

Facts about

CLOUT

CASE LAW ON UNCITRAL TEXTS

*A legal database of worldwide court decisions
and arbitral awards on UNCITRAL texts*

*UNCITRAL texts have become essential in
international trade law*



Case Law On UNCITRAL Texts

An “open, rule-based, predictable, non-discriminatory trading system” is key to ensuring countries’ development. This is particularly true when national and regional legal standards are harmonized so that international traders can refer to a law they all understand, that is neutral (i.e. does not impose different treatment according to the jurisdiction), and fosters predictability. UNCITRAL, the core legal body of the United Nations system in the field of international trade law, is entrusted with the development of such harmonized instruments of commercial law.

The uniform interpretation of these instruments is essential to their effective implementation worldwide. It requires national courts and arbitral tribunals, as well as lawyers, to have available to them appropriate tools for interpreting texts by reference to international norms, as opposed to strictly domestic legal concepts and traditions. Access to information about the application of the texts in jurisdictions around the world is thus of key importance. However, such access is not always readily available.

The CLOUT system was designed in 1988 to address this problem and facilitate uniform interpretation and application of UNCITRAL texts by collecting information on relevant court decisions and arbitral awards in countries applying those texts. CLOUT facilitates the widespread distribution of such information, and thus enables and encourages users to take into account the decisions of judges and arbitrators in countries other than their own, thus promoting international awareness of the texts.

CLOUT is a useful resource for:

- Practitioners
- Academics
- Business
- Students

The CLOUT Database

The CLOUT database offers a user-friendly way to search for over 1,300 abstracts from 44 countries. New abstracts are generally added every month.

Users have fast, easy access to:

- Information on decisions made in various jurisdictions
- Abstracts, i.e. short summaries, that highlight key issues in the application and interpretation of UNCITRAL texts
- Full text decisions in their original language

Access to the database, which is available in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish), is free of charge and unlimited at: www.uncitral.org/uncitral/en/case_law/clout_database.html

The database includes case law on the:

- Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (the “New York Convention”)
- Convention on the Limitation Period in the International Sale of Goods (New York, 1974), and as amended (Vienna, 1980), (the “Limitation Convention”)
- United Nations Convention on the Carriage of Goods by Sea (Hamburg, 1978) (the “Hamburg Rules”)
- United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980) (the “CISG”)
- UNCITRAL Model Law on International Commercial Arbitration (1985)
- UNCITRAL Model Law on International Credit Transfers (1992)
- United Nations Convention on Independent Guarantees and Stand-by Letters of Credit (New York, 1995)
- UNCITRAL Model Law on Electronic Commerce (1996)
- UNCITRAL Model Law on Cross-Border Insolvency (1997)
- United Nations Convention on the Use of Electronic Communications in International Contracts (New York, 2005)

Contributors to the CLOUT System

National Correspondents

National Correspondents form an international network of experts, designated by States that are parties to UNCITRAL conventions or have enacted legislation based on UNCITRAL model laws. They are the backbone of the CLOUT system. They research national case law and prepare the abstracts for publication on CLOUT.

Voluntary contributions

Voluntary contributions of abstracts are also welcome. The UNCITRAL Secretariat reviews these contributions and, in agreement with the National Correspondents, decides on their publication. The Secretariat wishes to encourage academic institutions, universities, law professors and practitioners to provide direct support to the CLOUT system by submitting information on relevant case law.

How to contribute

Send us short abstracts, in one of the six official United Nations languages, of court decisions or arbitral awards interpreting an UNCITRAL text that your country has adopted. The Secretariat will edit and index the abstracts and will publish them in the CLOUT series. Your contribution will be officially acknowledged on the abstract.

For more information visit us at:
www.uncitral.org/uncitral/en/case_law.html

UNCITRAL Digests

A Digest is a compilation of case law from different jurisdictions that analyses trends in the interpretation of a given legal text. The UNCITRAL Digests enhance a thorough understanding of a text and promote its uniform interpretation.

UNCITRAL Digest of Case Law on the United Nations Convention on Contracts for the International Sale of Goods (CISG)

UNCITRAL has published a Digest of Case Law on the CISG, which reviews the interpretation of the Convention worldwide in a clear, concise and objective manner. The Digest is intended to reflect the evolution of case law on the CISG: updates are thus periodically released. The latest version of the Digest was published in 2012. The Digest makes reference to case law reported in the CLOUT system as well as to other sources of case law. It is available free of charge and in the six United Nations languages at:

www.uncitral.org/uncitral/en/case_law/digests.html

UNCITRAL Digest of Case Law on the UNCITRAL Model Law on International Commercial Arbitration

In 2012, UNCITRAL also published a Digest of Case Law on the UNCITRAL Model Law on International Commercial Arbitration. The Digest refers to the full texts of the decisions cited in the CLOUT abstracts as well as other citations. It includes references to more than 700 cases from 37 States. It is available, free of charge, at:

www.uncitral.org/uncitral/en/case_law/digests.html

FOR FURTHER INFORMATION

United Nations Commission on International Trade Law
(UNCITRAL)

Vienna International Centre
P.O. Box 500
1400 Vienna, AUSTRIA
Tel.: (+43-1) 26060-4060
Fax: (+43-1) 26060-5813
E-mail: uncitral@uncitral.org

VISIT

UNCITRAL on the Internet
www.uncitral.org

the CLOUT Database at
[www.uncitral.org/uncitral/en/case_law/
clout_database.html](http://www.uncitral.org/uncitral/en/case_law/clout_database.html)

For more information relating to CLOUT and for
voluntary contributions, please contact us at:
clout@uncitral.org