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**Item No. 10 on the agenda: Implementation status and promotion strategy for
UNIDROIT instruments**

(e) UNIDROIT Legislative Guide on Bank Liquidation

(prepared by the Secretariat)

<i>Summary</i>	<i>Update on promotion and implementation efforts for the UNIDROIT Legislative Guide on Bank Liquidation</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to take note of the update</i>
<i>Mandate</i>	<i>Work Programmes 2020-2022, 2023-2025, 2026-2028</i>
<i>Priority level</i>	<i>High</i>
<i>Related documents</i>	<i>UNIDROIT Legislative Guide on Bank Liquidation</i> ; <i>UNIDROIT 2025 – C.D. (105) 5</i> ; <i>UNIDROIT 2025 – C.D. (105) 32</i>

I. INTRODUCTION

1. The purpose of this document is to update the Governing Council on the execution of the promotion and implementation strategy for the UNIDROIT Legislative Guide on Bank Liquidation since the 105th Governing Council session, and inform the Governing Council of the Secretariat's envisaged future activities.

II. BACKGROUND

2. The UNIDROIT Legislative Guide on Bank Liquidation aims to support legislators and policymakers in developing effective legal frameworks for liquidating banks that do not have a systemic impact in the point of failure. It helps reduce the economic and social costs of bank failure by promoting tools and mechanisms that preserve value and protect depositors. The Legislative Guide is organised into ten chapters and contains 105 recommendations addressing core issues that should be considered by legislators and policymakers in the design of an effective bank liquidation framework.

3. The Legislative Guide is the result of a project undertaken by UNIDROIT in partnership with the Financial Stability Institute (FSI) of the Bank for International Settlements (BIS) pursuant to the proposals of the Bank of Italy and the European Banking Institute. The Guide was developed over a three-year period by a Working Group of international experts in the field of insolvency law

and bank failure management, chaired by Governing Council Member Professor Stefania Bariatti, with the active participation of almost 40 observers, including international financial institutions, resolution and liquidation authorities, central banks, deposit insurers and international organisations with expertise in the area.

4. The UNIDROIT Legislative Guide was adopted by the UNIDROIT Governing Council at its 105th session (20-23 May 2025). On that occasion, the Governing Council also approved the promotion and implementation strategy proposed by the Secretariat, which comprises (i) dissemination and public awareness campaigns, (ii) targeted presentations at key events, (iii) ensuring broad accessibility, (iv) supporting domestic implementation, and (v) monitoring and reporting on implementation ([C.D. \(105\) 5](#) and [C.D. \(105\) 32](#)). This strategy aims to ensure that the Guide's recommendations are effectively communicated, understood, and adopted.

III. UPDATE ON PROMOTION AND IMPLEMENTATION

A. Dissemination and public awareness

5. In June 2025, the adoption of the Legislative Guide on Bank Liquidation by the Governing Council was officially announced on UNIDROIT's website ([here](#)) and on UNIDROIT's official social media accounts (LinkedIn, Facebook, X). It was also a key feature in the second edition of the UNIDROIT Alumni Newsletter (July 2025) and the UNIDROIT Alumni LinkedIn group.

6. Following final editing, the official English version of the Legislative Guide was published in September 2025 ([here](#)). Attention was drawn to this milestone again by means of a news item on UNIDROIT's website ([here](#)) and on UNIDROIT's official social media accounts (LinkedIn, Facebook, X).

7. The FSI officially welcomed the publication of the Legislative Guide on LinkedIn ([here](#)). The Bank of Italy published a news item on the publication of the official version of the Guide on its website ([here](#)), positioning it as a significant contribution to the international and European debate on the crisis management of small and medium-sized banks.

8. Furthermore, an interview with UNIDROIT Secretary-General Prof. Ignacio Tirado and Senior Legal Officer Myrte Thijssen on the Legislative Guide was released as a joint podcast of the International Insolvency Institute (III) and INSOL ([here](#)). An introduction to the Legislative Guide on Bank Liquidation was also included in the June 2025 issue of INSOL I-Read ([here](#)), a project run by INSOL Academics and targeting insolvency law students globally.

9. Moreover, the Secretariat published an explanatory video on the Legislative Guide on Bank Liquidation on its website ([here](#)). This video, which is part of the new "UNIDROIT Instruments Explained" series, presents the key features of the Legislative Guide in a clear and accessible manner.

10. In addition, the UNIDROIT Secretary-General and Ms Thijssen took part in an interview with the Florence School of Banking and Finance (European University Institute), discussing key features of the Legislative Guide, a recording of which will be made available to staff of the EU's Single Supervisory Mechanism (SSM).

11. The Secretariat has printed 300 copies of the official English edition of the Legislative Guide, which are available to stakeholders at relevant UNIDROIT events and during external presentations. Printed copies are also available for purchase.

B. Presentations at key events

12. Since the Governing Council's 105th session, the Legislative Guide on Bank Liquidation has been presented at the following events:

- On 5-6 June 2025, the UNIDROIT Secretary-General presented the Legislative Guide during a conference on the liquidation of banks organised by the Banco de España (Madrid, Spain).
- On 30 June 2025, the Legislative Guide was presented to African legal experts as part of UNIDROIT's International Programme for Law and Development "Africa Plus" (Rome, Italy).
- On 9 July 2025, [UNIDROIT and the FSI jointly organised a "Policy Implementation Meeting on Bank Liquidation"](#), which was hosted at the BIS headquarters (Basel, Switzerland). The event brought together more than 200 experts from public authorities with responsibilities for bank failure management, insolvency practitioners, and academics to discuss how the guidance offered in the Legislative Guide may be applied in practice across various legal systems.
- On 18 July 2025, the Secretariat gave a lecture on the Legislative Guide to students as part of their master's studies in international business law at Sapienza University (Rome, Italy).
- On 11 September 2025, the Legislative Guide was presented as part of a [virtual guest lecture for students at Makerere University](#) (Uganda/online).
- On 22 September 2025, the Legislative Guide was presented during UNIDROIT's International Programme for Law and Development focused on the Balkans–Eastern Partnership–Central Asia–Caucasus (BEPAC), with the participation of legal experts from ten countries across the BEPAC region (Rome, Italy).
- On 17 October 2025, the Legislative Guide was presented at the [EU Committee meeting of the European Forum of Deposit Insurers](#), with a special focus on the role of deposit insurers (Budapest/online).
- On 17 October 2025, Senior Legal Officer Myrte Thijssen held a keynote speech on the Legislative Guide at the 15th International Congress on Insolvency and Restructuring (Madrid, Spain).
- On 22 October 2025, [the Legislative Guide was presented at the fourth Italian-Norwegian Conference](#), organised by the Italian Norwegian Research Institute for Law and Economics (INRILE) at Luiss Guido Carli University (Rome, Italy).
- On 22 October 2025, the key aspects of the Legislative Guide were presented in a dedicated panel on bank insolvency regimes during the [High-level meeting on Banking Supervision](#), jointly organised by the Association of Supervisors of Banks of the Americas (ASBA), the BCBS, and the FSI (Trinidad and Tobago/online). The fellow panellists from Guatemala, Jamaica, and Mexico, as well as other participants in the meeting, showed keen interest in the Legislative Guide, especially because several countries in the region currently lack a bank-specific insolvency regime. ASBA also published the Legislative Guide on Bank Liquidation on its website.
- On 5 November 2025, the UNIDROIT Secretary-General discussed the Legislative Guide during a panel on "The liquidation of banks and the birth of a new international standard" as part of the Queen Mary-UNIDROIT Institute of Transnational Commercial Law Advisory Board Lecture Series 2025-2026 (London, United Kingdom).

- On 12 December 2025, the Legislative Guide was discussed at the conference [“The Single Resolution Mechanism, ten years since”](#), organised by the Bank of Italy (Rome, Italy). Senior Legal Officer Myrte Thijssen highlighted the value of the Legislative Guide as a tool to strengthen and promote convergence among EU Member States’ national bank insolvency frameworks, which is especially pertinent considering the review of the EU crisis management and deposit insurance framework (CMDI review).
- On 29 January 2026, UNIDROIT presented the Legislative Guide during a [dedicated seminar at the European University Institute](#), organised by the Florence School of Banking and Finance (Florence, Italy).
- On 15 April 2026, Senior Legal Officer Myrte Thijssen discussed the Legislative Guide during an online seminar on [“Comparative Approaches to Bank Liquidation: A Discussion of the UNIDROIT Legislative Guide”](#) organised by University of Leeds School of Law (United Kingdom/online).

C. Ensuring broad accessibility

13. Releasing additional language versions of the Legislative Guide is key to enhancing accessibility and supporting the Secretariat’s broader efforts to disseminate knowledge about the Guide worldwide. The French version of the Guide is currently being finalised by the Secretariat. The Spanish version is also well underway, thanks to the Government of Spain’s support for the translation of UNIDROIT documents into Spanish.

14. The Secretariat is also cooperating with external parties to facilitate unofficial translations of the Legislative Guide into additional languages. Following the publication of the official English version of the Guide in September 2025, the Legislative Guide has already been translated into two unofficial languages.

- **Japanese translation:** The Japanese translation of the Legislative Guide was prepared by the Deposit Insurance Corporation of Japan (DICJ) and published on UNIDROIT’s website in December 2025 ([here](#)). It is also available on the DICJ’s website ([here](#)).
- **Chinese translation:** The Chinese translation was published on UNIDROIT’s website in March 2026 ([here](#)). It was prepared by experts from the China Deposit Insurance Corporation (CDIC), the People’s Bank of China, and academia, through the UNIDROIT Asian Transnational Law Centre.¹

D. Supporting domestic implementation

15. As UNIDROIT has limited capacity to directly undertake technical assistance programmes, the Secretariat will collaborate with partner organisations to position the Legislative Guide as the basis of bank liquidation reform projects across the globe. Key partners include the FSI and the European Bank for Reconstruction and Development (EBRD). In addition, the Secretariat is available to provide direct training to UNIDROIT Member States to help them implement the guidance effectively.

¹ The Chinese translation of the UNIDROIT Legislative Guide on Bank Liquidation was prepared by Zhang Shaohua (Vice President, China Deposit Insurance Corporation), Wu Zhuo (Director, Department of Legal Affairs (International Affairs), China Deposit Insurance Corporation), Huang Jiansheng (Senior Manager, Department of Legal Affairs (International Affairs), China Deposit Insurance Corporation), Si Ruohan (Officer, Jincheng Branch, People’s Bank of China), Yang Wenjia (Deputy Manager, Department of Legal Affairs (International Affairs), China Deposit Insurance Corporation), Tao Chongyang (Deputy Manager, Department of Legal Affairs (International Affairs), China Deposit Insurance Corporation), Xue Shuangqi (Manager, Asset Management Department, China Deposit Insurance Corporation), and Guo Shuai (Associate Professor, China University of Political Science and Law).

E. Monitoring and reporting on implementation

16. The Secretariat is monitoring the use of the Legislative Guide by States and will update the Governing Council on examples of its recommendations being incorporated into domestic law.

IV. FUTURE ACTIVITIES

17. The UNIDROIT Secretariat will continue to execute the five-part promotion and implementation strategy for the UNIDROIT Legislative Guide in 2026 and 2027. Proposed future activities include:

- Continued promotion of the Guide at relevant international, regional, and national fora and events, and through publications².
- Finalisation and publication of the French and Spanish versions of the Guide.
- Translation of the Guide into additional widely spoken languages, prioritising those with the largest global reach (e.g., Arabic, Portuguese).
- Continued cooperation with partner organisations to support the use of the Legislative Guide in jurisdictions worldwide.

18. Possible means of enhancing promotion, uptake, and monitoring efforts are also being considered in the Centenary Workstream on Financial Markets and Technology, which will present its White Paper at the joint UNIDROIT Governing Council-General Assembly session in December 2026.

V. ACTION TO BE TAKEN

19. *The Governing Council is invited to take note of this update.*

² For instance, the Secretariat has been invited to author a chapter on the UNIDROIT Legislative Guide on Bank Liquidation in the forthcoming third edition of S. Schelo, *Bank Recovery and Resolution* (Wolters Kluwer).