The legal biennale that bears the name of leading Slovak private law scholar, Professor Stefan Luby (1910-1976), has been taking place regularly every other year since 1990. The aim is to extend the understanding of the importance of legal thinking in an enlarged European Union. Luby’s Days of Law contribute to this process from various doctrinal angles, and foster the debate between legal philosophy and the theory of private and public law, chiefly from a positive law perspective. The main objective is to integrate Slovak legal thinking with the characteristic values of the continental legal system that conditions its subsequent development. Luby’s Days of Law should contribute to bringing down national and international barriers and eradicating isolationism, and help to build bridges for the propagation and internationalisation of Slovak legal culture.

The theme of the VIII. Luby’s Days of Law was chosen in follow-up to the Congress to Celebrate the 75th Anniversary of the Founding of the International Institute for the Unification of Private Law (UNIDROIT) (Rome, 27-28 September 2002) devoted to “Worldwide Harmonisation of Private Law and Regional Economic Integration”, and with an eye on the European Union membership of some Central and East European countries. The VIII. Days dealt primarily with issues of Europeanisation and harmonisation of private law in a number of countries in the region, with special emphasis on civil, family and business law.

Thanks to the combined efforts of the initiators, Professors Peter Blaho, Jan Lazár and Jan Svídroň, some 90 participants attended the conference, including academics, legal practitioners and civil servants from eight Central European countries. The UNIDROIT delegation was led by Secretary-General, Professor Herbert Kronke who met with Dr Eduard Kukan, the Slovak Minister of Foreign Affairs, prior to the meeting (the Slovak Republic is a member State of UNIDROIT). The discussions centred on the development of national recodifications in the field of private law, with a threefold objective: to clarify the existing private law legal framework in Europe; to outline some of the problems currently hampering the process of worldwide legal harmonisation; and to submit to participants possible ways of solving problems connected with the harmonisation of national law systems.

Professor Peter Blaho (Rector, Trnava University) and Professor Jozef Prusak (Dean, Trnava University Law Faculty and founder and administrator of Luby’s Days of Law) opened the conference and welcomed participants, following which introductory presentations were made by experts involved with the activities of UNIDROIT.

Professor Kronke’s address, “Structural Problems and Methodical Issues of Private Law and Trade Law Harmonization”, focused on the historical background of harmonisation and on

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1 Austria, the Czech Republic, Croatia, Germany, Hungary, Poland, the Slovak Republic and Slovenia.
the economic and political factors and related problems that determined this process. In his view, the basic problems of harmonisation were: (i) the problem of co-ordinating global and regional private law developments and determining which level of harmonisation (regional or interregional) would be the more effective; and (ii) the problem of the coexistence of different regional private laws, which need not, however, lead to tensions: indeed, the efforts of regional legislators to incorporate common valid principles of international law in legislative drafting must be commended.

Professor Peter Schlechtriem (University of Freiburg/i.Br. (Germany)), member of the UNIDROIT Working Group that drafted the Principles of International Commercial Contracts, introduced the new enlarged edition of the UNIDROIT Principles 2004, illustrating the historical background and objectives (one of which was to become generally acknowledged as an “international legal lingua franca”) and stressing their paramount importance for the world-wide harmonisation and unification of private law. He called attention in particular to the new features contained in the enlarged edition.

Dr Philipp Paech (Research Officer, UNIDROIT), in his report entitled “Harmonised substantive rules regarding securities held with an intermediary”, focused on the work currently being carried out by UNIDROIT, dwelling more particularly on new trends that are now emerging with the ever-increasing expansion of financial transactions at international level. A major concern in the framework of this project was to offer a secured legal framework for the smooth operation of international financial markets.

In his address, Professor Peter Blaho defended the historian’s and Romanist’s point of view, under the title “New Europe and Old Roman Law. History, Legal Comparison, Actualisation”. He stressed the relevance and viability of Roman Law in 21st century European legal culture and appealed to all those present to bear in mind that “indifference to Roman Law is indifference to one’s own legal development”.

Professor Martin Schauer (University of Vienna (Austria)) reported on the “Legal Principle of the ‘State of Origin’ in European Corporation Law”, one of main principles of the acquis communautaire, deriving from secondary European Union law.

Professor Jan Lazar (Trnava University) spoke of the “Roles of the New Slovak Private Law Codification in the Context of its Europeanisation”, tracing the process of gradual re-codification of the Slovak Civil Code from 1989 to the present. He touched upon some important problems and inadequacies that affect current private law regulation such as its lack of a systematic approach and the opacity of its legal rules, the duplication of contract law provisions in the civil and commercial Codes, the severance of family law to form a separate legal regulation, etc. In conclusion, he called for a number of improvements, including the removal of provisional legislative arrangements; fostering an optimal model of civil law regulation as a reliable framework for a well-functioning market economy; and achieving a higher level of approximation of Slovak law with European legal regulation.

Professor Joseph Strauss (Max-Planck-Institute for Intellectual Property, Competition Law and Tax Law, Munich (Germany)) addressed “The New Role of Intellectual Property in the Globalising Economy” and put the question: Is Europe Ready? He particularly stressed the issue of institutional protection of intellectual property in an enlarged Europe and that of true

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2 The UNIDROIT Principles 1994, together with the comments that form an integral part of these Principles, were translated into Slovak in 1995 (Iura Edition, Bratislava, 1996).
unification of the law of intellectual property, offering a highly original approach to private law questions relating to codification.

Professor Attila HARMATHY (Eötvös Loránd University, Budapest (Hungary); Constitutional Judge; member of the UNIDROIT Governing Council) took a closer look at the “Development of Hungarian Private Law within the European Union Framework”, in particular the development of Hungarian private law under the influence of the EU harmonisation processes, and he voiced scepticism as to the systematic uniform codification of European private law.

Professor Lajos VEKAS (Eötvös Loránd University, Budapest (Hungary)) discussed the state of the “Exhaustive Reform and New Codification of Civil Law in Hungary” and dwelt at length on the difficulties encountered in drafting the new Civil Code, in the light in particular of the prevailing monistic conception of civil law. In his report, he stressed the need for a lucid explanation of the reform process with the introduction of applied methods and attention to structural problems as well as problems of content.

Professor Zbigniew RADWANSKI (Adam Mickiewicz University, Poznań (Poland)), in his report on “Problems of Civil Law Codification” in Poland, offered a critical evaluation of the content and system of the Polish Civil Code, which has been amended some 40 times since 1964. Among other matters, he stated that with the entry of Poland into the European Union, many European law norms had become directly applicable in Poland, so that care should be taken to avoid unnecessary repetitions in revising the Civil Code revisions.

Associate Professor Bernadetta FUCHS (Slaski University, Katowice (Poland)) presented a report on the “New Regulation of Private Law in Poland”, prepared in co-operation with Professor Maksymilian PAZDAN (Slaski University, Katowice) who was himself unable to attend the conference. Ms Fuchs offered a thematic overview of Polish private international law with strong emphasis on its basic sources, which refer to developing international private relations and which present obvious loopholes. She also touched upon the much-discussed issue of substituting the nationality criterion for the usual residence criterion, and the question of resorting to private international law solely where substantive legal regulations are lacking.

Professor Rudolf WELSER (University of Vienna (Austria)), in his address on the “Europeanisation of Austrian Private Law”, expressed considerable scepticism as to the new European private law codification. He appealed to his audience to “treat national codifications with respect”. The bulk of his report was devoted to the most incisive method of Europeanisation of Austrian private law: in concreto, the direct implementation of EU directives and bringing the interpretation of existing applicable legal rules in line with European standards.

The second day of the Conference saw contributions by speakers from other countries of the enlarged European Union as well as from associated Croatia.

Professor Ada POLENAR-PAVCNIK (University of Ljubljana (Slovenia)) focused on the “New Codification of the Civil Law in Slovenia”, offering an in-depth review of recent achievements and future prospects in this connection.

Professor Tatjana JOSPOVIC (University of Zagreb (Croatia)), in a report entitled “Re-codification of the Civil Law in Croatia”, outlined some of Croatia’s problems connected with application in the private law re-codification process.

Professor Jan DVORAK (Charles University, Prague (Czech Republic)) illustrated the current state of the “New Codification of Private Law in the Czech Republic”. He undertook a brief but thorough historical excursion into the roots of private law regulation in his country, focusing on the current state and relevance of Czech private law re-codification. He
identified several fundamental principles that must be taken into account: simplification of access to the legal system, systematisation, reform of the legal system, rejection of unsuitable legal rules and emphasis on the monistic approach to private law.

Professor Alena WINTEROVA (Charles University, Prague (Czech Republic)) introduced a new conception of the Czech law of civil procedure, in an address on the “Preparation of the New Civil Procedural Law Codification in the Czech Republic”. She argued that a problematic and unsolved question was the scale of the court’s guidance as to parties’ rights and duties as well as the question of obligatory representation by an attorney at law in all instances. In conclusion, she argued that the revision process should aim at increased flexibility of court proceedings and at reforming the remedies system.

Associate Professor Lubomír FOGAS (Comenius University, Bratislava (Slovak Republic)) discussed “The Preparation of the New Civil Procedure Regulation in the Slovak Republic”, noting that the re-codification of civil procedure in the Slovak Republic was still only at the stage of discussion and formulation of its aims.

The conference was brought to an interesting close by Professor Jan SVIDRON (University of Trnava; Correspondent of UNIDROIT), whose report on “Material and Ideal Interests in Slovak and European Private Law” emphasised the special significance of intellectual property in a united Europe and observed that in today’s economically motivated society, material interests predominated over spiritual and cultural interests. He appealed for the preservation of common European values. Referring also to the particular nature of the subject-matter of intellectual property (which he referred to as “ideal objects”, as opposed to the “material objects” that form the subject-matter of “property” in the traditional sense), he also used the term inspired by Roman law (“res extra possessio et detentio”). In conclusion, he voiced his belief that the protection of intellectual property must be more expressly integrated into the constitutional framework of the Slovak Republic.

Closing the conference, Professor Peter BLAHO expressed his gratitude to all reporters and members of the audience.

The VIII. Dies Luby Iurisprudentiae not only fulfilled its aim but indeed, in many respects went further than the horizon set by the organisers in the field of harmonisation of private law regulations in an enlarged European Union. The scholarly views of the invited experts gave the Slovak legal community valuable new insights and reflections as to ways of solving the manifold problems under discussion and provided input for an in-depth exchange of views by national and foreign scholars.

In like manner, UNIDROIT Secretary-General, Professor Herbert KRONKE, stated the need for the closest possible regional co-operation in the unification and codification of private law and stressed that symposia and conferences such as Luby’s Days of Law were an “excellent forum and market for new ideas in the area of codification, harmonisation and Europeanisation of European private law”.

The Acts of the conference will be prepared by the Law Faculty of the University of Trnava (in German) (nadacia@truni.sk, svidronjan@stonline.sk) and will be published by Iura Edition, Bratislava (www.iura.sk, office@iura.sk).

Zuzana Adamova and Marianna Kosnacova *

* Department of Civil and Commercial Law, Faculty of Law of Trnava University (Slovak Republic).

The programme in brief / Le programme en bref:

**Monday / lundi 11 oct., a.m. / matin:** WELCOMING WORDS / DISCOURS DE BIENVENUE (Maud De Boer-Buquicchio, Deputy Sec. Gen., Council of Europe / Secr. Gén. Adjoint, Conseil de l’Europe; Piotr Stachanczyk, Under-Secretary of State, President of the Office for Repatriation and Foreigners, Ministry of Interior and Administration, Poland / Sous-Secrétaire d’Etat, Président du Bureau pour le Rapatriement et les Étrangers, Ministère de l’Intérieur et de l’Administration, Pologne)


  - THE CHILD’S ACQUISITION OF THE NATIONALITY OF HIS OR HER COUNTRY OF IMMIGRATION AND WHETHER IT SHOULD BE CONSIDERED AS A MEANS OF INTEGRATION / L’ACQUISITION PAR L’ENFANT DE LA NATIONALITÉ DU PAYS D’IMMIGRATION ET LE ROLE DE CETTE MESURE COMME MOYEN EVENTUEL D’INTEGRATION (Chair / Prés.: Françoise Beneditti-Duffé, Public Prosecutor, Former Head of Nationality Office, Civil Affairs and Official Seal Div., Ministry of Justice, France / Magistrat, Ancien Chef du bureau de la nationalité, Direction des Affaires civiles et du Sceau, Ministère de la Justice, France)

    - Is the child’s acquisition of the nationality of his or her country of immigration a means of integration? / L’acquisition par l’enfant de la nationalité du pays d’immigration est-elle un moyen d’intégration ? (Rapporteur: Mimount Bousakla, Member of the Belgian Senate, member, Committee on Migration, Refugees and Population of the Parliamentary Assembly of the Council of Europe / Membre du Sénat belge, Membre, Commission des migrations, des réfugiés et de la population de l’Assemblée parlementaire du Conseil de l’Europe)

    - Reflections on nationality and integration – the example of the city of Basel (Switzerland) / Réflexions sur la nationalité et l'intégration – exemple de la ville de Bâle (Suisse) (Rapporteur: Christin Achermann, Institute of Ethnology, Univ. of Berne; Swiss Forum for Migration and Population Studies (SFM), Neuchâtel, Switzerland / Institut d'ethnologie, Univ. de Berne; Forum suisse pour l'étude des migrations et de la population (SFM), Neuchâtel, Suisse)


    - Acquisition of the nationality of the country of immigration for first and second generation migrant children (principles of ius soli and double ius soli) / Acquisition de la nationalité du pays d’immigration pour la première et la deuxième génération d’enfants migrants (principes du ius soli et du double ius soli) (Rapporteur: Patrick Weil, Research Director at the National Centre of Scientific Research (CNRS), Centre of Social History of the 20th Century, University Paris 1, France / Directeur de recherche, Centre national de recherche scientifique (CNRS), Centre d’Histoire sociale du 20ème siècle, Université Paris I, France)

- GENERAL DISCUSSION on children’s acquisition of the nationality of their country of immigration as a means of integration / DISCUSSION GÉNÉRALE sur l’acquisition de la nationalité de leur pays d’immigration par les enfants comme moyen d’intégration
Tuesday / mardi 12 oct., a.m. / matin:

- The change of the nationality of the parents and its effects on the nationality of the child / Le changement de nationalité des parents et ses effets sur la nationalité de l’enfant (Chair / Prés.: Mirjana Lazarova Trajkovska, Judge, Constitutional Court, The Former Yugoslav Republic of Macedonia / juge, Cour Constitutionnelle, Ex-République yougoslave de Macédoine)
  - The position of children in respect of decisions made by their parents regarding their nationality / La position de l’enfant relative aux décisions prises par leurs parents en ce qui concerne leur nationalité (Rapporteur: Gezard-René de Groot, Professor of Comparative Law and Private International Law, University of Maastricht, Netherlands; Visiting Professor of Comparative Nationality Law, University of Liège, Belgium / Professeur de droit comparé et de droit international privé, Université de Maastricht, Pays-Bas ; Professeur invité de droit comparé sur la Nationalité, Université de Liège, Belgique)

NATIONALITY OF CHILDREN IN CONNECTION WITH INTERNATIONAL ADOPTION (INCLUDING CASES WHERE ADOPTION FAILS) / Nationalité des enfants en relation avec l’adoption internationale (y compris des cas d’échec de l’adoption) (Chair / Prés.: Alexandru Chotnicov, Deputy Head of the President’s Bill Office, Moldova / Chef Adjoint du Bureau des législations du Président, Moldova)
  - Nationality and the protection of children across frontiers. The case of intercountry adoption / La nationalité et la protection des enfants au travers des frontières. Le cas de l’adoption internationale (Rapporteur: William Duncan, Deputy Secretary General, Hague Conference on Private International Law / Secrétaire Général Adjoint, Conférence de la Haye sur le Droit international privé)

p.m. / après-midi:

- Problems relating to the registration of children and the consequences that the absence of registration might have for their acquisition of a nationality, in particular the risk that it might lead to statelessness / Les problèmes relatifs à l’enregistrement de l’enfant et les conséquences que ce non enregistrement pourrait avoir sur son acquisition d’une nationalité, en particulier le risque de le mener à l’apatridie (Chair / Prés.: Philippe Leclerc, Senior Legal Officer (Statelessness), Department of International Protection, United Nations High Commissioner of Refugees (UNHCR) / Conseiller juridique principal (Apatridie), Service de la Protection internationale, Haut Commissariat des Nations Unies pour les Réfugiés (HCR))
  - Registration of children - from a continental law and a common law perspective / Enregistrement des enfants – dans la perspective du droit continental et de la “common law” (Rapporteur: Alenka Mesojedec Pervinsek, Secretary, Office for Migration, Migrations and Naturalisation Section, Ministry of Interior, Slovenia / Secrétaire, Bureau de la migration, Département de la migration et de la naturalisation, Ministère de l’Intérieur, Slovénie) – Report / Rapport: Andrew Walmsley, Former Director of Nationality, Home Office, United Kingdom / ancien Directeur de la Nationalité, Ministère de l’Intérieur, Royaume-Uni
  - Birth registration: Statelessness and other repercussions for unregistered children / Enregistrement à la naissance: apatridie et autres conséquences pour les enfants non-enregistrés (Rapporteur: Michael Miller, project officer, UNICEF Innocenti Research Centre in Florence, Italy / Responsable de projet, Centre de recherche Innocenti (UNICEF) à Florence, Italie)

CLOSING SESSION / SEANCE DE CLÔTURE

- Panel discussion: Proposals for further action / Débat : propositions des suites à donner
  - Closing speeches / Discours de clôture (Hans Olav Syversen, State Secretary, Ministry of Children and Family Affairs, Norway / Secrétaire d’État, Ministère pour les enfants et les affaires familiales, Norvège ; Roberto Lamponi, Director of Legal Co-operation, DG I – Legal Affairs, Council of Europe / Directeur de la Coopération juridique, DG I – Affaires juridiques, Conseil de l’Europe)
  - Conclusions
ADDITIONAL REPORTS FROM PARTICIPANTS / RAPPORTS SUPPLEMENTAIRES DES PARTICIPANTS:

– Birthright Citizenship as Nationality of Convenience* (Andrew Grossman (Columbia, Docteur en droit, Louvain, Belgium))

– Should Newly Born Children Become Citizens Automatically? (Juris Cibuls (Naturalization Board, Latvia))

– Nationality and the Child: Children’s Right to Citizenship – the Swedish Case (Elena Dingu-Kyrklund (Researcher, CEIFO, Stockholm University, Stockholm, Sweden))

Information(s): Secretariat of the 3rd European Conference on Nationality / Secrétariat de la 3ème Conférence européenne sur la nationalité, Public Law Department / Service du droit public, Directorate General of Legal Affairs / Direction générale des Affaires juridiques / Council of Europe / Conseil de l’Europe, F – 67075 Strasbourg Cedex (France) – Fax: +33 (0)3 88 41 27 64 – E-mail: confnat@coe.int – Internet: <http://www.coe.int>.

INTERNATIONAL CONFERENCE ON THE LEGAL ASPECTS OF AN E-COMMERCE TRANSACTION


Tuesday, 26 Oct. – a.m.: OPENING REMARKS (Hans van Loon (Secretary General, HCCH; Maria Livanos Cattaui (Secretary General, ICC))

THE PRE-CONTRACTUAL PHASE – Advertising, Competition, Infringement of Intellectual Property Rights (Introduction: Paul Torremans, Univ. of Ghent (Belgium) & Univ. of Nottingham (UK) – moderator)

– Self-regulatory principles on marketing and advertising using Internet, online services, electronic networks and the telephone
– Legal pitfalls for companies in online marketing
– ICC Guidelines on marketing and advertising using electronic media
(Oliver Gray, Secretary General, European Advertising Standard Alliance (EASA); co-chair, ICC Task Force on Code Revision, Belgium)

– Market research activities in an online context. The difference between marketing and market research – which self-regulatory rules are in place and how are they enforced?
– ICC / ESOMAR International Code of Marketing and Social Research Practice
(Erich Wiegand, Vice Chair, World Association of Opinion and Marketing Research Professionals (ESOMAR), Professional Standards Committee, the Netherlands)

– The law applicable to non-contractual relationships in an online context (Rome II – in particular unfair competition, tort and IP infringement)
– Impact of the proposed Rome II Regulation on e-commerce
(Mario Tenreiro, Head of Unit, JA1, European Commission)

– Protection of Trademarks on the Internet
– Domain name disputes
– WIPO Arbitration and Mediation Center
(Francis Garry, Deputy Director General, WIPO)

– Copyright on the Internet
– Example of national legislation – Digital Millenium Copyright Act
– How does the relationship between national and international legislation influence e-commerce?
  (Jane Ginsburg, Professor of Law, Columbia Univ., New York, USA)
– Questions relating to copyright infringement on the Internet
  – The Japanese approach from a comparative perspective
  (Yuko Nishitani, Associate Professor of Law, Tohoku Univ., Japan)

Tuesday, 26 Oct. – p.m.: THE CONTRACTUAL PHASE – Negotiation and Conclusion of the Contract:

  Formal and Substantive Validity, Choice of Court and Choice of Law Clauses (Introduction and moderation: Stefan Leible, Professor of Law, Friedrich-Schiller-Universität Jena, Germany)

– How should the legal validity of electronic messages be assessed:
  – UNCITRAL Model Law on Electronic Signatures 2001
  – Work in progress: Project of a Draft UN Convention on Electronic Contracting
  (José Angelo Estrella Faria, Legal Officer, UNCITRAL)
– What are the legal implications of moving contracting safely from a paper-based environment to an electronic environment?
  – Paction, the online sales contract application
  – ICC Model Contracts
  (Ake Nilson, Chairman, Allagraf Ltd, UK)

– The EC Directive on electronic commerce and private international law
  (Michael Hellner, Special Adviser, Ministry of Justice; Associate Professor in Private International Law, Uppsala Univ., Sweden)

– International online B2B contracts in Europe and the US – a Private International Law Perspective with a focus on the validity of choice of court and choice of law clauses
  (Simone van der Hof, Tilburg Univ., The Netherlands)

– US jurisdiction over e-commerce transactions: Recent case-law
  – UCITA (Uniform Computer Information Transactions Act) – legislation on software transactions
  (John Rothchild, Associate Professor of Law, Wayne State Univ. Law School, Detroit, Michigan, USA)

– B2B Online Contracting - The legal challenges facing business
  (Evangelos Apostolou, Senior Counsel, Global Services, British Telecom Plc, UK)

Wednesday 27 Oct. – a.m.: THE PERFORMANCE PHASE (Introduction and moderation: Mads Bryde Andersen, Professor of Law, Univ. of Copenhagen, Denmark)

Panel A: Shipping of goods, Delivery of service, Online performance

– Will widespread adoption of uniform rules and principles governing contractual relationships facilitate e-commerce?
– UNIDROIT Principles of International Commercial Contracts 2004
  (Herbert Kronke, Secretary-General, UNIDROIT)

– CISG and e-commerce
  (José Angelo Estrella Faria, Legal Officer, UNCITRAL)

– ICC’s Incoterms has been a codified business standard since 1936. How have the technological changes influenced Incoterms and is Incoterms 2000 geared for use in an electronic trading environment?
  (Jan Ramberg, Professor emeritus, Stockholm Univ., Sweden)
Panel B: Electronic payment and taxes

- Legal aspects of electronic payments
  (Marc Lacoursière, Assistant Professor, Univ. Laval, Québec, Canada)
- Electronic invoicing in the light of the EU VAT Directive 2001/115/EC
  (Anna Nordén, General Counsel, Tekki AB, Stockholm, Sweden)
- E-commerce and international taxation
  (William Craig, School of Law, Aberdeen, UK)

Wednesday 27 Oct. – p.m.: THE POST-CONTRACTUAL PHASE AND DISPUTE RESOLUTION – Service agreements, guarantee periods, handling of personal data, confidentiality, spam, product and service liability (Introduction and moderation: Michael Geist, Professor of Law, Univ. of Ottawa, Canada)
- OECD’s work on User Trust Online
  (Michael Donohue, OECD, Directorate for Science, Technology and Industry)
- Crossing dispute resolution and information technology. The experience of RisolviOnline
  (Rinaldo Sali, Deputy Secretary General, Chamber of National and International Arbitration of Milan, Italy)
- Work in progress: Project of a Draft Hague Convention on exclusive choice of court agreements (The Judgments Project)
  (Andrea Schulz, First Secretary, Hague Conference on Private International Law)

Closing Remarks (Laurens Jan Brinkhorst, Minister of Economic Affairs of the Netherlands)

Information: Andrea Schulz or Mayra Torralba – Hague Conference on Private International Law – Permanent Bureau – 6, Scheveningseweg, 2517 KT The Hague (the Netherlands) – Tel.: +31 (70) 363 3303 – Fax: +31 (70) 360 4867 – E-mail: secretariat@hcch.net – Website: <www.hcch.net>.

Il programma in breve:

Mattina: SALUTI INTRODUTTIVI (Pier Andrea Chevallard, Segretario Generale Camera di Commercio di Milano; Bernardino Libonati, Presidente UNIDROIT)
- I PRINCIPI UNIDROIT 2004 (Moderatore: Edoardo F. Ricci, Univ. di Milano, Presidente Consiglio Arbitrale, Camera Arbitrale di Milano)
  - I Principi UNIDROIT 2004: Quali le novità? (Giorgio Schiavoni, Vicepresidente Consiglio Arbitrale, Camera Arbitrale di Milano, Osservatore Gruppo di lavoro per la preparazione dei Principi UNIDROIT)
  - I Principi UNIDROIT 2004 e i Principi di diritto europeo dei contratti (Guido Alpa, Univ. di Roma 1 “La Sapienza”, Presidente, Consiglio Nazionale Forense)
  - I Principi UNIDROIT nella prassi arbitrale internazionale: un bilancio dei primi dieci anni di applicazione (Michael Joachim Bonell, Univ. di Roma 1 “La Sapienza”, Presidente Gruppo di lavoro per la preparazione dei Principi UNIDROIT)
Pomeriggio:

TA VOLA ROTONDA: “Il Ruolo dei Principi UNIDROIT nella pratica delle contrattazioni internazionali” (Moderatore: Herbert Kronke, Segretario Generale UNIDROIT) – Panelists: Eckart Brödermann (Avvocato, Brödermann & Jahn, Amburgo); Sergio Carbone (Univ. di Genova, membro Consiglio Arbitrale, Camera Arbitrale di Milano, e membro, Consiglio di Direzione UNIDROIT); Gabriele Crespi Reghizzi (Univ. di Pavia; membro Corte Internazionale di Arbitrato, Camera di Commercio Internazionale); Giorgio De Nova (Univ. di Milano); Riccardo Luzzatto (Univ. di Milano; membro Consiglio Arbitrale, Camera Arbitrale di Milano)

Informazioni: Centro di Documentazione e Formazione, Via Meravigli, 9/B – 20123 Milano (Italia) – Tel.: +39 02 8515 4567/4568/4570/4566 – Fax: +39 02 8515 4531/4384 – <centro.documentazione@mi.camcom.it>.


The programme:

Morning: Welcome and Opening of the First Annual Get-Together

Afternoon:

- AN INTRODUCTION TO THE UNIDROIT PRINCIPLES (Prof. H. Kronke, Secretary-General of UNIDROIT)
- UNIDROIT PRINCIPLES 2004: A FURTHER STEP TOWARDS A GLOBAL CONTRACT LAW (Prof. M.J. Borell, Professor of law, University Rome I La Sapienza, Chairman of the Working Group for the preparation of the Principles of International Commercial Contracts)
- THE USE OF THE UNIFORM PRINCIPLES IN THE MODEL JOINT VENTURE CONTRACTS OF THE INTERNATIONAL TRADE CENTER OF GENEVA (Prof. J.P. Vulliety, Partner Lalive & Associés, Geneva (Switzerland), “chargé de cours” at the University Geneva and visiting Professor at the University of Louvain-la-Neuve (Belgium))
- HARMONIZATION OF CONTRACT LAW IN THE OHADA COUNTRIES (Prof. M. Fontaine, Emeritus professor, Law Faculty, Université Catholique de Louvain (Belgium))
- QUESTIONS and DISCUSSIONS
- CLOSING of the Session.

Venue: Cassa Nazionale di Previdenza e Assistenza Forense, Via Ennio Quirino Visconti n. 8, 00193 Rome, Italy.

Information: Ms Nicole Van Crombrugghe, Lafili, Van Crombrugghe & Partners, nicole.vancrom@lafili-law.be.
SYMPOSIUM ON INTERNATIONAL FINANCING INSTRUMENTS – Organised by APEC (Asia Pacific Economic Cooperation) – Singapore, 14-16 December 2004.

The provisional programme in brief:

**Tuesday, 14 Dec.:**
- I – AN OVERVIEW OF PRIVATE INTERNATIONAL LAW ORGANIZATIONS (mandate; current and future membership; cost and mode of participation by member States; work methods; co-operation between these and other organisations) (Herbert Kronke International Institute for the Unification of Private Law (UNIDROIT); Christophe Bernasconi (Hague Conference on Private International Law; Spiros Bazinas (United Nations Commission on International Trade Law (UNCITRAL)
- II – AN OVERVIEW OF REGIONAL ORGANIZATION INITIATIVES (Arjun Goswami (Asian Development Bank – ADB); Adolfo Rouillon (World Bank); Nadia Rendak (International Monetary Fund – IMF)
- III – THE GROWING IMPORTANCE OF CONFLICT OF LAW (in international secured financing transactions) (Catherine Walsh, Michel Deschamps)

**Wednesday, 15 Dec.:**
- IV – FINANCING PRIVATE ECONOMIC GROWTH THROUGH CREDIT (Herbert Kronke (UNIDROIT – Secured transactions, insolvency and mobile equipment and security in aircraft, railway rolling stock, space assets and high-end agricultural and construction equipment; Spiros Bazinas (UNCITRAL – assignments)
- V – ECONOMIC FUNCTION AND INFRASTRUCTURE OF PUBLIC REGISTRIES (international and national registry structures) (Catherine Walsh, Michel Deschamps, Arjun Goswami)
- VI – FINANCING PRIVATE ECONOMIC GROWTH THROUGH CAPITAL MARKETS (Christophe Bernasconi – Convention on securities held with an intermediary (Hague Conference); Herbert Kronke – draft Convention on Harmonised Substantive Rules Regarding Indirectly Held Securities (UNIDROIT))

**Thursday 16 Dec.:**
- VII – INTELLECTUAL PROPERTY AS COLLATERAL (Catherine Walsh; Michel Deschamps)
- VIII – THE NEXT STEPS (legal issues within the Asia-Pacific region where international unification or harmonisation would be socially and economically beneficial; possible APEC initiatives)
- CONCLUDING SESSION: Final Remarks

**Further Information:** Bez Babakhani or Ryan Kuffner, Economic Policy Officers, APEC Section, International Economic Relations and Summits Division, Foreign Affairs Canada – E-mail: <bez.babakhani@international.gc.ca> or <ryan.kuffner@international.gc.ca> – Tel.: +1-613-996-7995 or +1-613-944-0930 – Fax: +1-613-944-2732 or +1-613-944-2732.