### Council on General Affairs and Policy of the Conference – March 2017

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<tbody>
<tr>
<td>Title</td>
<td>Overview of Conventions and other instruments drawn up under the auspices of UNCITRAL, UNIDROIT and the Hague Conference on Private International Law</td>
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<td>Author</td>
<td>Permanent Bureau</td>
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<td>Agenda item</td>
<td>Item IV.8.a.</td>
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<td>Mandate(s)</td>
<td>n.a.</td>
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<td>Objective</td>
<td>To report on the status of the Conventions and other instruments drawn up under the auspices of UNCITRAL, UNIDROIT and the Hague Conference on Private International Law</td>
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<tr>
<td>Action to be taken</td>
<td>For Approval</td>
<td></td>
<td>For Decision</td>
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<tr>
<td>Annexes</td>
<td>n.a.</td>
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<tr>
<td>Related documents</td>
<td>n.a.</td>
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</tbody>
</table>
I. COMMERCIAL LAW AND FINANCE LAW

A. Banking – Credit – Finance – Insolvency

Conventions

6. UNIDROIT Convention on International Interests in Mobile Equipment, Cape Town, 16 November 2001 (Cape Town Convention) and  
   • Protocol to the Cape Town Convention on Matters Specific to Aircraft Equipment, Cape Town, 16 November 2001;  
   • Luxembourg Protocol to the Cape Town Convention on Matters Specific to Railway Rolling Stock, Luxembourg, 23 February 2007;  
   • Protocol to the Cape Town Convention on Matters Specific to Space Assets, Berlin, 9 March 2012;  
   • Preliminary draft Protocol to the Cape Town Convention on Matters specific to Agricultural, Mining and Construction Equipment.

Other

15. UNCITRAL Legislative Guide on Insolvency Law, Part three: Treatment of enterprise groups in insolvency, adopted on 1 July 2010.  

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1 Overview prepared by the Permanent Bureau of the Hague Conference on Private International Law in consultation with the secretariats of UNCITRAL and UNIDROIT, as an update of Work. Doc. No 3 distributed during the Council of April 2007 on General Affairs and Policy of the Conference. Any errors or omissions should be attributed to the Permanent Bureau.

2 Conventions prepared by UNCITRAL are generally adopted by the General Assembly (exceptions include the United Nations Convention on Contracts for the International Sale of Goods and the Hamburg Rules, which were adopted by diplomatic conference) and model laws, guides or other texts are adopted by the Commission (unless indicated, such as the UNCITRAL Legal Guide on Electronic Funds Transfers, which was prepared by the Secretariat).
21. UNCITRAL Model Law on Secured Transactions, adopted on 1 July 2016

B. Capital markets and securities

Conventions


Other


C. Procurement and infrastructure development

6. UNCITRAL Model Law on Public Procurement, adopted on 1 July 2011.
8. Guidance on procurement regulations to be promulgated in accordance with article 4 of the UNCITRAL Model Law on Public Procurement, adopted on 19 July 2013.

D. Law of contracts

General law of contracts

Conventions


Other

3. UNIDROIT Principles of International Commercial Contracts (3rd ed., 2010); basis for the draft OHADA Uniform Act on Contract Law.
6. UNCITRAL - Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance, adopted in 1983.

Specific contracts

a. Sales and countertrade transactions

Conventions


Other


b. Agency

2. UNIDROIT International Convention on Travel Contracts (CCV), Brussels, 23 April 1970.

c. Franchising

d. **Carriage of goods**

*Conventions*

1. UN / ECE Convention of 19 May 1956 on the Contract for the International Carriage of Goods by Road (CMR), as amended by the 1978 and 2008 Protocols, prepared by UNIDROIT.

*Other*


e. **Law of torts**

*Conventions*


f. **Law of trusts**

Hague Convention of 1 July 1985 on the Law Applicable to Trusts and on their Recognition.

**II. ADMINISTRATIVE AND JUDICIAL CO-OPERATION, ACCESS TO JUSTICE, AND DISPUTE RESOLUTION IN CIVIL AND COMMERCIAL MATTERS**

A. **Administrative and judicial co-operation and access to justice**

*Conventions*

1. Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents, including ongoing work on the electronic Apostille Program (e-APP, which promotes the issuance and use of e-Apostilles and operation of online e-Registers of Apostilles).

*Other*

B. International litigation

Conventions


Other

6. Joint ELI / UNIDROIT project to develop regional rules in transnational civil procedure.
7. Ongoing Hague Conference work on the recognition and enforcement of judgments in civil or commercial matters (the “Judgments Project”).

C. Arbitration

Conventions


Other

3. UNCITRAL Arbitration Rules, adopted on 28 April 1976, revised in 2010, with a new article 1, paragraph 4, as adopted in 2013.
5. Recommendations to assist arbitral institutions and other interested bodies with regard to arbitrations under UNCITRAL Arbitration Rules, adopted in 1982.
9. UNCITRAL – Recommendation regarding the interpretation of article II (2) and article VII (1) of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), adopted on 7 July 2006.
10. Recommendations to assist arbitral institutions and other interested bodies with regard to arbitration under the UNCITRAL Arbitration Rules as revised in 2010, adopted on 2 July 2012.

D. Online Dispute Resolution

1. UNCITRAL Technical Notes on Online Dispute Resolution, adopted on 5 July 2016
III. INTERNATIONAL PROTECTION OF CHILDREN AND OF VULNERABLE ADULTS, AND FAMILY MAINTENANCE

A. International protection of children

Conventions


Other

18. Ongoing Hague Conference work on the private international law issues surrounding the status of children, including issues arising from international surrogacy arrangements.
20. Ongoing work on the cross-border recognition and enforcement of agreements in family matters involving children.

B. International protection of vulnerable adults

C. **International family and family property relations**

*Conventions*

   See also *supra* J.

*Other*

4. Ongoing Hague Conference work on jurisdiction, applicable law, and recognition and enforcement of judgments in respect of cohabitation outside marriage, including registered partnerships (for the last report– see Prel. Doc. No 5 of March 2015).
5. Hague Conference feasibility study of cross-border mediation in family matters and ongoing work in the area, including in connection with cross-border recognition and enforcement of agreements in international family disputes.

D. **International inheritance**

*Conventions*


IV. **PRIVATE LAW AND AGRICULTURAL DEVELOPMENT**