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UNIDROIT Project on the Development of an Agricultural Financing Legal Guide
Stakeholder roundtable
Rome, 14 May 2026

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SUMMARY REPORT OF EXPERT ROUND TABLE ON AGRICULTURAL FINANCE AND CROP RECEIPTS

(Prepared by the Secretariat)

1. On 14 May 2026, UNIDROIT hosted an Expert Round Table on Agricultural Finance and Crop Receipts at the UNIDROIT Headquarters in Rome and online. The event was held as a preliminary initiative as part of the Institute's project to develop an Agricultural Finance Legal Guide, a high-priority project on UNIDROIT's 2026 – 2028 Work Programme.

2. The Expert Round Table was attended by 28 participants (the full list of participants is available in **Annexe II**).

Opening Remarks

3. The *UNIDROIT Deputy Secretary-General* opened the Round Table and welcomed all participants. She recalled that the purpose of the Round Table was to provide an opportunity to discuss existing barriers to agricultural finance, in order to begin to delineate the scope of UNIDROIT's project to develop an Agricultural Financing Legal Guide.

4. It was noted that the proposal to develop an Agricultural Financing Legal Guide had been submitted to UNIDROIT's Governing Council by the United States of America in December 2021. The project was initially approved as medium-priority and upgraded to high-priority for UNIDROIT's 2026-2028 work programme, to commence as soon as feasible. The *UNIDROIT Secretariat* recalled that the primary purpose of the project was to provide a comprehensive overview of the transactions most commonly used to provide finance to agricultural enterprises, with a particular emphasis on asset-based finance and leasing; offer a list of best practices and standards; and highlight gaps in existing standards.

5. In keeping with these objectives, the UNIDROIT Secretariat explained that Session 1 (Agricultural Finance – existing standards, emerging issues and practical perspectives) would chart the landscape of existing instruments and frameworks, identifying best practices and highlighting gaps in existing standards. Session 2 (Crop Receipts – recent developments, ongoing projects and future reforms) would focus on a potential gap that had been identified in relation to crop receipts. The full agenda for the Round Table is available in **Annexe I**.

Session 1: Agricultural Finance – existing standards, emerging issues and practical perspectives

6. The UNIDROIT Secretariat opened Session 1, and welcomed the opportunity to discuss existing instruments and frameworks relevant to agricultural finance, as well as emerging issues and practical

perspectives in the field. It was noted while many UNIDROIT projects responded to an absence of legal guidance, agricultural finance had already been addressed by a substantial body of UNIDROIT instruments. A key challenge of developing the Agricultural Financing Legal Guide would be to pull overlapping existing legal guidance together into a coherent, accessible instrument aimed at facilitating access to credit for farmers.

UNIDROIT's work on Access to Credit and Agricultural Law – Ms Priscila Andrade, Mr William Brydie-Watson, Ms Philine Wehling (UNIDROIT)

7. *Ms Andrade* introduced three legal guides developed by UNIDROIT in the area of agriculture, in collaboration with the Food and Agriculture Organization of the United Nations (FAO) and International Fund for Agricultural Development (IFAD).

i. The UNIDROIT/FAO/IFAD Legal Guide on Contract Farming, adopted in 2015, follows the lifecycle of the bilateral contractual relationship between farmers and buyers of agricultural commodities. Ms Andrade explained that access to credit was addressed throughout the Guide, which considered contract farming as a credit vehicle and tool for supply chain financing.

ii. The UNIDROIT/IFAD Legal Guide on Agricultural Land Investment Contracts, adopted in 2021, focuses on bilateral land investment contracts primarily, but not exclusively, between states and investors. With respect to finance and investment frameworks, it was noted that the Guide considered the contracts themselves as the main vehicle for financing.

iii. The UNIDROIT/FAO/IFAD Legal Guide on Collaborative Legal Structures for Agricultural Enterprises, which was nearing completion. The Guide extends beyond bilateral contractual relationships to multiparty contracts, cooperatives and companies. Ms Andrade explained that the Guide was intended to assist smallholders, producers and agricultural micro, small, and medium enterprises (MSMEs) in determining which legal structures would best suit their needs. It was noted that the Guide framed access to credit as both a reason for collaboration and a factor influencing parties' choice of legal structure.

8. *Mr Brydie-Watson* provided an overview of UNIDROIT's hard and soft law instruments in the field of access to credit.

i. The Mining, Agricultural, and Construction (MAC) Protocol to the Cape Town Convention, adopted in 2019, enables the creation of internationally enforceable interests in high-value MAC equipment arising under security agreements, title reservation agreements and leases. It was noted that by creating certainty for financiers, the Protocol was projected to significantly increase the deployment of high-value MAC equipment once widely adopted, with a substantial proportion of the projected benefits accruing to developing economies.

ii. The UNIDROIT Model Law on Factoring, adopted in 2023, provides a complete legal framework for countries that have not yet implemented a comprehensive secure transactions regime based on a central registry. To the extent that domestic law allows agricultural commodities goods to be classified as goods, the Model Law on Factoring covers receivables in relation to agricultural commodities. Mr Brydie-Watson emphasised the importance of countries ensuring that their laws on warehouse receipts and crop receipts were properly coordinated with the Model Law on Factoring.

iii. The UNIDROIT Model Law on Leasing, negotiated in partnership with the International Finance Corporation (IFC) in 2008, provides a domestic framework for financial and operational leasing. The instrument was developed to provide a framework for domestic leasing, covering both financial and operational leases.

9. *Ms Wehling* introduced a further relevant UNIDROIT instrument in the area of access to credit, the UNCITRAL–UNIDROIT Model Law on Warehouse Receipts. The framework enables stored goods to be used as collateral for loans, thereby improving farmers' access to credit. Ms Wehling noted that the Model Law on Warehouse Receipts supported both electronic and paper-based receipts, and was particularly beneficial for small-scale farmers and agricultural MSMEs who might have limited assets to provide as collateral. She further noted that the Guide to Enactment was an important practical adjunct to the Model Law, providing guidance on complementary legislation necessary for the effective implementation of a warehouse receipt system at a national level.

ADB Toolkit on Agricultural Finance – Ms Christina Pak (ADB)

10. *Ms Pak* introduced the Asian Development Bank (ADB) Asia Pacific Agricultural Finance Toolkit. The Toolkit was developed in partnership with the International Law Institute (ILI) to help close the finance gap faced by smallholder farmers who are critical to food security but frequently remain in poverty, in particular by leveraging private finance.

11. Ms Pak reported that consultations with countries in the Asia and Pacific region had revealed that the agricultural finance legal framework was fragmented and difficult to navigate. The Toolkit aimed to tackle this issue by adopting an ecosystem approach that guided users through the entire agricultural cycle, from pre- to post-harvest. Ms Pak explained that the Toolkit mapped available financial products, and relevant international instruments and tools, identifying the points at which they might be applied and the legal enablers necessary for their effective operation.

12. Ms Pak observed that several gaps had been identified in the Asia and Pacific region's agricultural finance legal framework, including the absence of legislation governing warehouse receipts and a lack of credit products specifically tailored to smallholder farmers. She noted that many credit providers continued to rely on land-based financing, and that even where modern secured transactions legislation existed, other key components such as a collateral registries were frequently absent. Alongside these challenges, Ms Pak highlighted that digitalisation had emerged as a key theme during country consultations.

IFC perspectives on Agricultural Finance – Mr Swapnil Kant Neeraj (IFC)

13. *Mr Neeraj* introduced AgriConnect, a flagship initiative designed to scale-up the IFC and the World Bank Group's long-standing efforts in agricultural finance. Launched in 2025, AgriConnect aimed to place smallholder farmers at the centre of operations involving MSMEs, corporates and value chains; to double the World Bank Group's annual business volume in agribusiness investment; and to mobilise $5 billion from the private sector.

14. Mr Neeraj observed that the agricultural finance gap in emerging markets was widening due to an increase in risks facing the agricultural sector and a decline in appetite from funders due to climate shocks, price volatility and higher credit risks associated with financing smallholders. He further observed that structural barriers – including weak collateral frameworks, limited availability of insurance, climate vulnerabilities and fragmented value chains – were restricting financial institutions' ability to enter the agricultural sector at scale.

15. Mr Neeraj explained that AgriConnect sought to meet current challenges by operating around three pillars: strengthening foundations in infrastructure, natural and human capital; revamping policies; and mobilising capital. Mr Neeraj highlighted that achieving these objectives would require

multi-layered solutions, from building partnerships with development finance institutions (DFIs) and international financial institutions (IFIs), to encouraging public-private partnerships and blended finance models. Mr Neeraj further highlighted the growing role of digitalisation and data, emphasising the importance of supporting the development of agricultural data stacks and digital payment networks.

IFAD perspectives on Agricultural Finance – Ms Phoebe Bower (IFAD)

16. *Ms Bower* offered her perspectives on behalf of IFAD. She framed her remarks with realism on the one hand, noting that the agriculture and rural development financing gap remained substantial; and optimism on the other, recognising that there was growing awareness that investment in rural people was essential to building resilient economies.

17. Ms Bower noted that agricultural finance had to be considered in the context of climate shocks, local conflicts and other forms of fragility. Against this backdrop of worsening crises, IFAD had found that only 1.7% of climate finance in developing countries was reaching small-scale farming, despite its accounting for 50% of the world's food calories. Ms Bower characterised this disconnect as a fairness gap which was weakening the foundations of rural economies and food systems.

18. In this context, Ms Bower set out three areas for lawyers and policymakers to consider when determining what constituted good quality finance. First, standards should be responsible, inclusive and aligned with broader development goals, including food security, sustainability and social protection. Ms Bower emphasised that financial solutions needed to reflect rural realities, as smallholder finance operated differently from everyday urban finance. Second, legal and policy frameworks should account for changing risks affecting the agricultural sector, including climate risks, volatile supply chains, accelerating land degradation and biodiversity loss, by providing for tailored interventions such as cash flow bridging, disaster risk instruments and warehouse receipt systems. Third, opportunities presented by digital finance, artificial intelligence and data driven services should be harnessed, while recognising that the risk that these technologies could bypass those who stood to benefit from them most.

Updates from UNCITRAL – Ms Yanying Li (UNCITRAL)

19. *Ms Li* opened her remarks by reflecting on the long-standing and highly productive relationship between the United Nations Commission on International Trade Law (UNCITRAL) and UNIDROIT, recalling that consensus on the final text of the UNCITRAL–UNIDROIT Model Law on Warehouse Receipts had been reached after just two joint working group sessions.

20. Ms Li then provided an update on UNCITRAL's recent work on negotiable cargo documents (NCDs). She reported that the United Nations Convention on NCDs, adopted by the United Nations Governing Council in December 2025, established a uniform legal framework governing the issuance and use of NCDs, a new type of document of title that represented goods in transit, regardless of transport mode. Ms Li highlighted that the Convention would be particularly effective in facilitating access to finance in regions that relied heavily on multimodal and inland transport. She noted that feedback from the Grain and Feed Trade Association (GAFTA) had indicated that a significant portion of agricultural commodities were traded via inland transport.

Updates from FAO – Ms Atisha Kumar, Ms Carmen Bullón Caro, Mr Alexandre Kaufmann (FAO)

21. *Ms Bullón* reported that FAO was finalising its annual regional conferences across its five global regions. She noted that a range of documents focused on agricultural financing had been brought forward across four regions, indicating that UNIDROIT's development of an Agricultural Financing Legal Guide would be very useful.

22. *Ms Kumar* observed that there was growing recognition that public finance alone was insufficient to meet agricultural actors' financial needs. She highlighted that private finance would need to play a more active role, and welcomed UNIDROIT's initiative to create a guide which encompassed a range of instruments and actors. Reflecting on FAO's operations, Ms Kumar noted that the following issues might be of relevance to UNIDROIT's project.

i. Demand-side issues faced by smallholders, MSMEs and larger enterprises. Ms Kumar observed that these included high costs of capital and lack of collateral, documentation requirements and tailored credit products.

ii. Supply-side issues encountered by finance providers, notably the high perceived risk associated with the agricultural sector, as well as high transaction costs and last-mile delivery issues.

iii. The diversity of actors, institutions and financial instruments involved in agricultural finance. Ms Kumar highlighted that while financing smallholder farmers was critical, value chain finance should also receive due attention as funding was often initially channelled to larger market participants who subsequently engaged with smallholders. She further noted that the wide range of financial services providers that operated in the agricultural sector should be considered, and that the distinct features of relevant financial instruments warranted careful and differentiated consideration.

23. *Mr Kaufmann* welcomed the emphasis placed on supply chain finance, while echoing the importance of expanding access to finance for smallholder farmers. He observed that a key challenge was combining the lending capacity of financial institutions with the value chain knowledge of industry actors, supported by risk capital from international financial institutions where appropriate. Mr Kaufmann noted that while multiple promising pilot initiatives had emerged, scaling such models remained difficult and would be facilitated by the development of appropriate legal and contractual frameworks.

Discussion

24. Following the presentations, the *UNIDROIT Secretariat* invited additional interventions from the Round Table participants.

25. *Mr Dubovec* (ILI) observed that the scope of the following aspects of the project would require careful consideration.

i. Meaning of 'agriculture' and 'agricultural activity': Mr Dubovec invited reflection on whether activities such as aquaculture, commodity processing, transportation and marketing would fall within the scope of the Agricultural Financing Legal Guide. In response, the *UNIDROIT Deputy Secretary-General* noted that previous UNIDROIT instruments had addressed the scope of 'agriculture' without providing a strict definition or had defined the term by relying on an article within UNIDROIT's constitution. However, she agreed that the question of what amounted to 'agricultural activity' would need to be considered to delimit the scope of the project.

ii. Target beneficiaries and finance providers: with respect to target beneficiaries, *Mr Dubovec* both recognised the importance of focusing on smallholders and cautioned against limiting the Agricultural Financing Legal Guide to this group, highlighting that larger enterprises within agricultural value chains could contribute to improving access to finance for smallholders. Regarding finance providers, Mr Dubovec recommended that the full range of finance providers be considered in the Guide,

including non-banking financial institutions and commercial actors that provide financing through contractual arrangements rather than traditional lending.

iii. Legal instruments of broader application: Mr Dubovec observed that it would be necessary to address whether the Agricultural Financing Legal Guide would cover legal instruments of general application, including those not specifically developed for agricultural commodities.

iv. Type of guidance: Mr Dubovec invited reflection on the intended audience of the Agricultural Financing Legal Guide. In particular, he queried whether the Guide should focus solely on legislative and policy guidance, or also extend to practical guidance, bearing in mind the project's objectives and timeframe.

26. *Mr Castillo* (The Alta Group Latin American Region LLC) provided further observations on the scope of the project. He suggested that aquaculture should be considered an 'agricultural activity', citing experiences of operational difficulties related to access to finance in the fishery industry in Angola and Chile. Mr Castillo further observed that the primary operational bottleneck in countries' adoption of private law instruments was capacity building and private sector awareness. Consequently, he highlighted the importance of testing legal instruments through concrete, field-level projects, and welcomed the real-world case studies shared by participants in the Round Table.

27. *Mr Ahma* (European Bank for Reconstruction and Development (EBRD)) drew on recent EBRD experiences in relation to warehouse receipts, noting that an effective private law framework might alone be insufficient where countries lacked necessary infrastructure. He suggested that while he appreciated that the Agricultural Financing Legal Guide was ultimately a legal instrument, it might be helpful for it to include guidance regarding the additional infrastructure that countries would need to complement its legal architecture. Mr Ahma further suggested that the Guide could provide some indication of the market environments in which particular agricultural finance instruments would be most suitable, taking into account countries' economic structures and the commodities they produced.

28. *Mr Johnson* (ILI) reflected on three instrument-related gaps that the Agricultural Financing Legal Guide could address. First, recalling UNIDROIT's current work on collaborative legal structures for agricultural enterprises, he queried how the Guide would approach the design of financing products tailored for cooperatives. Second, he noted that the Guide would be a good opportunity to provide guidance on the application of UNIDROIT's Model Law on Factoring to the agricultural sector. Third, noting that UNIDROIT's Model Law on Leasing was an older instrument, he suggested that the Agricultural Financing Legal Guide could provide explicit direction on how leasing frameworks could be utilised to finance equipment for smallholder farmers. The *UNIDROIT Secretariat* noted that UNIDROIT's current work programme contained a low-priority project to draft guidance on UNIDROIT's Model Law on Leasing, which might be best achieved through the Agricultural Financing Legal Guide.

29. *Ms Lyu* (Beijing Fnlegor) suggested that the Agricultural Financing Legal Guide could elaborate on the benefits of financing based on documents of title, as compared to physical assets. Drawing on her experience in China, Ms Lyu observed that legislators in countries with well-established legal regime governing moveables would need to be persuaded of the distinct advantages of warehouse receipts to adopt new legislation in this context.

30. The *UNIDROIT Secretariat* thanked the Round Table participants for their informative presentations and an insightful discussion, and closed the session.

Session 2: Crop Receipts – recent developments, ongoing projects and future reforms

31. The UNIDROIT Secretariat opened Session 2, welcoming the opportunity to discuss a potential gap which had been identified in international legal framework in relation to crop receipts. It was noted that while useful work had already been undertaken through knowledge guides and other guidance for parties and regulatory authorities, there did not appear to be an international best practice legislative instrument that countries could use when reforming domestic laws to facilitate financing against pre-harvest agricultural commodities.

32. The UNIDROIT Secretariat observed that a question had been raised as to how the Agricultural Financing Legal Guide could best address this potential gap. It was noted that the possible development of a legal instrument focused on crop receipts represented an additional dimension to the project as originally approved by UNIDROIT's Governing Council. It would therefore be valuable to discuss existing work on crop receipts to assess how this area could be best addressed as part of the project.

IFC Knowledge Guide on Crop Receipts – Mr Marek Dubovec (ILI)

33. *Mr Dubovec* provided an introduction to crop receipts and an overview of the Knowledge Guide on Crops Receipts Finance, co-authored by the IFC and the ILI. He explained that crop receipts were an innovative financing instrument designed to increase access to pre-agricultural finance. Mr Dubovec highlighted that crop receipts could be traded on capital markets, thereby enabling access to private capital beyond traditional bank financing.

34. Mr Dubovec observed that crop receipts could be constructed under existing legal frameworks, such as contract law, negotiable instruments law and laws governing security rights in growing crops. However, this could require parties to rely on several different areas of the law. He further observed that the instrument need not be limited to plant-based agricultural commodities, noting that the relevant legislation in Ukraine referred to 'agrarian receipts' to reflect the instrument's wider scope.

35. Mr Dubovec emphasised that legal reforms related to crop receipts were underway in several countries. In this context, the Knowledge Guide was designed as an educational tool and was not intended to provide states with model legislation. Rather, it surveyed existing crop receipts laws and represented a first step towards the possible development of a future harmonised legal standard.

36. Mr Dubovec suggested that a future legal instrument on crop receipts could be relatively concise. However, its development would involve resolving the following legal issues.

i. Growing crops might be treated as moveable property in some jurisdictions and immovable property in others. It would be necessary to clarify the legal status of growing crops and the relationship between crop receipts and national property law regimes.

ii. Two registration aspects would need to be considered: the issuance and transfer of crop receipts, and the registration of security rights supporting those receipts. For the latter, an existing secured transactions registry could potentially be used. However, a separate mechanism might be required to record the issuance and transfer of crop receipts.

iii. Capital market participants would require instruments that could be transferred efficiently without extensive due diligence. Mr Dubovec drew analogy to transferability features that had been introduced to increase NCDs' collateral value

and negotiability, observing that a similar approach might be considered for crop receipts.

37. Mr Dubovec suggested that future work on these issues could draw on UNIDROIT's existing instruments. In particular, he highlighted that the UNCITRAL–UNIDROIT Model Law on Warehouse Receipts could be relevant with respect to issuance and transfer; noted that principles related to intermediated securities could be relevant where crop receipts were held, cleared or settled through intermediary structures; and suggested that the UNIDROIT Principles on Digital Assets and Private Law could provide guidance on tokenisation of real-world assets.

Ongoing and future IFC work on Crop Receipts – Mr Kyrylo Mukhomedzyanov (IFC)

38. *Mr Mukhomedzyanov* shared perspectives from the IFC's experiences implementing crop and warehouse receipts initiatives. He reported that there was growing interest in crop receipts in a range of jurisdictions, including Indonesia, Ghana, South Africa, Uganda and Ethiopia, as well as countries in the South Caucasus and Western Balkans. His comments focused on the IFC's implementation efforts in Ukraine, which he noted had started with a small number of pilot crop receipts in 2015 and developed into system that had enabled approximately $500 million of annual financing and had continued to be used during the war.

39. Mr Mukhomedzyanov recalled that the primary challenge faced when introducing a new crop receipts instrument in Ukraine was overcoming scepticism from market participants, highlighting the importance of sustained donor support, capacity building, and increasing public awareness. He reported that while uptake had been strong among value chain participants who understood farmers' production methods, banks had been slower to adopt the instrument. It was noted that this was partly due to the transaction costs banks incurred in administering relatively small financing transactions, and partly a result of Ukraine's central bank's initial reluctance to recognise future agricultural assets as eligible collateral.

40. With respect to the legal framework for crop receipts, Mr Mukhomedzyanov reported that IFC assessments with international and legal experts had indicated that dedicated legislation was necessary because existing frameworks did not provide sufficiently effective conditions for crop receipts to operate. In addition, he highlighted that the 'agrarian notes' framework in Ukraine had developed beyond crop production to include livestock products and primary processed products. The *Secretariat* emphasised that the distinction between crop receipts and agrarian notes under the Ukrainian framework would require careful consideration in any future work on the subject.

41. *Mr Mukhomedzyanov* further reported that the IFC's implementation efforts had been supported by practical guidance for businesses on how the instrument could be used. In addition, the Ukraine's transition from paper-based crop receipts to electronic 'agrarian notes' required a renewed implementation effort, and market participants still needed to be familiarised with the instrument's new electronic form. Looking ahead, Mr Mukhomedzyanov indicated that a new IFC project sought to build a broader ecosystem of complementary financial services and technologies around agrarian notes, and observed that agrarian notes were becoming increasingly embedded in Ukraine's financial and legislative system.

'IFAD work on pre-harvest financing instruments' – Ms Katherine Meighan (IFAD)

42. *Ms Meighan* considered IFAD's work on pre-harvest financing instruments from the perspective of smallholder farmers. She reiterated that closing the finance gap faced by smallholder farmers, of which there were 450-500 million globally, was an important focus for IFAD. She observed that being able to access credit at the appropriate time was particularly important in agricultural production, as farmers relied on timely access to seeds, fuel and other inputs, especially in the

context of growing geopolitical and climate disruption. Crop receipts could contribute to farmers' resilience by facilitating access to credit at critical stages of the production cycle.

43. Ms Meighan observed that financial institutions often perceived smallholder farmers as expensive or high-risk borrowers. However, IFAD's experience had demonstrated that there was a disparity between perceived and actual risk, noting that the average level of non-performing loans in the area was below 3%, despite 30% of projects operating in fragile and conflict-affected contexts. Ms Meighan highlighted that pre-harvest financing instruments could enable smallholder farmers to build credit histories and build relationships with local banks, significantly improving their ability to obtain timely finance when necessary for their operations.

Discussion

44. Following the presentations, the *UNIDROIT Secretariat* invited additional interventions from the Round Table participants, framing the principal question as whether, alongside the approved project to develop an Agricultural Financing Legal Guide, there was a sufficiently pressing need to broaden the scope of the work to permit the simultaneous development of a model law or other legal instrument specifically focused on crop receipts.

45. *Mr Castillo* drew on his recent work developing the leasing industry in Angola, noting that it had led him to consider how supply chains could be made more efficient. In addition, he highlighted the extent to which agricultural finance intersected with infrastructure, logistics, technology and renewable energy financing. In this context, Mr Castillo observed that a dedicated model law on crop receipts would be beneficial in bringing the wide range of areas that converged to facilitate farmers' access to finance together into a clear and accessible framework.

46. *Several participants* commented on the scope of a future model law, or other legal instrument, focused on crop receipts.

i. *Mr Agwe* (IFAD) recalled that IFAD had worked with producers' of a wide range of crops and livestock, including fish. While acknowledging the importance of grains in Ukraine and cash crops in Africa, he endorsed taking a broad approach to crop receipts that could accommodate the wide range of agricultural commodities produced by smallholders. Mr Agwe further highlighted the differences between highly perishable and shelf-stable commodities, noting that warehouse receipts financing was particularly effective for the latter category. He suggested that any future instrument focused on crop receipts should take account of these differences and consider related requirements for warehouse management, cold chains and other forms of storage.

ii. *Mr Mukhomedzyanov* favoured a model law with a broad scope, capable of being adapted by States based on their principal commodities. Mr Mukhomedzyanov drew on Mr Agwe's comments, noting that while the adoption of crop receipts in Ukraine had initially focused on export-oriented crops such as wheat, sunflower and soybeans, 50 other crops had also been used on collateral. With respect to highly perishable commodities, he highlighted the importance of farmers being connected to the relevant value chains and processors, to enable use of such commodities within financing arrangements.

iii. *Mr Johnson* recalled that the IFC–ILI Knowledge Guide on Crop Receipts Finance contemplated a broad definition of agricultural commodities, which extended to aquaculture and processed agricultural products. He suggested that any future model law on crop receipts should be similarly broad in scope. Mr Johnson endorsed the development of a harmonised legal framework for crop receipts, suggesting that any

future instrument should be accompanied by a guide to enactment that addressed matters including capital market use, securitisation, special purpose vehicles and the role of cooperatives.

iv. *Ms Wehling* observed that farming crops, livestock and aquaculture could involve substantially different production cycles and characteristics. She therefore suggested that a future model law on crop receipts could establish a sufficiently general legal framework, with implementing regulations being tailored to particular sectors or commodities.

47. The *UNIDROIT Secretariat* then invited comments on the legal treatment of crop receipts. Drawing on UNIDROIT's experience developing the MAC Protocol to the Cape Town Convention, it was noted that establishing priority rules could be challenging with respect to moveable assets that could become subject to interests arising under laws governing immovable property.

i. *Mr Dubovec* observed that a future model law on crop receipts could be distinguished from the MAC Protocol which, as a hard law instrument, required a unified treaty solution. He noted that a model law could instead provide states with different approaches to registration and priority, depending on whether their domestic property law treated growing crops as movable, hybrid or immovable property.

ii. Mr Dubovec recalled that in Ukraine future crops were treated as separate moveable assets, which were linked to a specific production site but registered in the State Register of Movable Property Encumbrances for priority purposes. By contrast, in Georgia growing crops remained linked to immovable property under the existing legal framework, although amendments to the Civil Code were being considered to separate the treatment of growing crops from land. The *UNIDROIT Secretariat* indicated that where jurisdictions would not distinguish interests in growing crops from underlying interests in immovable property, there were limits to what a soft law instrument on crop receipts could achieve.

iii. *Mr Mukhomedzyanov* commented on the benefits of Ukraine's approach of treating growing crops and land as separate assets for financing purposes. He observed that this separation allowed farmers to obtain both long-term financing by mortgaging their land and pre-season financing for a given production cycle by making use of crops as additional collateral.

iv. The *UNIDROIT Secretariat* observed that issuing a standalone title to growing crops might give rise to a question of how farmers could establish ownership of growing crops on a particular plot of land. *Mr Mukhomedzyanov* considered that this was principally a matter of due diligence, noting that in all cases of asset-based financing borrowers needed to provide evidence of relevant rights in assets used as a collateral. Mr Mukhomedzyanov suggested that in the case of crops, this could include evidence of ownership or leaseholder rights over the land on which the crops were being grown. He noted that technology, in particular blockchain technology, could assist in establishing the provenance of agricultural products.

48. The *UNIDROIT Secretariat* raised a further question of the extent to which a future model law on crop receipts should be capable of supporting electronic receipts, as opposed to exclusively paper-based instruments, noting UNIDROIT's practice of accommodating technological developments in its instruments.

i. *Mr Mukhomedzyanov* observed that considerable interest had been shown in digital securities, including in less sophisticated markets. He observed that in Ukraine, the

development of electronic agrarian notes had provided clearer rules for accounting, taxation and transfer than the original paper-based crops receipts system, and strongly favoured an electronic instrument.

ii. *Ms Meighan* acknowledged that electronic instruments was regarded as good practice, but emphasised the importance of taking into account conditions on the ground. She recalled that IFAD operated in some remote rural areas with very limited access to technology and internet connection, emphasising that the appropriate approach would depend on farmers' access to internet connectivity.

iii. *Ms Wehling* agreed that electronic instruments should be the objective, but suggested that retaining a paper-based alternative could be appropriate where structural constraints, including limited access to electricity and connectivity, persisted.

iv. The *UNIDROIT Secretariat* observed that the flexibility of soft law instruments meant that a model law on crop receipts could address the transition towards electronic systems in different ways. One approach could be for the instrument to expressly provide for both paper-based and electronic receipts, as under the UNCITRAL–UNIDROIT Model Law on Warehouse Receipts. Another approach could be to establish an electronic system as the objective, and provide guidance for jurisdictions with insufficient access to connectivity in a guide to enactment.

49. *Ms Wehling* emphasised the importance of coordinating any future instrument on crop receipts with the UNCITRAL–UNIDROIT Model Law on Warehouse Receipts. She observed that agricultural commodities initially subject to a crop receipt could subsequently be harvested and stored in a warehouse, resulting in the issuance of a warehouse receipt. A future model law would therefore need to consider possible conflicts between respective rights and security interests, and establish appropriate rules for resolving priority conflicts.

Closing Remarks

50. The *UNIDROIT Secretariat* thanked participants for a wide-ranging discussion covering both technical and policy aspects of agricultural finance and crop receipts. It was noted that a formal UNIDROIT Working Group would be constituted to develop the Agricultural Financing Legal Guide and possibly a model law on crop receipts, in accordance with UNIDROIT's usual methodology of bringing together legal experts from different regions, legal systems, and partner organisations, as well as representatives from both the farming and financing sectors. It was further noted that organisations represented at the Round Table would be invited to participate as observers.

51. The UNIDROIT Secretariat recalled that while the development of the Agricultural Financing Legal Guide had been approved for UNIDROIT's 2026-2028 work programme, the development of a model law on crop receipts represented an additional dimension that had not formed part of the project as originally approved. In light of interest expressed during the Round Table, it was noted that the UNIDROIT Secretariat would consider whether to seek approval to expand the project to include the development of an instrument of this kind, and indicated that the future scope of the project was expected to be discussed by the UNIDROIT Governing Council at a future session.

52. The *UNIDROIT Deputy Secretary-General* thanked all participants for their attendance and engagement. She emphasised that contributions from partner organisations and stakeholders would be central to the success the project, and closed the Round Table.

ANNEXE I

EXPERT ROUND TABLE ON AGRICULTURAL FINANCE AND CROP RECEIPTS

AGENDA

13:15 Registration Opens

13:30 Welcome and Opening Remarks — Professor Anna Veneziano, UNIDROIT Deputy Secretary-General

13:40 Session 1: Agricultural Finance – existing standards, emerging issues and practical perspectives

Moderator: Anna Veneziano (UNIDROIT)

• UNIDROIT's work on Access to Credit and Agricultural Law	Ms Priscila Andrade, Mr William Brydie-Watson, Ms Philine Wehling (UNIDROIT)
• ADB Toolkit on Agricultural Finance	Ms Christina Pak (ADB)
• IFC perspectives on Agricultural Finance	Mr Swapnil Kant Neeraj (IFC)
• IFAD perspectives on Agricultural Finance	Ms Phoebe Bower (IFAD)
Discussants:	*UNCITRAL, ILI, IFC, FAO, UNIDROIT*

15:40 Coffee break

16:00 Session 2: Crop Receipts – recent developments, ongoing projects and future reforms

Moderator: William Brydie-Watson (UNIDROIT)

• IFC Knowledge Guide on Crop Receipts	Mr Marek Dubovec (ILI)
• Ongoing and future IFC work on Crop Receipts	Mr Kyrylo Mukhomedzyanov (IFC)
• IFAD work on pre-harvest financing instruments	Ms Katherine Meighan (IFAD)
Discussants:	*UNIDROIT*

18:00 Closing Remarks

ANNEXE II

LIST OF PARTICIPANTS

SPEAKERS

Ms Phoebe BOWER (*online*)	International Fund for Agricultural Development (IFAD)
Mr Marek DUBOVEC (*online*)	International Law Institute (ILI)
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