

BIBLIOGRAPHY OF WRITINGS RELATED TO THE WORK OF UNCITRAL

Compiled monthly (August 2023)

I. GENERAL

Vieillard, G. La réception des droits de l'homme dans les travaux de la Commission des Nations Unies pour le droit commercial international (CNUDCI) =: the reception of human rights in the work of the United Nations Commission on International Trade Law (UNCITRAL). *Revue de droit des affaires internationales = International business law journal* (Paris) 3-4:375-383, 2023.

II. INTERNATIONAL SALE OF GOODS

Dostal, B. Die action directe im Rahmen einer Lieferkette: die jüngste Rechtsprechung der Cour de Cassation und der französischen Obergerichte. *Internationales Handelsrecht* (Köln, Germany) 23:4:141-151, 2023. Translation of title: The action directe within a supply chain: the recent decision of the Cour de Cassation and the French Supreme Courts.

Farsani, F. and R. Eskini. Examining the types of the right of lien in the Convention of the International Sale of Goods and possibility of accepting and applying them in Iranian law. *Mofid University journal of comparative law* (Ghom, Iran (Islamic Republic of)) 10:1:19:145-172, 2023. In Persian (Farsi). Available online at https://law.mofidu.ac.ir/article_702247.html?lang=en.

Moreno Morejón, F. El Perfeccionamiento de los Contratos. 2nd ed. Cuenca, Ecuador, Editorial Universitaria Católica (Edúnica), 2019. 158. spa.

Ramezani Mahoonaki, M.S. and others. Restitution of benefits for breach of contract in common law, Vienna Convention 1980 and Iranian law. *Mofid University journal of comparative law* (Ghom, Iran (Islamic Republic of)) 10:1:19:73-98, 2023. In Persian (Farsi). Available online at https://law.mofidu.ac.ir/article_702246.html?lang=en.

Spagnolo, L. and M. Bhatti. Conflicts of interest between sharia and international sale of goods: does CISG interest fit with Islamic law? *Monash University law review* (Clayton, Vic.) 49:1:1-48, 2023. Available online at https://bridges.monash.edu/articles/journal_contribution/Conflicts_of_Interest_between_Sharia_and_International_Sale_of_Goods_Does_CISG_Interest_Fit_with_Islamic_Law/24012831.

III. INTERNATIONAL COMMERCIAL ARBITRATION AND MEDIATION

Ababneh, H. Spotlights on the amended Jordanian Arbitration Law of 2018: is there room for further amendments? *Arab law quarterly* (Leiden, Netherlands (Kingdom of the)) 37:4:489-504, 2023.

Bantekas, I. and I. Ullah. Court-ordered interim measures in international arbitration: a comparative approach. *Journal of law and commerce* (Pittsburgh, Pa.) 41:2:251-277, 2023. Available online at <https://jlc.law.pitt.edu/ojs/jlc/article/view/257>.

Brito Nieto, L.M. La improcedencia de cuestionar el laudo por vicios de fondo en Colombia. *Ius et praxis* (Lima) 56:217-237, 2023. Available online at https://revistas.ulima.edu.pe/index.php/Ius_et_Praxis/article/view/5950.

Chitroaga, A. Dispute resolution mechanism in the Belt and Road Initiative. Padova, Italy, Università degli Studi di Padova, 2022. 108. eng.

Lankarani, L. De la protection arbitrale des droits de l'homme et des traits dits inhérents à l'arbitrage =: On the arbitral protection of human rights and the so-called inherent

- features of arbitration. *Revue de droit des affaires internationales = International business law journal* (Paris) 3-4:455-469, 2023.
- Loquin, E. Droits de l'homme et ordre public transnational =: Human rights and transnational public order. *Revue de droit des affaires internationales = International business law journal* (Paris) 3-4:455-469, 2023.
- Mavrantoukakis, E. Am Erlassort wegen sachlicher Unrichtigkeit aufgehobene ausländische Schiedssprüche: Gedanken zur Anerkennung und Vollstreckbarerklärung. *SchiedsVZ* (München, Germany) 21:4:203-208, 2023. Translation of title: Foreign arbitral awards set aside in the State of origin due to their substantive incorrectness: thoughts on recognition and declaration of enforceability.
- Phillips, A.M. Interim reliefs in arbitration in Nigeria. *Journal of arbitration* (Lagos) 12:1:310-325, 2017.
- Tan, J.H. Blockchain "arbitration" for NFT-related disputes. *Contemporary Asia arbitration journal* (Taipeh) 16:1:145-186, 2023. Available online at <https://ssrn.com/abstract=4465828>.
- Tho, N.T.A. Amicable settlements of investor-State disputes in Vietnam's investment treaties and practice. *Contemporary Asia arbitration journal* (Taipeh) 16:1:31-68, 2023. Available online at <https://ssrn.com/abstract=4465853>.
- Trari Tani, M. Droit de l'homme et amicus curiae dans l'arbitrage international =: human rights and amicus curiae in international arbitration. *Revue de droit des affaires internationales = International business law journal* (Paris) 3-4:441-454, 2023.
- Warikandwa, T.V. and L. Usebiu. A proposal for international arbitration law in Namibia based on the UNCITRAL Model Law on International Commercial Arbitration. *De jure law journal* (Pretoria) 56:259-279, 2023. Available online at <https://www.dejure.up.ac.za/warikandwa-t-v-usebiu-l>.
- Webster, T.H. Handbook of UNCITRAL arbitration. 4th ed. London, Sweet & Maxwell, 2023. 806 p. Contents: Foreword / A. Joubin-Bret -- Part I. Commentary on the UNCITRAL Rules of Arbitration (with new Article 1, paragraph 4, as adopted in 2013 and new Article 1, paragraph 5, as adopted in 2021) -- Part II. UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration.

IV. INTERNATIONAL TRANSPORT

- Hyun, N.H. 선박경매의 국제적 효력에 관한 소고: 각국의 사례 및 선박경매에 관한 베이징협약의 메커니즘을 중심으로. *Comparative private law* (Seoul) 30:2:223-249, 2023. Translation of title: A study on the international effects of judicial sale of ships: focusing on various cases and the mechanism of the Beijing Convention on the Judicial Sale of Ships. Available online at <https://www.kci.go.kr/kciportal/ci/sereArticleSearch/ciSereArtiView.kci?sereArticleSearchBean.artiId=ART002965006>.

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

[No publications recorded under this heading.]

VI. ELECTRONIC COMMERCE

- Yılmaz, M. Elektronik imzalı belgelerin karşılaştırmalı hukukta ve idarî yargılama hukukunda delil niteliği. *Marmara University Faculty of Law journal of legal studies* (Istanbul, Türkiye) 22:3:3435-3486, 2016. Translation of title: Evidentiary value of electronically signed

documents in comparative law and administrative procedural law. Available online at <https://search.trdizin.gov.tr/tr/yayin/detay/249329/elektronik-imzali-belgelerin-karsilastirmali-hukukta-ve-idari-yargilama-hukukunda-delil-niteligi>.

VII. SECURITY INTERESTS (includes former RECEIVABLES FINANCING)

[No publications recorded under this heading.]

VIII. PROCUREMENT

[No publications recorded under this heading.]

IX. INSOLVENCY

Antle, O. and others. UNCITRAL Judgments Model Law: five years on. *International corporate rescue* (London) 20:4:211-213, 2023.

Castle, T. Enforcement risk: solving the restructuring challenge for extra-territorial plans. London, INSOL International, 2023. 15 p.

Godwin, A. and others. Cross-border insolvency law in India: are the principles of comity of courts and inherent common law jurisdiction relevant? *International insolvency review* (London) 32:2:228-252, 2023. Available online at <https://onlinelibrary.wiley.com/doi/10.1002/iir.1500>.

Sarra, J. and others. Chasing assets abroad: ideas for more effective asset tracing and recovery in cross-border insolvency. *International insolvency review* (London) 32:2:253-288, 2023. Available online at <https://onlinelibrary.wiley.com/doi/10.1002/iir.1499>.

Zhang, H. and Y. Huang. Cross-border insolvency law in China: an empirical analysis and proposal based on the insolvency cooperation mechanism between the Chinese mainland and Hong Kong. *International insolvency review* (London) 32:2:336-357, 2023. Available online at <https://onlinelibrary.wiley.com/doi/10.1002/iir.1502>.

X. INTERNATIONAL CONSTRUCTION CONTRACTS

[No publications recorded under this heading.]

XI. INTERNATIONAL COUNTERTRADE

[No publications recorded under this heading.]

XII. PUBLIC-PRIVATE PARTNERSHIPS

[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

Franck, S. Reforming World Bank dispute resolution: ICSID in context. *Michigan journal of international law* (Ann Arbor, Mich.) 44:3:349-403, 2023. Available online at <https://repository.law.umich.edu/mjil/vol44/iss3/3>.

Lifshits, I.M. and A.V. Shatalova. Обновление системы урегулирования споров между инвесторами и государствами: реформа или революция? *Moscow journal of international law* (Moscow) 1:29-46, 2023. Translation of title: Modernization of the investor-State dispute settlement system: reform or revolution? Available online at <https://www.mjil.ru/jour/article/view/2727>.

Ma, W. and M. Faure. Is investment arbitration an effective alternative to court litigation?: towards a smart mix of litigation and arbitration in resolving investment disputes. *Brooklyn journal of international law* (Brooklyn, N.Y.) 48:1:1-87, 2022. Available online at <https://brooklynworks.brooklaw.edu/bjil/vol48/iss1/1>.

Sharma, M. Lawyers and law-makers in investor-State arbitration: implications for its legitimacy and current reforms. *Transnational dispute management* (Voorburg, The Netherlands) 20:4:1-17, 2023.

Special issue: "The brass tacks of ISDS reform." *Journal of international dispute settlement* (Oxford, U.K.) 14:2:127-280, 2023. Special contents: The investor-State dispute settlement reform process: design, dilemmas and discontents / J. Arato and others, p. 127-133 -- Selection and appointment in international adjudication: insights from political science / O. Larsson and others, p. 134-148 -- The quadrilemma: appointing adjudicators in future investor-State dispute settlement / M. Langford and others, p. 149-175 -- The draft code of conduct for adjudicators in investor-State dispute settlement: a low-hanging fruit in the ISDS reform process / C. Giorgetti, p. 176-191 -- Mediation in future investor-State dispute settlement / C. Kessedjian and others, p. 192-212 -- Damages and ISDS reform: between procedure and substance / J. Bonnitcha and others, p. 213-241 -- Reforming shareholder claims in investor-State dispute settlement / J. Arato and others, p. 242-258 -- Towards greater investor accountability: indirect actions, direct actions by States and direct actions by individuals / M. Jarrett and others, p. 259-280. Available online at <https://academic.oup.com/jids/issue/14/2>.

Tho, N.T.A. Amicable settlements of investor-State disputes in Vietnam's investment treaties and practice. *Contemporary Asia arbitration journal* (Taipei) 16:1:31-68, 2023. Available online at <https://ssrn.com/abstract=4465853>.

Todorovic, H. UNCITRAL Secretariat publishes updated draft provisions on procedural and cross-cutting issues for consideration by Working Group III: draft provisions include denial of benefits for abuse of process, rules on transparency and third-party funding, and limitations to the total damages that may be awarded. *Investment arbitration reporter* (New York) 9 August, 2023.

_____. UNCITRAL Working Group III to consider updated draft provisions on advisory centre on international investment law. *Investment arbitration reporter* (New York) 1 August, 2023.