

BIBLIOGRAPHY OF WRITINGS RELATED TO THE WORK OF UNCITRAL

Compiled monthly (January 2011)

I. GENERAL

Elías Azar, E. La contratación como núcleo del derecho comercial en la globalización económica. El papel activo de México. In *Contratación y arbitraje internacionales*. R. Méndez-Silva, ed. México, D.F., Universidad Nacional Autónoma de México, 2010. p. 23-61.

Available online at <http://www.bibliojuridica.org/libros/libro.htm?l=2776>

United Nations. UNCITRAL yearbook: volume XXXVI: 2005. Vienna, United Nations, 2010. CD-ROM.

United Nations publication, sales no. E.10.V.4.

Published in English, French, Spanish and Russian.

Available online at <http://www.uncitral.org/uncitral/en/publications/yearbook.html>

Wandrag, R. Unification of the Southern African contract law.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

II. INTERNATIONAL SALE OF GOODS

Date-Bah, S. K. The case for accession to, or ratification of, the Vienna United Nations Convention on the International Sale of Goods 1980 by African states.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Friehe, H. A. Die Setzung der unangemessen kurzen Nachfrist im CISG mit einem Ausblick auf das BGB (Teil 1). *Internationales Handelsrecht* (München) 10:6:230-250, 2010.

Translation of title: The settlement of the unreasonably short time period in the United Nations Sales Convention (1980) with a view of the German Civil Code (Part 1).

Hachem, P. The future of agreed sums payable upon breach of an obligation.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Issa-Sayegh, J. La vente commerciale en droit OHADA : apports et emprunts.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Magnus, U. Das UN-Kaufrecht: bereit für die nächste Dekade. *Zeitschrift für Europäisches Privatrecht* (München) 18:881-903, 2010.

Translation of title: The United Nations Sales Convention (1980): ready for the next decade.

Mazzotta, F. G., C. Baasch Anderson and B. Zeller. A practitioner's guide to the CISG. Huntington, N.Y., Juris, 2010. 1 v.

Osuna González, A. La interpretación judicial en México relativa a la Convención de las Naciones Unidas sobre los Contratos de Compraventa Internacional de Mercaderías. In *Contratación y arbitraje internacionales*. R. Méndez-Silva, ed. México, D.F., Universidad Nacional Autónoma de México, 2010. p. 91-129.

Available online at <http://www.bibliojuridica.org/libros/libro.htm?l=2776>

Schwenzer, I. Regional and global unification of sales law.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Song, Hang. 《国际货物销售时效期限公约》评介：兼论我国批准该公约的可行性. *国际贸易问题* = *Journal of international trade* (Beijing) 6:48-52, 1994.

Translation of title: Comments on the Limitation Convention (1974/1980): on the possibility of ratifying the Convention.

United Nations. United Nations Convention on Contracts for the International Sale of Goods. New York, United Nations, 2010. 42 p.

United Nations publication, sales no. E.10.V.14.

Available online in all official languages of the United Nations.

Available online at <http://www.uncitral.org/uncitral/publications/publications.html>

Wittinghofer, M. Zur Berechnung des Schadensersatzes nach Art. 76 UN-Kaufrecht. *Internationales Handelsrecht* (München) 10:6:225-230, 2010.

Translation of title: Calculation of compensation under art. 76 of the United Nations Sales Convention (1980).

III. INTERNATIONAL COMMERCIAL ARBITRATION AND CONCILIATION

Adolf, H. The meaning of international award under Indonesian arbitration law. *International arbitration law review* (London) 13:6:241-246, 2010.

Audit, M. Droit des investissements internationaux : contentieux arbitral international, droit commun. *Jurisclasseur droit international* (Paris) 5:572-65:1-21, 2009.

Bebuhi, S. Les avantages comparatifs des règlements arbitrage CIRDI-CNUDCI-CCJA.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Bend, B. van der, M. Leitjen and M. Ynzonides, eds. A guide to the NAI arbitration rules: including a commentary on Dutch arbitration law. Alphen aan den Rijn, The Netherlands, Kluwer Law International, 2009. 350 p.

Bettauer, R. J. India and international arbitration: the Dabhol experience. *George Washington international law review* (Washington, D.C.) 41:2:381-387, 2009.

Caldwell, P. The new Hong Kong Arbitration Ordinance. *Asian dispute review* (Hong Kong) 14-18, January 2011.

Castello, J. E. Unveiling the 2010 UNCITRAL Arbitration Rules. *Dispute resolution journal* (New York) 65:2-3:21, 2010.

Chapaev, R. International commercial arbitration assessment: report on the results of the assessment in the CIS (Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan) and Mongolia. London, EBRD, 2007. 71 p.

Available online at <http://www.ebrd.com/downloads/legal/judicial/arbitration.pdf>

Cheng, Tai-Heng and Peter W. Thorp, eds. Special issue on China. *Transnational dispute management* (Voorburg, The Netherlands) 7:4, December 2010.

Selected contents: Arbitration environment in China: where we are and the road ahead / F. Hess -- Recent developments regarding enforcement of arbitral awards in China / C. Von Wunschheim -- Foreign award enforcement in China: five problem areas / J. R. Weeramantry -- Hong Kong enacts new arbitration ordinance / F. van Eupen -- Treaty arbitration: is it a real alternative for China investment disputes? / K. M. Rooney -- The

emerging third generation of Chinese investment treaties / E. Dulac -- Issues for a foreign investor when making a claim against the People's Republic of China at the International Centre for Settlement of Investment Disputes (ICSID) / Priscilia Lam Tsz-Ying -- Investment treaty protection of Chinese natural resources investments / N. Eliasson -- On the right track? State immunity in China and Hong Kong in light of the China Railways case / C. Hassall and others.

Davidson, F. The Arbitration (Scotland) Act 2010: the way forward or a few missteps? *Journal of business law* (London) 1:43-63, 2011.

Gaillard, E. and P. de Lapasse. Le nouveau droit français de l'arbitrage interne et international. *Recueil Dalloz* (Paris) 187:3:175-192, 2011.

Heiskanen, V. And/or: the problem of qualification in international arbitration. *Arbitration international* (London) 26:4:441-466, 2010.

Illescas Ortiz, R. La renovación del Reglamento de Arbitraje de UNCITRAL. *Derecho de los negocios* (Madrid) 22:244:1-4, 2011.

Jones, D. International dispute resolution in the global financial crisis. *Revista Română de arbitraj* (Bucharest) 17:5:1:8-28, 2011.

Luttrell, S. Bias challenges in international commercial arbitration: the need for a 'real danger' test. Alphen aan den Rijn, The Netherlands, Kluwer Law International, 2009. 296 p.

McIlwrath, M. and J. Savage. International arbitration and mediation: a practical guide. Austin, Wolters Kluwer, 2010. 515 p.

Méndez Silva, R., ed. Contratación y arbitraje internacionales. México, D.F, Universidad Nacional Autónoma de México, 2010. 507 p.

Selected contents: El derecho de los contratos internacionales / J. Adame Goddard, p. 3-21 -- El arbitraje y los tratados comerciales internacionales de los que México es parte / Ó. Cruz Barney, p. 205-265 -- El arbitraje comercial internacional en Cuba / R. Dávalos Fernández, p. 267-296 -- Soluciones negociadas a conflictos legales / L. M. Díaz, p. 297-320 -- Luces y sombras del arbitraje institucional en los litigios transnacionales / J. C. Fernández Rozas, 321-365 -- Marco jurídico del arbitraje nacional, regional e internacional / E. A. Quintana Adriano, 395-422.

Available online at <http://www.bibliojuridica.org/libros/libro.htm?l=2776>

Nariman, F. S. India and international arbitration. *George Washington international law review* (Washington, D.C.) 41:2:367-379, 2009.

Peacock, N. Arbitrating in "developing" arbitral jurisdictions: a discussion of common themes and challenges based on experiences in India and Indonesia. *International arbitration law review* (London) 13:6:221-233, 2010.

Perovic, J. Étendue et limitation de la responsabilité contractuelle selon la convention de Vienne sur les contrats de vente internationale de marchandises : quid en particulier des clauses excluant les consequential damages? *Revue de droit international et de droit comparé* (Bruxelles) 87:4:571-604, 2010.

Schafner, M. D. Comment: enforcement of foreign arbitral awards subject to local limitation periods: Supreme Court of Canada. *World arbitration & mediation review* (Huntington, N.Y.) 4:1:95-104, 2010.

Silva Romero, E. Observations sur la notion d'investissement après la sentence Phoenix. *Cahiers de l'arbitrage = Paris journal of international arbitration* (Paris) 4:987-1006, 2010.

Waincymer, J. M. Reconciling conflicting rights in international arbitration: the right to choice of counsel and the right to an independent and impartial tribunal. *Arbitration international* (London) 26:4:597-623, 2010.

Wilson, D. The resurgence of Scotland as a force in international arbitration: the Arbitration (Scotland) Act 2010. *Journal of international arbitration* (Alphen aan den Rijn, The Netherlands) 27:6:679-687, 2010.

IV. INTERNATIONAL TRANSPORT

Atamer, K. Construction problems in the Rotterdam Rules regarding the performing and maritime performing parties. *Journal of maritime law and commerce* (Baltimore, Md.) 41:4:469-497, 2010.

Branellec, G. L'uniformité du droit du contrat de transport international de marchandises par mer.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

Eftestøl-Wilhelmsson, E. The Rotterdam Rules in a European multimodal context. *Journal of international maritime law* (Witney, U.K.) 16:4:274-288, 2010.

Ibrahim, N. M. The 2008 Rotterdam Rules: an Arab World perspective. *Annales de l'Institut méditerranéen des transports maritimes* (Marseilles) 2010.

Available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1737712

Kim, In-Hyeon. The scope of application under UNCITRAL Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (Rotterdam Rules). *Asian business lawyer* (Seoul) 5:35-51, spring 2010.

Rotterdam Rules: retrospection, 20-23 September 2009, Rotterdam, The Netherlands. Rotterdam, The Netherlands, deVos raad&raad, 2010. DVD.

Contents: 1. Retrospection -- 2. Colloquium -- 3. Interview -- 4. Speeches & statements -- 5. The making of ... -- 6. Informal programme -- 7. Decoration and dinners -- 8. Entertainment.

V. INTERNATIONAL PAYMENTS (includes former INDEPENDENT GUARANTEES AND STAND-BY LETTERS OF CREDIT)

[No publications recorded under this heading.]

VI. ELECTRONIC COMMERCE

Ewelukwa, N. Is Africa ready for electronic commerce? A critical appraisal of the legal framework for ecommerce in Africa.

Paper prepared for the 1st African Conference on International Commercial Law, 13-14 January 2011, Douala.

VII. SECURITY INTERESTS (includes former RECEIVABLES FINANCING)

[No publications recorded under this heading.]

VIII. PROCUREMENT

Mathieson, S. Accessing China's public procurement market: which state-influenced enterprises should the WTO's government procurement agreement cover? *Public contract law journal* (Washington, D.C.) 40:233-266, 2010.

IX. INSOLVENCY

Di Sano, S. The third road to deal with the insolvency of multinational enterprise groups. *Journal of international banking law and regulation* (London) 26:1:15-23, 2011.

Morán Bovio, D. Conclusión en UNCITRAL del acto segundo sobre las tareas acerca de la insolvencia. *Anuario Facultad de Derecho, Universidad de Alcalá* (Alcalá de Henares, Spain) III:55-72, 2010.

Verrill, J. The principle of assistance in cross-border cases: submission to the jurisdiction - judicial parallelism. *Eurofenix* (Clifton, U.K.) 42:22-25, winter 2010/11.

Zamzam, A.-M. Bankruptcy jurisdiction and enforcement of foreign bankruptcy judgments in Egypt. *Journal of private international law* (Oxford, U.K.) 6:3:623-635, 2010.

X. INTERNATIONAL CONSTRUCTION CONTRACTS

[No publications recorded under this heading.]

XI. INTERNATIONAL COUNTERTRADE

[No publications recorded under this heading.]

XII. PRIVATELY FINANCED INFRASTRUCTURE PROJECTS

[No publications recorded under this heading.]

XIII. ONLINE DISPUTE RESOLUTION

Philippe, M. Now where do we stand with online dispute resolution (ODR)? = Et maintenant où en sommes-nous avec la résolution des litiges en ligne (ODR) ? *Revue de droit des affaires internationales = International business law journal* (London) 6:563-576, 2010.

In English and French.