

BIBLIOGRAPHY OF WRITINGS RELATED TO THE WORK OF UNCITRAL

Compiled monthly (July 2020)

I. GENERAL

[No publications recorded under this heading.]

II. INTERNATIONAL SALE OF GOODS

Aguilar Vieira, I. de and G. Cerqueira, eds. *La Convention de Vienne en Amérique: 40e anniversaire de la Convention des Nations Unies sur les contrats de vente internationale de marchandises = The Vienna Convention in America: 40th anniversary of the United Nations Convention on Contracts for the International Sale of Goods*. Paris, Société de législation comparée, 2020. 408 p.

Dubinchin, A.A. Почему Великобритания не присоединяется к Венской конвенции о договорах международной купли-продажи товаров 1980 г.? In *Арбитраж и регулирование международного коммерческого оборота: российские, иностранные и трансграничные подходы. Liber Amicorum в честь 70-летия А. С. Комарова*. N. G. Markalova, A. I. Muranov, eds. Moscow, Statut, 2019, p. 213-237. Translation of title: Why doesn't the United Kingdom accede to the CISG (1980)? Chapter of a book: Arbitration and regulation of international trade: Russian, foreign and cross-border approaches. Liber amicorum in honor of the 70th anniversary of A. S. Komarov.

Fuglinszky, Á. Some structural questions on the relationship between contractual and extracontractual liability in the new Hungarian Civil Code. In *New civil codes in Hungary and Romania*. A. Menyhárd, E. Veress, eds. Cham, Switzerland, Springer, 2017, Ch. 9, p. 107-129.

Galneder, B. *Vertragsumsteuerung wegen antizipierten Vertragsbruchs im Vorfeld der Insolvenz: eine rechtsvergleichende Untersuchung des § 323 IV BGB und Art. 72 CISG unter besonderer Berücksichtigung der §§ 103 ff. InsO*. Tübingen, Germany, Mohr Siebeck, 2020. 510 p. Translation of title: Contract changeover due to anticipated breach of contract prior to bankruptcy.

Grodl, L. Should the discussion on whether non-state law might be elected as the governing law of contract be silenced forever? In *Universal, regional, national: ways of the development of private international law in 21st Century*. N. Rozehnalová, ed. Brno, Czech Republic, Masaryk University Press, 2019, p. 81-99.

Kashanizadeh, H. and A. Shiravi Qoozani.

حقوق حاکم بر قراردادهای بینالمللی فروش نفت خام و جایگاه کنوانسیون بیع بینالمللی کالا در این قراردادها

Quarterly energy economics review (Iran) 13:54:95-133, 2017. Translation of title: Rules governing international oil sale contracts and the role of the CISG (1980) in these contracts.

Mendoza, P. Contractual remedies for breach of contract under the CISG and a comparison to Guatemalan law. *Treaty examiner* 3:107-128, June 2020. Available online at <https://treatyexaminer.com/contractual-remedies-cisg>

Rothermel, M. Ereignisse (Coronavirus, Brexit, Embargos, Zölle, u.a.) und höhere Gewalt, Unmöglichkeit, Wegfall der Geschäftsgrundlage, Hardship, Frustration im BGB und in anderen Rechtsordnungen: braucht es eine Klausel? *Internationales Handelsrecht* (Köln, Germany) 20:3:89-97, 2020. Translation of title: Impediments (corona virus, Brexit, embargoes, customs duties, etc.) and force majeure, impossibility to perform, elimination of the basis of a transaction, hardship, frustration of contract under the BGB and other legal systems: is there need for a clause?

III. INTERNATIONAL COMMERCIAL ARBITRATION AND CONCILIATION

Bagherzade, H. and A. Mansouri Razi.

تفسیر مضیق اختیار دادگاه در اجرای آرای داوری خارجی؛ هماهنگی با مشی حمایتی کنوانسیون شناسایی و اجرای داوری خارجی نیویورک
Journal of private law research (Tehran) 8:30:39-67, 2020. Translation of title: Narrow interpretation of the courts' authority to enforce foreign arbitral awards: the compliance with pro-enforcement policy of the New York Convention (1958).

Beechey, J. Seoul Arbitration Lecture 2019: an "international arbitral legal order": unicorn, global reality or an aspiration that has had its day? *Korean arbitration review* (Seoul) 11:48-69, 2020.

Briz, B.A. and C. Mejía-Dueñas. Which law is supreme?: the interplay between the New York Convention and the McCarran-Ferguson Act. *University of Miami law review* (Coral Gables, Fla.) 74:4:1114-1134, 2020.

Dobiáš, P. The recognition and enforcement of arbitral awards set aside in the country of origin. *Czech (& Central European) yearbook of arbitration* (Huntington, N.Y.) 9:3-26, 2019.

Hansen, O. and others. Private governance and the potential of private law. *European review of private law* (Alphen aan den Rijn, The Netherlands) 28:2:333-373, 2020.

Kim, R. and H. Jung. Authority of the arbitral tribunal to rule on the validity of the arbitral agreement and to grant interim measures. *Korean arbitration review* (Seoul) 11:34-38, 2020.

Komindr, A. UNCITRAL and legal innovations in international commercial mediation. *Korean arbitration review* (Seoul) 11:26-33, 2020.

Manetska, K. and O. Levchyshyna. Enforceability of mediation settlement agreements: Ukrainian perspective in the light of current trends. *International comparative jurisprudence* (Vilnius) 6:1:84-94, 2020.

Maniruzzaman, A.F.M. Investor-State dispute settlement by ADR: an appraisal of the recent trends. *Transnational dispute management* (Voorburg, The Netherlands) 17:2, February 2020.

Markalova, N.G. and A.I. Muranov, eds. Арбитраж и регулирование международного коммерческого оборота. Moscow, Statut, 2019. 738 p. Translation of title: Arbitration and regulation of international trade: Russian, foreign and cross-border approaches. Liber amicorum in honor of the 70th anniversary of A. S. Komarov.

Nottage, L. Confidentiality v. transparency in international arbitration: Asia-Pacific tensions and expectations. *Asian international arbitration journal* (Singapore) 16:1:1-24, 2020.

Tercier, P. Le grand succès de l'arbitrage commercial international et de la Convention de New York. *Cahiers de l'arbitrage* (Paris) 4:653-658, 2019.

Weiller, L. La notion de sentence dans la Convention de New York à l'épreuve des évolutions de l'arbitrage commercial international. *Cahiers de l'arbitrage* (Paris) 4:677-684, 2019.

IV. INTERNATIONAL TRANSPORT

Alrasheed, A.A.

أسباب إعفاء الناقل البحري للبيضائع من المسؤولية في القانون الإماراتي وقواعد روتردام
University of Sharjah journal of legal sciences (United Arab Emirates) 16:2:1-38, 2019.
Translation of title: Reasons for exempting the maritime carrier from liability in the UAE Law and Rotterdam Rules.

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

[No publications recorded under this heading.]

VI. ELECTRONIC COMMERCE

Lovtsov, D.A. and L.V. Terenteva. Правовое регулирование международных коммерческих электронных контрактов: технологические и правовые аспекты электронной подписи. *Lex Russica* (Moscow) 164:7:115-126, 2020. Translation of title: Legal regulation of international commercial electronic contracts: technological and legal aspects of electronic signature.

Veerpalu, A. [et al.]. The hybrid smart contract agreement challenge to European electronic signature regulation. *International journal of law and information technology* (Oxford, U.K.) 28:1:39-84, 2020.

VII. SECURITY INTERESTS (includes former RECEIVABLES FINANCING)

Garajová, M. Development of rules for determining applicable law for the third-party effects of assignment of claims. In *Universal, regional, national: ways of the development of private international law in 21st Century*. N. Rozehnalová, ed. Brno, Czech Republic, Masaryk University Press, 2019, p. 138-159.

Jon, W. Cross-border transfer and collateralisation of receivables: a comparative analysis of multiple legal systems. Oxford, U.K., Hart Publishing, 2018. 288 p.

VIII. PROCUREMENT

[No publications recorded under this heading.]

IX. INSOLVENCY

Paul, L., ed. *International insolvency & restructuring report 2020/21*. Colchester, U.K., Capital Markets Intelligence, 2020. 79 p. Selected contents: The current work by UNCITRAL in the area of insolvency law / S. Musayeva, p. 7-11 -- China's recognition of foreign insolvency proceedings and VIE structures / L. Wang (et al.), p. 22-27 -- The insolvency scenario in Brazil: certain relevant issues / T. Felsberg, p. 38-41.

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

[No publications recorded under this heading.]

XIV. MICRO, SMALL AND MEDIUM-SIZED ENTERPRISES

[No publications recorded under this heading.]

XV. INVESTOR-STATE DISPUTE SETTLEMENT

Choudhury, B. International investment law and noneconomic issues. *Vanderbilt journal of transnational law* (Nashville, Tenn.) 53:1:1-77, 2020.

De Luca, A. UNCITRAL Working Group III: counterclaims in ISDS - challenges and prospects in light of the UNCITRAL reform process. *Kluwer arbitration blog* 28 March 2020.

Gáspár-Szilágyi, S. Quo vadis EU investment law and policy?: the shaky path towards the international promotion of EU rules. *European foreign affairs review* (Alphen aan den Rijn, The Netherlands) 23:2:167-186, 2018.

Jones, D. A new path forward: efficiency through transparency. *Korean arbitration review* (Seoul) 11:4-18, 2020.

Kaufmann-Kohler, G. and M. Potestà. European yearbook of international economic law: special issue: investor-State dispute settlement and national courts: current framework and reform options. Cham, Switzerland, Springer Open, 2020. 125 p.

Sucharitkul, V. ICSID and UNCITRAL draft code of conduct: potential ban on multiple roles could negatively impact gender and regional diversity, as well as generational renewal. *Kluwer arbitration blog* 20 June 2020.