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**Item No. 9 on the agenda: Implementation status and promotion strategy  
for UNIDROIT Instruments**

**(a) UNIDROIT Principles of International Commercial Contracts**

(prepared by the Secretariat)

<i>Summary</i>	<i>Update on the implementation and promotion strategy and activities for the UNIDROIT Principles of International Commercial Contracts</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to take note of the implementation and promotion update</i>
<i>Mandate</i>	<i>Work Programme 2023-2025</i>
<i>Priority level</i>	<i>High</i>
<i>Related documents</i>	<a href="#"><i>UNIDROIT 2024 - C.D. (103) 19</i></a> ; <a href="#"><i>UNIDROIT 2024 - C.D. (103) 30</i></a>

**I. INTRODUCTION**

1. The Secretariat provided an update on the promotion strategy for the UNIDROIT Principles of International Commercial Contracts (UPICC) at the 103<sup>rd</sup> session of the Governing Council on 8-10 May 2024 (see [\*UNIDROIT 2024 - C.D. \(103\) 19\*](#)), focusing on four pillars: (i) awareness raising; (ii) the UPICC's role as background law for specific types of contracts; (iii) promotion of the UPICC's application in specific regions; and (iv) the conference held at UNIDROIT on 6-7 May 2024 to celebrate the 30<sup>th</sup> anniversary of the first edition of the UPICC as a forum for strategic planning for their future promotion and dissemination. During the 103<sup>rd</sup> session, Governing Council Members observed that the 30<sup>th</sup> Anniversary Conference had generated a wealth of suggestions and ideas for the future promotion of the UPICC, and the Secretariat confirmed that such would be considered in reporting back to the Council the following year ([\*UNIDROIT 2024 - C.D. \(103\) 30\*](#)).
2. Accordingly, since the May 2024 session of the Governing Council, the Secretariat advanced work on all four components, including consideration of the outcome of the 30<sup>th</sup> Anniversary Conference.

## II. AWARENESS RAISING THROUGH CONFERENCES, LECTURES, AND MOOT COURT COMPETITION

3. One of the main goals in the implementation of the UPICC is to raise awareness about them and the potential advantages of their use, both in international commercial trade and for legislative reform. To this end, the Secretariat relies on the initiative of UNIDROIT Correspondents and other experts, including Governing Council Members, as well as cooperation initiatives with academic and professional circles and other organisations. The 30<sup>th</sup> Anniversary Conference confirmed the relevance and positive impact of such initiatives, particularly when targeted to professionals and actual and potential users of the UPICC, or when addressed to students (to raise awareness on the UPICC among the future generations of jurists around the globe).

4. The following are examples of the numerous initiatives co-sponsored by UNIDROIT or with the participation of the UNIDROIT Secretariat since the 103<sup>rd</sup> session of the Governing Council.

### Conferences

- A conference entitled “Unifying the Commercial World – 30<sup>th</sup> Birthday of the UNIDROIT Principles of International Commercial Contracts” was held in Hamburg on 6 and 7 June 2024, co-organised by Prof. Eckart Brödermann, the German-Greek Lawyers’ Association (DGJV), the University of Hamburg, the Chamber of Commerce of Hamburg, and Bucerius Law School, in cooperation with UNIDROIT, the *Union Internationale des Avocats* (UIA) and the Inter-Pacific Bar Association. The conference featured a presentation by the UNIDROIT Deputy Secretary-General on UNIDROIT’s perspectives.
- On 8 October 2024, the Externado University of Colombia and the University of La Sabana organised a celebratory seminar (“*30 años de los Principios de UNIDROIT sobre los Contratos Comerciales Internacionales*”) to mark the 30<sup>th</sup> anniversary of the UPICC, hosted by and through the cooperation of the Chamber of Commerce of Colombia. The Deans of the Law Faculty of the Externado University of Colombia and the Law and Political Science Faculty of the University of La Sabana opened the conference, and the UNIDROIT Secretary-General delivered a keynote speech.
- On 14 and 15 October 2024, the *Centro de Estudios de Derecho, Economía y Política* (CEDEP) organised a two-day Latin American Congress to celebrate the 30<sup>th</sup> anniversary of the UPICC, hosted at the Central Bank of Paraguay. The congress was opened by Governing Council Member and CEDEP President Mr José Antonio Moreno Rodríguez and saw the participation of the UNIDROIT Secretary-General.
- During the 14<sup>th</sup> Jurist Conference in Seoul, Republic of Korea, a panel celebrating the 30<sup>th</sup> anniversary of the UPICC was held on 29 October 2024, organised by the Korean Society of Law, the Constitutional Court, the Ministry of Justice, the Korean Bar Association, and the Korean Law Professors Association. The panel was part of a section of the conference dedicated to UNIDROIT and was hosted by the University of Korea with the participation of several South Korean academics and judges. The conference saw a keynote address by the Secretary-General and the participation of the Deputy Secretary-General in a panel on the UPICC together with Korean experts from academia and the legal profession, including Governing Council Member Prof. Inho Kim.
- On 17 October 2024, the UNIDROIT Deputy Secretary-General participated in a roundtable celebrating the authorised publication of the Italian translation of the UNCITRAL-HCCH-UNIDROIT “Tripartite” *Legal Guide to Uniform Instruments in the Area of International Commercial Contracts, with a Focus on Sales*, together with Prof. Giulia Rossolillo (moderator), Dr Luca Castellani (Legal Officer, UNCITRAL), Prof. Pilar Perales Viscasillas (University of Carlos III of Madrid (UC3M)), and Prof. Hiroo Sono (University of Hokkaido), as well as the organiser of the event and translator of the Guide, Prof. Alfredo Ferrante

(University of Pavia). The Tripartite Legal Guide represents a cooperation initiative between UNIDROIT, UNCITRAL and the HCCH and useful guidance to uniform law instruments in the area of international sales.

- In the framework of the conference organised by UNIDROIT as a tribute to its late President Prof. Alberto Mazzoni on 21 October 2024, and as an homage to its keen interest in and contribution to the development of the UPICC, a session was dedicated to international contracts and arbitration, with the participation of Mr Stefano Azzali (Director General, Chamber of Arbitration of Milan), Mr Yves Derains (Founding partner, Derains & Gharavi), and Mr José Angelo Estrella Faria (Principal Legal Officer and Head of the Legislative Branch of the International Trade Law Division, United Nations Office of Legal Affairs) under the chairing of Deputy Secretary-General Prof. Anna Veneziano.
- The UPICC were presented by the Deputy Secretary-General in the framework of the “HKU Law & UNIDROIT Day” on 6 November 2024, co-organised by UNIDROIT with the Faculty of Law of the University of Hong Kong with the support of their Asian Institute of International Financial Law.
- On 7 November 2024, the UPICC were also discussed in the framework of an event co-organised with the Faculty of Law of the Chinese University of Hong Kong (CUHK).
- An international conference dedicated to “The 30<sup>th</sup> Anniversary of the Release of the UPICC and the General Principles of the Chinese Civil Code Contract Law” was held in Shanghai on 11 November 2024, co-organised by UNIDROIT and the Shanghai Arbitration Center (SHIAC), the Zhongnan University of Economics and Law (ZUEL), and the Civil Law Society of China. The 20+ presentations across five thematic panels, presented by renowned academics and experts, examined the influence of the UPICC on the Chinese Civil Code and judicial practice, as well as their impact in arbitration. Over 200 legal experts and scholars attended in person, with an additional 30,000 virtual participants from across the world. Notably, the UPICC International Arbitration Moot (discussed in more detail below) was launched at this event.
- On 13 December 2024, the UPICC were featured by a panel of a side event to the 84<sup>th</sup> session of the UNIDROIT General Assembly that was co-hosted by the South African Embassy in Rome, to celebrate the close of the 2024 South Africa Chairmanship, featuring H.E. Ms Nosipho Nausca-Jean Jezile, Ambassador of the Republic of South Africa to Italy; H.E. Ms Maria De Fatima Jardim, Ambassador of Angola to Italy and Chair of the Southern African Development Community; and H.E. Ms Fatimata Cheiffou, Ambassador of Niger to Italy and Chair of Africa Regional Group. Moderated by Prof. Jan Neels (Professor of Private International Law, Dean’s Office of the University of Johannesburg, former UNIDROIT Governing Council Member), the panel included presentations by Prof. Eesa Fredericks (Head of Department of Mercantile Law of the University of Johannesburg, UNIDROIT Governing Council Member) and Prof. Marlene Wethmar-Lemmer (Professor of Private International Law of the University of South Africa) respectively showcasing the impact of the UPICC on South African law and their role in regulating international sales contracts under the African Continental Free Trade Agreement.

#### *Lectures and capacity-building programmes*

5. In addition, the UNIDROIT Secretariat contributed lectures on the UPICC to LL.M. programmes and other higher-level academic teaching around the world, including capacity-building programmes such as the ITC-ILO International Trade Law Programme (co-sponsored by UNIDROIT) and the International Programme for Law and Development (IPLD) organised by UNIDROIT and sponsored by the Italian Government. The following are examples of lectures delivered in these contexts.

- On 14 May 2024, Legal Officer Ms Philine Wehling lectured on “*Harmonisation du droit, UNIDROIT et les principes d’UNIDROIT relatifs aux contrats du commerce international*” to LL.M. students of the International Business Law Centre of the University of Lausanne in Switzerland.

- On 22 May 2024, the UNIDROIT Deputy Secretary-General and Legal Consultant Ms Benedetta Mauro presented “An introduction to the UNIDROIT Principles of International Commercial Contracts” to post-graduate students of the International Training Centre of the International Labour Organization (ITC-ILO) in Turin, Italy, as part of the annual Master of Laws in International Trade Law Programme, organised by the ITC-ILO in partnership with UNIDROIT. The Secretariat will continue its successful partnership with ITC-ILO for 2025.
- In July 2024, Legal Officer Ms Wehling delivered a lecture on the UPICC to students as part of the master’s in international business law at Sapienza University in Rome, Italy, in the framework of the section of the programme (which is taught in three languages: Spanish, Italian, and English) co-organised with UNIDROIT and coordinated by the UNIDROIT Secretary-General. The same programme will be offered for the next edition of the Master in summer 2025.
- In June 2024, the UPICC were presented by the Deputy Secretary-General and Ms Wehling during the IPLD’s in-person lectures, with participation by guest academics and practitioners involved in arbitration and contract drafting (Prof. Giacomo Rojas Elgueta, Mr Michele Ius, and Mr Mohamed Ismail). The UPICC will also be prominently featured in the fourth edition of the IPLD (“Africa Plus”), as well as in the first edition of the IPLD with a focus on the Balkans, European Partnership, and Central Asia, which will take place, respectively, in June-July and September 2025.
- From 14 to 19 November 2024, Legal Officer Ms Wehling taught the module on “International Harmonisation of Private Law” of the LL.M. in International Economic Law at the European School of Law at France’s University Toulouse Capitole, focusing on the UPICC.

*UNIDROIT 2024 Essay Competition and Moot Court initiative*

6. Finally, among other initiatives, in furtherance of the goal to strengthen the involvement of the next generation of legal academics and practitioners, the Secretariat launched two additional activities.

- The UPICC International Arbitration Moot: at the above-mentioned conference dedicated to “The 30<sup>th</sup> Anniversary of the Release of the UPICC and the General Principles of the Chinese Civil Code Contract Law” in Shanghai on 11 November 2024, the UPICC Moot Court was launched, in partnership with the UNIDROIT Asian Transnational Law Centre (ATLC) and SHIAC. The UPICC International Arbitration Moot will provide a practical opportunity for law students from various universities in the region to enhance their understanding of the operation of the UPICC in the context of commercial arbitration and promote the UPICC among the next generation of legal professionals. More information on the Moot Court is provided in UNIDROIT 2025 – C.D. (105) 24.
- The UNIDROIT 2024 Essay Competition: the Competition, sponsored by the International Law Institute (ILI) and facilitated by the Secretariat as part of the UNIDROIT Academy and by the UNIDROIT Foundation, focused on the 30<sup>th</sup> Anniversary of the UPICC and their use in contract drafting and dispute settlement, as well as their influence on domestic law and other international instruments and their possible role in new frontiers of contract law. On 9 December 2024, the winners’ research was presented in a webinar hosted by UNIDROIT with the participation of Prof. Don Wallace and Prof. Wenhua Ji, along with UNIDROIT’s President, Secretary-General, Deputy Secretary-General, and Legal Consultant Ms Kateryna Bovsunovska. More information on the winners of the competition and on their papers is available [here](#).

### **III. USE OF THE UPICC AS A BASIS FOR DEVELOPMENT OF INSTRUMENTS ON SPECIFIC CONTRACT TYPES**

7. As reported to the Governing Council at its 103<sup>rd</sup> session in May 2024, in the past few years the UPICC have been increasingly used as a starting point and as background general contract law for UNIDROIT projects dedicated to specific types of (international) contracts. This is testified through contract-specific instruments developed by UNIDROIT in cooperation with partner organisations or institutions, including the 2015 UNIDROIT/FAO/IFAD Legal Guide on Contract Farming, the 2021 UNIDROIT/IFAD Legal Guide on Agricultural Land Investment Contracts (ALIC), and the Principles of Reinsurance Contract Law (PRICL) (see UNIDROIT 2025 – C.D. (105) 8).

8. In continuation of this strategy that has proven to be successful, the UPICC are being used as a starting point for the ongoing project on the UPICC and international investment contracts (IICs), in partnership with the ICC Institute of World Business Law (see UNIDROIT 2025 – C.D. (105) 11).

9. During the 30 Years of UPICC Anniversary Conference in May 2024, the potential interest and need to develop targeted guidance in other contractual sectors, such as construction and engineering contracts, were raised and discussed. Following up on the outcome of this discussion, the Secretariat and FIDIC (the International Federation of Consulting Engineers) started preliminary exchanges of ideas, which led to the co-organisation of a virtual workshop on the prospect of a FIDIC-UNIDROIT project on “Principles of construction and engineering contracts”, held remotely on 3 March 2025, with the participation of FIDIC experts including General Counsel Ms Daduna Kokhreidze, as well as other international experts in the field contacted by the UNIDROIT Secretariat. On 4 April 2025, the Secretary-General received a formal proposal from FIDIC for a joint project on Principles of international construction and engineering contracts for inclusion in the 2026-2028 Work Programme of the Institute (see C.D. (105) 4).

### **IV. TRANSLATIONS AND PUBLICATIONS**

10. Participants in the 30<sup>th</sup> Anniversary Conference confirmed the importance of translations of the UPICC, both to increase their visibility in domestic contexts and to facilitate their international use.

11. In 2024, the Ukrainian, Vietnamese and Persian (Farsi) translations of the black-letter rules of the UPICC 2016 and the Georgian translation of the UPICC 2010 became available on the UNIDROIT website. Additionally, the Secretariat entered into a contract for the Georgian translation of the UPICC 2016. Furthermore, the Portuguese translation of the integral version of the UPICC 2016 was also completed and is pending publication. Finally, the Arabic translation of the UPICC 2016 is reportedly about to be finalised (see below for further information).

12. Moreover, a volume containing the contributions to the 30<sup>th</sup> Anniversary Conference will be published in 2025. In addition, an article assessing “The UNIDROIT Principles of International Commercial Contracts: potential for greater use in the Middle East and North Africa” was co-authored by UNIDROIT Legal Officer Ms Philine Wehling and Prof. Nisreen Mahasneh (Law School of Qatar University) and published in the Uniform Law Review in 2024.

### **V. TARGETED REGIONAL PROMOTION IN THE MENA REGION**

13. The Secretariat further strengthened its targeted promotion of the UPICC in regions where they are still less known and used, with particular focus on the Middle East and North Africa (MENA) region. This targeted promotion strategy is not only being facilitated through the Arabic translation of the UPICC 2016, but also through intensified exchange with academia and practitioners from the region, which notably led to the publication of the above-mentioned article in the Uniform Law Review

assessing the use of the UPICC across MENA, and to new cooperation agreements that are to be concluded with institutions from the region, including with the Council of State of Egypt during their visit to the Institute scheduled for 13 May 2025.

14. Moreover, the Secretariat has continued to work with UNIDROIT Correspondents in the region to organise awareness-raising events.

15. In particular, the launch of the Arabic translation of the UPICC 2016 is planned as an event in cooperation with Cairo University, to take place as soon as the translation is finalised. The conference for the launch is being co-organised with Prof. Mohamed Sameh Amr, UNIDROIT Correspondent and Dean of the Law School at Cairo University.

16. Further events that are envisaged in the Arabic-speaking region include a conference entitled “*Les principes d’UNIDROIT et l’arbitrage international: un cadre émergent pour le règlement des conflits dans la région MENA*”, co-organised by UNIDROIT and ICC Tunisia in Tunis on 16 May 2025.

## **VI. ACTION TO BE TAKEN**

17. *The Governing Council is invited to take note of the implementation and promotion update.*