars are expected in 2022.

42. The Institute has already hosted 16 interns and 18 independent researchers from January 2022 to May 2022, and 29 interns and 19 independent researchers are expected to visit the Library from May 2022 to December 2022. For a full presentation of the Scholarship Programme and its beneficiaries in 2021, see the Annual Report 2021 (C.D. (101) 2), and the UNIDROIT Scholarship and Internship Programme Implementation Report for 2021 (UNIDROIT 2021 – Study LXV/Scholarships: Impl. 32).

43. The Secretariat expresses its gratitude to all donors in 2021, in the hope that they might renew their financial commitment, and that new donors might join.

### **VIII. COOPERATION WITH ACADEMIC INSTITUTIONS**

44. 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 a number of partners, including but not limited to academic institutions, in relation to the Institute’s library 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 generally provide for a competitive selection procedure within the partner institution, and may imply shared expenses or full coverage by the partner institution.

45. Since the second meeting of the 100<sup>th</sup> session of the Governing Council, the following cooperation agreements were undersigned with universities/institutions:

- the United Nations Office for Outer Space Affairs (UNOOSA) on 22 September 2021;
- the International Law Association (ADI/ILA Italian Branch) (Italy) on 5 November 2021;
- the Roma Tre University Law Department (Italy) on 15 November 2021;
- the European Law Institute (ELI) (Austria) on 15 November 2021; and
- the Department of Law and Economics of Productive Activities-University of Rome “La Sapienza” (Dep. DEAP Sapienza) (Italy) on 13 December 2021.

### **IX. UNIDROIT PUBLICATIONS**

#### **A. Uniform Law Review**

46. It will be recalled that the Uniform Law Review has been published by Oxford University Press ever since 2013 and that this five-year agreement was renewed in 2018. As it is due to expire at the end of 2022, discussions with OUP for a new agreement are underway. The proposed new agreement introduces relevant changes that merit careful consideration. These changes include the duration of the agreement, which is proposed to be for three-year renewable periods after an initial two-year period, instead of the original five-year periods. A major change is that it introduces a new online method for submission and treatment of articles, including the peer review system, i.e. the ScholarOne submission system.

47. It is estimated that the system will be in place by early or mid-2023, after a period of training provided by OUP, which will also assist in customising the procedures for the Uniform Law Review.

48. The Uniform Law Review is available for subscription either in print or online or both. Subscription data indicate that the trend of a steady decrease in printed subscriptions described in past years has continued.<sup>2</sup> Conversely, online subscriptions have increased, the greatest increase being to collection subscriptions, i.e. subscriptions through the OUP collection of journals available online. In 2020, there was a total of 1,989 collection customers, to which a further 115 that had migrated from other forms of subscription should be added. In 2021, the collection subscribers increased to 2,139, and in the first three months of 2022 the number of collection subscribers was already 1,728. Conventional academic subscriptions were 74 in 2020 (a decrease from 90 in 2018), 61 in 2021 and only 49 in the first three months of 2022. The total number of subscriptions in 2020 was 2,068, an increase from the 1,781 of 2019. Total subscriptions in 2021 were 2,204 and 1,780 the first three months of 2022. In addition, the special arrangement OUP has in place for developing countries, which offers online subscriptions to journals at lower rates and, in some cases, for free, should be noted.

49. The trend evidenced by the above figures is expected to continue, leading to the Review becoming a totally electronic journal. This gradual elimination of the paper copies of journals was hastened by the difficulties in both managing and acquiring paper editions during the pandemic, taking place in a mere five months instead of the five years that OUP had expected.

50. Online visits to the Uniform Law Review pages on the OUP site which include at least one downloaded article have increased steadily. The average monthly visits increased from 1,044 in 2017 to 3,083 in 2020, to 3,536 in 2021, and were 3,391 in January-March 2022. The geographical breakdown of the visits indicates that the majority of the visitors came from Europe (33.8% in 2021, 34.6% in the first months of 2022), followed by North America (14.5% in 2021, 14.4% in the first months of 2022), East and South-East Asia (13.4% in 2021, 14.2% in the first months of 2022), Central and South Asia (9.1% in 2021, 10.1% in the first months of 2022), Africa (6.8% in 2021, 4.2% in the first months of 2022), West Asia (4.4% in 2021, 5.9% in the first months of 2022) Oceania (2.5% in 2021, 2.3% in the first months of 2022), Central and South America (1.8% in 2021, 2.0% in the first months of 2022) and others of unknown provenance (13.7% in 2021 and 12.4% in the first months of 2022). Interestingly, most users accessed the site from Google (52.8% in 2021, 53.4% in the first months of 2022), followed by direct access (19.21% in 2021, 17.3% in the first months of 2022).

51. The Accounts presented by OUP for 2021 (1 January - 31 December 2021), show that the Uniform Law Review in 2021 made a profit of € 53,765, with royalties due to UNIDROIT amounting to € 8,065.

52. The list of the articles most viewed in 2021 confirms the interest of readers in the UNIDROIT Principles of International Commercial Contracts, with Professor Bonell's article firmly in first position:

<b>Top 10 Articles by Full-Text Views in the last 12 Months – Which articles had the most full-text views (html – pdf) during the last 12 months.</b>			
<b>Title</b>	<b>First Listed Author</b>	<b>Article Details</b>	<b>Views</b>
The law governing international commercial contracts and the actual role of the UNIDROIT Principles	Michael Joachim Bonell	Vol:23, Iss:1, Pub Date:2018-03-20	13,211
Covid-19 and <i>force majeure clauses</i> : an examination of arbitral awards	Ş. Esra Kiraz / Esra Yıldız Üstün	Vol :25, Iss: 4, Pub Date: 2020-12-29	6,486
Modernizing and harmonizing international contract law: the CISG and the UNIDROIT	Michael J. Dennis	Vol:19, Iss:1, Pub Date:2014-02-12	3,391

<sup>2</sup> The data is provided by Oxford University Press.

Principles continue to provide the best way forward			
The impact of blockchain technologies and smart contracts on dispute resolution: arbitration and court litigation at the crossroads	Pietro Ortolani	Vol:24, Iss:2, Pub Date:2019-05-16	2,318
National Blockchain Laws as a Threat to Capital Markets integration	Matthias Lehmann	Vol: 26, Iss: 1, Pub Date: 2021-07-05	1,982
<i>Préservation de la sécurité juridique et judiciaire des affaires à travers les formations : cas de l'ERSUMA et des commissions nationales OHADA</i>	Anaclet Nzohabonayo	Vol:23, Iss:1, Pub Date:2018-03-19	1,810
COVID-19 and International Sale Contracts: Unprecedented Grounds for Exemption or Business as Usual?	André Janssen / Christian Johannes Wahnschaffe	Vol: 25, Iss: 4, Pub Date: 2021:02-02	1,538
<i>La réforme du droit Camerounais des entreprises publiques et le droit des sociétés commerciales de l'espace OHADA</i>	Salifou Mouhouain	Vol:24, Iss:1, Pub Date:2019-04-23	1,321
Law harmonization and local specificities – a case study: OHADA and the law of contracts	Marcel Fontaine	Vol:18, Iss:1, Pub Date:2013-03-14	1,004
Political Barriers in the Ratification of International Commercial Law Conventions	Johanna Hoekstra	Vol: 26, Iss: 1, Pub Date: 2021-06-15	791

## B. Monographs

### 1. Official Commentaries on the Cape Town Convention on International Interests in Mobile Equipment and its Protocols

53. It will be recalled that the Official Commentaries on the Cape Town Convention and its protocols are all authored by Sir Roy Goode. The Institute acts as agent for the author, charging 10% in handling costs. As from 2019, Sir Roy Goode donates his royalties directly to the Institute, funding the *Sir Roy Goode UNIDROIT Scholarship*.

54. The Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol thereto on Matters specific to Mining, Agricultural and Construction Equipment was published at the end of April 2021.

55. The fifth edition of the Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol thereto on Matters specific to Aircraft Equipment is expected to have been printed by May, 2022, on time for the meeting of the Governing Council.

### 2. ELI/UNIDROIT Model Rules of European Civil Procedure

56. The English version of the *ELI/UNIDROIT Model Rules of European Civil Procedure* was published in August 2021 by Oxford University Press. The French version is being finalised and is expected to be published in the course of the year. Agreements have been made for the translation of the Model Rules into Chinese, Farsi, German, Italian (black-letter rules only), Russian, Spanish, and Ukrainian.

### 3. ALI/UNIDROIT Principles of Transnational Civil Procedure

57. A translation into Georgian of the ALI/UNIDROIT Principles of Transnational Civil Procedure was published in 2021. Earlier translation agreements have been concluded for translations into

Albanian, Arabic, Chinese, Croatian, Farsi, Greek, Japanese, Russian, Slovak, Spanish, Turkish and Ukrainian.

#### **4. UNCITRAL, HCCH and UNIDROIT, Legal Guide to Uniform Instruments in the Area of International Commercial Contracts, with a Focus on Sales**

58. The year 2021 saw the publication of the second<sup>3</sup> of the guides produced in collaboration by UNCITRAL, the Hague Conference on Private International Law and UNIDROIT illustrating how the instruments produced by the three work together. This volume examines the instruments in the area of international commercial contracts, with a focus on sales (the United Nations Convention on Contracts for the International Sale of Goods (1980), the United Nations Limitation Convention (1974), the UNIDROIT Principles of International Commercial Contracts (4th ed 2016), the Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance (1983) and model contracts based on uniform texts). It is a joint publication produced by the United Nations in the five languages of the United Nations.

#### **5. UNIDROIT/IFAD Legal Guide on Agricultural Land Investment Contracts**

59. In 2021 UNIDROIT and the International Fund for Agricultural Development (IFAD) launched the [Legal Guide on Agricultural Land Investment Contracts](#) (ALIC) that the two organisations had produced jointly<sup>4</sup>. The ALIC Legal Guide is the second international instrument developed in collaboration by UNIDROIT in the area of private law and agricultural development, following the successful UNIDROIT/FAO/IFAD Legal Guide on Contract Farming. The ALIC Guide provides innovative guidance on how to improve agricultural land investment contracts by operationalising a number of international principles and standards for the promotion of responsible agricultural investment, and offers technical guidance on the entire contractual relationship between landowners and investors, from the contractual negotiation stage to the conclusion and return of tenure rights. It is addressed to a broad range of legal actors when developing contracts, domestic policies, regulatory frameworks and corporate social responsibility programmes.

#### **6. Best Practices in the Field of Electronic Registry Design and Operation**

60. In 2021, the [Cape Town Convention Academic Project](#) (CTCAP) published the [Guide on Best Practices for Electronic Collateral Registries](#). This Guide is the product of the CTCAP project on [Best Practices in the Field of Electronic Registry Design and Operation](#) (BPER), which is supported by Aviareto and the UNIDROIT Foundation. This Guide closely examines best practices which are necessary in the design and operation of an electronic collateral registry. In particular, it highlights seventeen critical performance factors which every electronic collateral registry should consider in establishing and running its operations. Additionally, the Guide also examines relevant technical standards applicable to electronic collateral registries, as well as the various risks these registries face<sup>5</sup>.

### **C. Depository Libraries**

61. 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. They were also asked what materials they would be interested in storing (only documents, or also publications, the Uniform Law Review, etc.). Not all States appointed Depository Libraries and not all of these wanted

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<sup>3</sup> The first was the publication *UNCITRAL, Hague Conference and UNIDROIT Texts on Security Interests*, published by the United Nations in 2012.

<sup>4</sup> For more information see: <https://www.unidroit.org/agriculture/>

<sup>5</sup> The Guide on Best Practices in Electronic Collateral Registries may be purchased, and the electronic version down-loaded at: <https://ctcap.org/>.

all materials. With the adoption of the policy to post all documentation on the website, the interest in Depository Libraries has waned, but some States are still keen to maintain them. No new Depository Libraries were added to the list in 2021.

#### **X. ACTION TO BE TAKEN**

62. *The Governing Council is invited to take note of the all the Academy activities and to support the Secretariat initiatives in these fields.*

## ANNEXE

UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)									
TITLE	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>UNIDROIT Principles of International Commercial Contracts 2016</b> Rome, UNIDROIT, 2017					5,165.00	2,734.00	1,240.50	292.00	869.00
<b>Principes d'UNIDROIT relatifs aux contrats du commerce international 2016</b> Rome, UNIDROIT, 2017					240.00		140.00		
<b>Principios UNIDROIT sobre los contratos comerciales internacionales 2016</b> Roma, UNIDROIT									
<b>UNIDROIT Principles of International Commercial Contracts 2010</b> Rome, UNIDROIT	10,419.64	4,915.00	2,168.86	1,954.00	1,579.99				
<b>Principes d'UNIDROIT relatifs aux contrats du commerce international 2010</b> Rome, UNIDROIT, 2011									
<b>Official Commentary on the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Space Assets (by Professor Sir Roy Goode)</b> Rome, UNIDROIT, 2013 (reprinted with corrections 2014)	6,771.00	5,880.00	780.00	700.00	1,120.00	205.00	216.00	216.00	
<b>Official Commentary on the Convention on International Interests in Mobile Equipment and the Luxembourg Protocol on Matters Specific to Railway Rolling Stock (by Professor Sir Roy Goode) (Second edition 2014)</b> Rome, UNIDROIT, 2014		10,555.00	568.00	1,179.00	1,308.00		216.00	315.00	175.00
<b>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) (Third edition 2013) (reprinted with corrections 2016) (paper)</b> Rome, UNIDROIT, 2013	72,667.00	19,921.00	14,163.00	22,184.00	8,737.00	7,004.00			

<b>UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)</b>									
<b>TITLE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>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) (Third edition 2013) (reprinted with corrections 2016) (electronic version) Rome, UNIDROIT, 2017</b>					17,500.00 (USD 20,000)	17,500.00 (USD 20,000)	17,537.05 (USD 20,000)	17.690,52 (USD 20,000)	
<b>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) (Fourth edition 2019) Rome, UNIDROIT, 2019</b>							79,311.00	7,101.50	3,107.00
<b>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) (Fourth edition 2019) (electronic version) Rome, UNIDROIT, 2020</b>									20.320,35 (USD 24.960,00)
<b>Official Commentary on the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Mining, Agricultural and Construction Equipment (by Professor Sir Roy Goode) Rome, UNIDROIT, 2021</b>									6,067.00
<b>Guide to International Master Franchise Arrangements (second edition 2007) Rome, UNIDROIT, 2007</b>	54.00	54.00	54.00		43.20		54.00		
<b>Guide sur les Accords internationaux de franchise principale (first edition) Rome, UNIDROIT, 2000</b>	40.00	40.00							
<b>Guía para los Acuerdos de Franquicia Principal Internacional (first edition) Rome, UNIDROIT, 2005</b>	<b>FREELY AVAILABLE ON THE WEBSITE</b>								

UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)									
TITLE	2013	2014	2015	2016	2017	2018	2019	2020	2021
<a href="#">UNIDROIT/FAO/IFAD Legal Guide on Contract Farming Rome, UNIDROIT, 2015</a>			280.00	471.00	22.00		28.00		
<a href="#">Guide juridique sur l'agriculture contractuelle UNIDROIT/FAO/FIDA Rome, UNIDROIT, 2015</a>									
<a href="#">Guía jurídica sobre agricultura por contrato UNIDROIT/FAO/FIDA Rome, UNIDROIT, 2017</a>									
<a href="#">Legal Guide on Agricultural Land Investment Contract UNIDROIT/FIDA Rome, UNIDROIT, 2021</a>									FREELY AVAILABLE ON THE WEBSITE
<b>ACTS AND PROCEEDINGS OF DIPLOMATIC CONFERENCES</b>									
<a href="#">Acts and Proceedings of the Diplomatic Conference for the adoption of the draft UNIDROIT Convention on Agency in the International Sale of Goods, February 1983, Geneva Rome, UNIDROIT, Uniform Law Review 1983/I-II</a>	FREELY AVAILABLE ON THE WEBSITE								
<a href="#">Actes de la Conférence diplomatique pour l'adoption du projet d'UNIDROIT de Convention sur la représentation en matière de vente internationale de marchandises, février 1983, Genève Rome, UNIDROIT, Revue de droit uniforme 1983/I-II</a>	FREELY AVAILABLE ON THE WEBSITE								
<a href="#">Acts and Proceedings of the Diplomatic Conference for the adoption of the draft UNIDROIT Conventions on International Factoring and International Financial Leasing, May 1988, Ottawa Rome, UNIDROIT, 1991</a>	FREELY AVAILABLE ON THE WEBSITE								



UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)									
TITLE	2013	2014	2015	2016	2017	2018	2019	2020	2021
Actes de la Conférence diplomatique pour l'adoption des projets de Conventions d'UNIDROIT sur l'affacturage international et sur le crédit-bail international, mai 1988, Ottawa Rome, UNIDROIT, 1991	FREELY AVAILABLE ON THE WEBSITE								
Acts and Proceedings of the Diplomatic Conference for the adoption of the draft UNIDROIT Convention on the International Return of Stolen or Illegally Exported Cultural Objects, June 1995, Rome Rome, Presidenza del Consiglio dei Ministri, Dipartimento per l'informazione e l'editoria, 1996, xvii+374 pages, soft-bound	FREELY AVAILABLE FROM THE UNIDROIT SECRETARIAT								
Actes de la Conférence diplomatique pour l'adoption du projet de Convention d'UNIDROIT sur le retour international des biens culturels volés ou illicitement exportés, juin 1995, Rome Rome, Presidenza del Consiglio dei Ministri, Dipartimento per l'informazione e l'editoria, 1996, xvii+392 pages, broché	FREELY AVAILABLE FROM THE UNIDROIT SECRETARIAT								
Acts and Proceedings of the Diplomatic Conference to adopt a mobile equipment Convention and an Aircraft Protocol, November 2001, Cape Town Rome, UNIDROIT, 2006	256.00	FREELY AVAILABLE ON THE WEBSITE							
<b>ACTS AND PROCEEDINGS OF CONFERENCES AND OTHER PUBLICATIONS</b>									
International Uniform Law in Practice / Le droit uniforme international dans la pratique. Acts and Proceedings of the 3 <sup>rd</sup> Congress on Private Law held by the International Institute for the Unification of Private Law (UNIDROIT), Rome, 7-10 September 1987 Rome, UNIDROIT, 1988				96.00	160.00				

UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)									
TITLE	2013	2014	2015	2016	2017	2018	2019	2020	2021
Los Principios de UNIDROIT: ¿ Un Derecho Común para las Américas ? The UNIDROIT Principles: a Common Law of Contracts for the Americas? Actas - Congreso Interamericano / Acts Inter-American Congress / Valencia, Venezuela - 6-9 November 1996 Rome, UNIDROIT, 1998									
Worldwide Harmonisation of Private Law and Regional Economic Integration. Acts of the Congress to celebrate the 75 <sup>th</sup> Anniversary of the Founding of the International Institute for the Unification of Private Law (UNIDROIT), Rome, 27-28 September 2002 Rome, UNIDROIT, special issue of the Uniform Law Review 2003-1/2									
<i>Eppur si muove: The Age of Uniform Law. Essays in honour of Michael Joachim Bonell to celebrate his 70<sup>th</sup> birthday</i> Rome, UNIDROIT 2016				2,280.00	5,499.00	3,083.50	1,357.00		170.00
<b>UNIDROIT PUBLICATIONS FOR SALE BY OTHER ORGANISATIONS OR PUBLISHERS</b>									
<b>Official Commentary on the UNIDROIT Convention on Substantive Rules for Intermediated Securities</b> Hideki Kanda, Charles Mooney, Luc Thevenoz, Stephane Beraud, and Thomas Keijser Oxford University Press, Oxford, 2012, 320 pages, 246x171 mm, ISBN 978-0-19-65675-2, Hardback	£84.35 (1.10.2013-31.3.2014) 248.72 (£226.67) (1.10.2012-31.3.2013)	61.90 (£45.93) (1.4.2014-30.9.2014)	£ 43.24 (1.4.2015-30.9.2015)	31.90 (£27.13) (1.10.2015-31.3.2016)	52.25 (£46.00) (1.4.2016-30.9.2017)	29.15 (£26.15) (1.10.2017-31.3.2018)	48.30 (£ 43.41) (1.10.2018-31.3.2019)	£31.15 (1.10.2020-31.3.2021) 32.71 (£27.90) (1.4.2021-30.9.2021)	

<b>UNIDROIT PUBLICATIONS SALES 2013 – 2021 (in euro)</b>									
<b>TITLE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Commentaire officiel de la Convention d'UNIDROIT sur les règles matérielles relatives aux titres intermédiés (Convention de Genève sur les titres)</b> Kanda Hideki; Mooney Charles; Thévenoz Luc; Béraud Stéphane; Keijser Thomas Schulthess Verlag, Zürich, 2012, 402 pages, ISBN/ISSN 978-3-7255-6567-2, broché	197.70 (CHF162.30) (1.4.2013-31.3.2014)		3.46 (CHF 3.61) (1.4.2014-31.3.2015)	(CHF 14.04) (1.4.2014-31.3.2016)	(CHF 3.03) (1.4.2016-31.3.2017)		(CHF 31.66) (1.4.2019-31.3.2020)	(CHF 7.20) (1.4.2020-31.3.2021)	
<b>UNCITRAL, Hague Conference and UNIDROIT Texts on Security Interests United Nations, 2012, 36 pages, soft-bound.</b>	FREELY AVAILABLE FROM THE UNIDROIT SECRETARIAT AND ON WEBSITE								
<b>Textes de la CNUDCI, de la Conférence de la Haye et d'UNIDROIT sur les sûretés Nations Unies, 2012, 43 pages, broché.</b>	FREELY AVAILABLE FROM THE UNIDROIT SECRETARIAT AND ON WEBSITE								
<b>PERIODICALS / PERIODIQUES</b>									
<b>Uniform Law Review / Revue de droit uniforme (OUP royalties)</b>	138.00	7,532.00	7,056.00	8,969.00	6,317.00	6,507.00	7,688.00	8,909.00	8,065.00
<b>UNIDROIT Proceedings &amp; Papers / Actes &amp; documents d'UNIDROIT</b>	FREELY AVAILABLE ON THE UNIDROIT WEBSITE								