

## BIBLIOGRAPHY OF WRITINGS RELATED TO THE WORK OF UNCITRAL

Compiled monthly (July 2021)

### I. GENERAL

- Droit international: conventions internationales. Texte sur la vente judiciaire de navire. CNUDCI. Groupe de travail. *Droit maritime français* (Paris) hors série 25:9-14, 2021.
- Kim, H.Y. UN국제상거래법위원회 제6실무작업반 논의 동향. *International trade law* (Seoul) 2:227-232, 2021. Translation of title: The trend of discussions in the UNCITRAL Working Group VI.

### II. INTERNATIONAL SALE OF GOODS

- China. China International Economic and Trade Arbitration Commission (CIETAC), ed. The application of the United Nations Convention on Contracts for the International Sale of Goods in Chinese arbitration. Beijing, CIETAC, 2021. 728 p. UNCITRAL library has English and Chinese version of book.
- \_\_\_\_\_, ed. 《联合国国际货物销售合同公约》在中国仲裁的适用 法律出版社 中国国际经济贸易仲裁委员会 编. Beijing, Law Press China, 2021. 431 p.
- Ferrari, F. Brevi osservazioni sull'applicabilità delle convenzioni di diritto materiale uniforme nell'arbitrato internazionale. *Diritto del commercio internazionale* (Milano) 35:2:255-267, 2021. Translation of title: Brief remarks on the application of uniform law conventions in international arbitration.
- Harraschain, N. and A. Masser. Germany: does the CISG apply to arbitration agreements? *ICC dispute resolution bulletin* (Paris) 1:36-38, 2021.
- Juhasz, J. Stillschweigender Ausschluss des UN-Kaufrechts im Prozess. *Internationales Handelsrecht* (Köln, Germany) 21:3:89-95, 2021. Translation of title: Implicit exclusion of the CISG (1980) during litigation.
- Lawrence, W. Serious deficiencies in the drafting of Article 71 of the CISG on suspension due to prospective impairment of contract expectations. *Journal of law and commerce* (Pittsburgh, Pa.) 39:1:39-73, 2020.
- Meškić, Z. and others, ed. Balkan yearbook of European and international law 2020. Cham, Switzerland, Springer, 2021. 292 p.
- Oviedo-Albán, J. Mitigation of damages for breach of contract for the international sale of goods. *Universitas* (Bogotá) 67:137, 2018.
- Zeller, B. The assessment of damages: a principle still set in stone? *Uniform commercial code law journal* (St. Paul, Minn.) 49:4:469-485, 2021.
- Ziadé, R. and C. Cavicchioli. Force majeure et imprévision dans les contrats internationaux: l'impact du Covid-19 sous le prisme du droit français. *Revue libanaise de l'arbitrage arabe et international = Lebanese review of Arab and international arbitration* (Beirut) 84:4-18, 2020.

### III. INTERNATIONAL COMMERCIAL ARBITRATION AND CONCILIATION

- Ahmed, H.  
دور قانون الأونسيترال النموذجي للتحكيم التجاري الدولي في تسوية منازعات عقود التجارة الدولية ومدى مساهمة التشريع الجزائري له  
*Etudes juridiques et politiques* (Boumerdes, Algeria) 3:1:130-150, 2018. Translation of title: The role of the UNCITRAL Model Law on International Commercial Arbitration in

- the settlement of international commercial contracts disputes and the compatibility of Algerian legislation with it.
- Aladwan, Z.M. and M.M. Aladwan. National courts role during arbitration: competence-competence. *Revue libanaise de l'arbitrage arabe et international = Lebanese review of Arab and international arbitration* (Beirut) 84:19-27, 2020.
- Bermann, G.A. Interpretation and application of the New York Convention by national courts. In General reports of the XIXth Congress of the International Academy of Comparative Law = Rapports généraux du XIXème Congrès de l'Académie Internationale de Droit Comparé. *Ius comparatum - Global studies in comparative law* 24. M. Schauer, B. Verschraegen, eds. Cham, Switzerland, Springer Nature, 2017, Ch. 3.
- Esplugues, C. Civil and commercial mediation and national courts: towards a new concept of justice for the XXI Century? In General reports of the XIXth Congress of the International Academy of Comparative Law = Rapports généraux du XIXème Congrès de l'Académie Internationale de Droit Comparé. *Ius comparatum - Global studies in comparative law* 24. M. Schauer, B. Verschraegen, eds. Cham, Switzerland, Springer Nature, 2017, Ch. 10.
- Feld, G. and M.-L. Bizeau. «Pour vivre heureux vivons cachés»: mythes, réalité et pratique de l'arbitrage commercial ad hoc. *Revue de l'arbitrage* (Paris) 1:57-93, 2021.
- Ferrari, F. and others. International commercial arbitration: a comparative introduction. Cheltenham, U.K., Edward Elgar Publishing, 2021. 289 p.
- Hage Chahine, J. and others. The acceleration of the development of international business mediation after the Singapore Convention. *European business law review* (Alphen aan den Rijn, the Netherlands) 2020.
- Nergui, E. Гадаадын арбитрын шийдвэрийг хүлээн зөвшөөрөх, биелүүлэх тухай конвенцын талаарх ЮНСИТРАЛ-ын Нарийн бичгийн дарга нарын газрын тайлбар / Enkhtsetseg Nergui. Ulaanbaatar, ToliLex, 2021. 350 p. Translation of title: UNCITRAL Secretariat Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958).
- Rustambekov, I. Uzbekistan: the new - and first - international commercial arbitration law. *ICC dispute resolution bulletin* (Paris) 2:25-28, 2021.
- Serbest, F. Is there scope for the wider application of fast-track arbitrations in the resolution of international commercial disputes? London, King's College, Dickson Poon School of Law, 2013. 423 p. Thesis (PhD) - King's College, Dickson Poon School of Law (2013).
- Wang, Y. 涉华仲裁裁决在俄罗斯承认和执行的案例分析及思考. *Commercial arbitration & mediation* (Beijing) 4:132-147, 2020. Translation of title: Cases analysis and reflection on the recognition and enforcement of China-related arbitral awards in Russia.
- Xue, Y. and Y. Cheng. 以国际商事法庭为核心的我国“一站式”国际商事纠纷解决机制建设. *Zheng fa lun cong* (Jinan, China) 1:149-160, 2020. Translation of title: The establishment of “one-stop” international commercial dispute resolution mechanism—from the perspective of International Commercial Court.
- Zhao, P. 论多元化纠纷解决机制下的《新加坡调解公约》. *Business and economic law review* (Beijing) 6:49-60, 2019. Translation of title: To analyze the Singapore Mediation Convention under the alternative dispute resolution mechanism.
- Zhao, Z. 《新加坡调解公约》的衔接困境与突围——从调解协议效力的冲突切入. *Commercial arbitration & mediation* (Beijing) 4:83-95, 2020. Translation of title: The cohesion dilemma and breakout of UN Convention on International Settlement Agreements Resulting from Mediation — from the view of validity of settlement agreements.

#### **IV. INTERNATIONAL TRANSPORT**

- Cervera Martín, A. Auxiliar del porteador y responsabilidad en el transporte internacional de mercancías por mar. *Revista e-mercatoria* (Bogotá) 15:2:51-83, 2016.
- Chen, S. 《鹿特丹規則》的前景預測：以各主要利益方態度為視角. *Journal of One Country Two Systems studies* (Macau, China) 46:4:139-153, 2020. Translation of title: Prospects for the Rotterdam Rules: from the perspective of attitudes of major stakeholders.
- Koch, K. Quest for harmonization to implement electronic bills of lading: an international perspective. Göteborg, Sweden, University of Gothenburg, 2021. 86 p. Thesis (Master's) - University of Gothenburg, School of Business, Economics and Law, Department of Law (2021).

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

[No publications recorded under this heading.]

#### **VI. ELECTRONIC COMMERCE**

- Itzel Santana Galindo, D. The role of the seat in smart contract disputes. *ICC dispute resolution bulletin* (Paris) 1:45-57, 2021.
- Koch, K. Quest for harmonization to implement electronic bills of lading: an international perspective. Göteborg, Sweden, University of Gothenburg, 2021. 86 p. Thesis (Master's) - University of Gothenburg, School of Business, Economics and Law, Department of Law (2021).
- Kong, B.Y. UN국제상거래법위원회 제4실무작업반 논의 동향. *International trade law* (Seoul) 2:199-214, 2021. Translation of title: The trend of discussions in the UNCITRAL Working Group IV.
- Lampič, J. and I. Ng. An analysis on the application of the UNCITRAL Model Law on Electronic Transferable Records on contract automation and metadata. In Legal challenges in the new digital age. J. Lampič, Irene Ng (Huang Ying). Leiden, The Netherlands, Brill, 2021, Ch. 4, p. 45-65.
- McKeering, S. and W. Yang. Electronic trade documents: a way forward. *Journal of international banking and financial law* (London) 7:497, 2021.
- Merchán Murillo, A. Identidad digital blockchain e inteligencia artificial: aspectos jurídicos de presente y futuro a debate. *Ius et scientia* (Sevilla) 7:1:183-203, 2021.

#### **VII. SECURITY INTERESTS (includes former RECEIVABLES FINANCING)**

- Gao, S. 民法典动产担保权登记对抗规则的解释论. *Peking University law journal* (Beijing) 32:4:951-972, 2020. Translation of title: Interpretation of the registration antagonism rules in chattel mortgage of the Chinese Civil Code.
- Li, M. 论我国浮动担保制度的系统性完善—以适用实况为切入点. *Law science* (Shanghai, China) 458:1:60-78, 2020. Translation of title: On the systematic perfection of China's floating charge system—taking the actual situation as the starting point.

### VIII. PROCUREMENT

Bagherzadeh, H.

رقابت پذیری خریدهای دولتی در نظام حقوقی ایران، قانون نمونه آنسیترال و موافقت نامه خرید دولتی

*Journal of legal research* (Tehran) 19:44:251-270, 2021. Translation of title: Competitiveness of Government procurements in Iranian legal system, UNCITRAL Model Law and Agreement on Government Procurement.

Conlon, É. A modest proposal for fast non-binding arbitration of procurement disputes in Ireland. *Public procurement law review* (London) 30:4:171-187, 2021.

Hosseini, S.E. and A. Mirzanejad Jouybary.

اصل شفافیت در چارچوب قای و تدارکات عوھی آسیترال حق ق ایرای قش آ در تاهی حق قش ر ددی

*Iranian journal of medical law: special issue on human rights and citizenship rights* (Tehran) 12:161-179, 2020. Translation of title: The principle of transparency in UNCITRAL Model Law on Public Procurement and Iran's legal system and its role in ensuring citizenship rights.

Phiri, C. Arbitration of public procurement disputes: what is amiss about it? *Public procurement law review* (London) 30:4:188-206, 2021.

### IX. INSOLVENCY

Campana Filho, P.F. Cross-border insolvencies in Brazil: an overview of the new provisions incorporating the 1997 UNCITRAL Model Law. *International corporate rescue* (London) 18:4:288-292, 2021.

Ding, Y. 论破产重整融资中债权的优先性. *Legal forum* (Jinan, China) 34:3:111-118, 2019. Translation of title: Research on the priority of financing the reorganization.

Hristova, V. and A.E. Alvarado Garzón. International arbitration and cross-border insolvency - friends or foes?: revisiting the role of arbitration in resolving cross-border insolvency-related disputes. *Journal of international dispute settlement: current developments* (Oxford, U.K.) 1-19, 2021.

Kokorin, I. Restructuring Directive and directors' duties in group insolvencies. *International corporate rescue* (London) 18:4:274-282, 2021.

Lim, S.Y. UN국제상거래법위원회 제5실무작업반 논의 동향. *International trade law* (Seoul) 2:215-226, 2021. Translation of title: The trend of discussions in the UNCITRAL Working Group V.

Si, Y. and K. Liu. 香港法院认可与协助域外破产程序简介. *People's court daily* (Beijing) 11 June, 2020. Translation of title: Introduction to Hong Kong Court's recognition and assistance in cross-border insolvency.

Téllez Casallas, S. Análisis económico de la ley de garantías mobiliarias en procesos de insolvencia: una apuesta por el emprendimiento, la generación de empleo y el desarrollo. Bogotá, Universidad de los Andes, 2018. 83 p. Thesis - Universidad de los Andes, Facultad de Derecho (2018).

### 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**

Rooney, K.M. The global impact of the Covid-19 pandemic on commercial dispute resolution in the first year. *Dispute resolution international* (London) 15:1, 2021.

## **XIV. MICRO, SMALL AND MEDIUM-SIZED ENTERPRISES**

[No publications recorded under this heading.]

## **XV. INVESTOR-STATE DISPUTE SETTLEMENT**

Baltag, C. The role of amici curiae in light of recent developments in investment treaty arbitration: legitimizing the system? *ICSID review* (Oxford, U.K.) 35:1-2:279-310, 2020.

Charlotin, D. Stakeholders submit comments on latest version of ICSID and UNCITRAL draft code of conduct for adjudicators: states and observers remain divided as to provisions on double-hatting. *Investment arbitration reporter* (New York) 23 July 2021.

Chi, M. and Q. Ren. 中国国际投资仲裁年度观察（2020）. *Beijing arbitration quarterly* (Beijing) 2, 2020. Translation of title: Annual Observation of China International Investment Arbitration (2020).

Lee, J.S. Shareholder claims for reflective loss in investor-State disputes and reform options. *International trade law* (Seoul) 2:55-91, 2021.

Lin, Y. 论上合组织内多边投资争端解决机制的独立建构. *Commercial arbitration & mediation* (Beijing) 4:28-44, 2020. Translation of title: On the independent construction of multilateral ISDS mechanism in the SCO.

Qayyum, Z. The enforceability of proposed reforms to investor-State dispute settlement. *ICSID review* (Oxford, U.K.) 35:1-2:253-278, 2020.

Rao, W. Social science research and reforms of international institutions. *Chicago journal of international law* (Chicago, Ill.) 22:156-167, 2021.

Yu, C. Amicus Curiae participation in ISDS: a caution against political intervention in treaty interpretation. *ICSID review* (Oxford, U.K.) 35:1-2:223-235, 2020.