

## Consolidated Bibliography of recent writings related to the work of UNCITRAL (1968 – 2007)

### **XII. Privately financed infrastructure projects**

- Cachard, O. *et* B. Gross. Les dispositions législatives types de la CNUDCI sur les projets d'infrastructures à financement privé. *Journal du droit international* (Paris) 133:2:459-476, 2006.
- Clement-Davies, C., G. Stasevičius *and* A. Zverev. Laying the foundation stone: Lithuania's new concessions law and its lessons for PPPs. *International business lawyer* (London) 32:6:267-273, 2004.
- De Cazalet, B. *and* J.D. Crothers. Présentation des dispositions législatives type sur les projets d'infrastructures a financement privé. Additif du Guide législatif de la CNUDCI. = Presentation of the UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects. Addendum to UNCITRAL Legislative Guide. *Revue de droit des affaires internationales = International business law journal* (Paris) 1:33-41, 2004.
- \_\_\_\_\_. *and* \_\_\_\_\_. Presentation of the UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects. *Revue de droit des affaires internationales = International business law journal* (Paris) 6:699-710, 2001.
- Diesse, F. Travaux des organisations internationales (Droit du Commerce international). *Revue de droit des affaires internationales = International business law journal* (Paris). Pt. 1 *in* no. 4, p. 494-505, 2000; Pt. 2 *in* no.5, p. 671-685, 2000.
- Estrella Faria, J.A. La Guia legislativa de la CNUDMI sobre proyectos de infraestructura con financiación privada = The UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects. *Mercado asegurador* (Buenos Aires) 263:48-55, 2001.
- \_\_\_\_\_. International efforts to promote and harmonise concession law: UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects. *Law in transition* (London) 29-34, spring 2001.
- \_\_\_\_\_. The UNCITRAL legislative guide on privately financed infrastructure projects. *Journal of world investment* (Geneva) 3:2:211-229, 2002.
- \_\_\_\_\_. UNCITRAL legislative guide on privately financed infrastructure projects. *Public procurement law review* (London) 12:4:NA89-92, 2002.
- \_\_\_\_\_. UNCITRAL model legislative provisions on privately financed infrastructure projects: an introductory note = Dispositions types de la CNUDCI sur le projets d'infrastructure à financement privé: note introductive. *Uniform law review = Revue de droit uniforme* (Roma) 8:890-891, 2003-4. The article is in English and French. It contains in an appendix the UNCITRAL Model Provisions on Infrastructure Projects (2003).
- Fuguo, C. Regulating procurement of privately financed infrastructure in China: a review of the recent legislative initiatives and the emerging regulatory framework. *Public procurement law review* (London) 16:3:147-173, 2007.
- Levy, D.A. Build-Operate-Transfer (BOT) and public procurement: a conceptual framework. *Indiana international and comparative law review* (Indianapolis, Ind.) 7:1:95-110, 1996.

Mazilu, D. Dreptul comerțului internațional. Partea generală (Curs). București, Editura Lumina Lex, 1999. 511 p. In Romanian. Translation of title: International trade law. General part (a course manual). Contents dealing with the work of UNCITRAL: Title IV. Dezvoltarea progresivă a dreptului comerțului internațional = Progressive development of international trade law, p. 235-277. [Ch. 1 on electronic commerce, p. 238-257; ch. 2 on privately financed infrastructure projects and BOT, p. 258-277]. Includes bibliography, p. 458-487. Also concluding remarks in English, p. 488-496.

\_\_\_\_\_. Finanțarea privată a proiectelor de infrastructură, în dezbaterile Comisiei O.N.U. pentru Drept Comercial Internațional. *Revista de drept comercial* (București) 9:2:115-126, 1999. (Serie Nouă). In Romanian. Translation of title: Status of debates on privately-financed infrastructure projects in UNCITRAL.

Neumann, P. Build, operate, transfer project financing in emerging countries. *In International project finance*. Scott, F. and C.P. Martens, eds. Ardsley, N.Y., Transnational publishers, 2000. p. 133-164.

Organisation for Economic Cooperation and Development. Basic elements of a law on concession agreements. Paris, OECD Publications, 2002. 55 p. Discusses the UNCITRAL Infrastructure Projects Guide (2001).

Scheibel, T.O. Projektfinanzierung: BOT- und Konzessionsgesetzgebung. *Recht der internationalen Wirtschaft* (Heidelberg, Germany) 42:5:373-379, Mai 1996. In German. Translation of title: Project financing: BOT and license legislation.

Sekolec, J. and J.A. Estrella Faria. The work of the United Nations Commission on International Trade Law (UNCITRAL) concerning privately-financed infrastructure projects = La labor de la Comisión de las Naciones Unidas para el Derecho Mercantil Internacional (CNUDMI) sobre proyectos de infraestructura con financiación privada. *News = Noticias* (Buenos Aires) 67:2:6-8, 1997. A brief account both in English and Spanish.

Terrile, P. L'azione dell'UNCITRAL in materia di build-operate-transfer project financing. *Diritto del commercio internazionale* (Milano) 9:2:361-375, aprile-giugno 1995. (Giurisprudenza commerciale). In Italian. Translation of title: The work of UNCITRAL on build-operate-transfer project financing. Article is based on a note by the Secretariat on build-operate-transfer projects (A/CN.9/414) of 3 March 1995.

United Nations. UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects / prepared by the United Nations Commission on International Trade Law. New York, United Nations, 2001. 222 p. United Nations publication, sales no. E.01.V.4. Contents: Preface — Consolidated legislative recommendations — Introduction and background information on privately financed infrastructure projects — 1. General legislative and institutional framework — Project risks and government support — Selection of the concessionaire — Construction and operation of infrastructure: legislative framework and project agreement — Duration, extension and termination of the project agreement — Settlement of disputes — Other relevant areas of law. Description based on English edition. Published in all official languages of the United Nations.

United Nations. UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects / prepared by the United Nations Commission on International Trade Law. New York, United Nations, 2004. xi, 31 p. United Nations publication, sales no. E.04.V.11. Contents: Preface — Resolution adopted by the General Assembly — Foreword — Pt. 1. Legislative

recommendations — Pt. 2. Model legislative provisions. Description based on English edition. Published in all official languages of the United Nations.

Wallace, D., Jr. Creating law in changing societies: the case of law for privately financed infrastructure projects. *In Liber amicorum Ibrahim F.I. Shihata. Schlemmer-Schulte, S. and Ko-Yung Tung, eds.* The Hague, Kluwer, 2001. p. 827-838.

\_\_\_\_\_. Issues in privately financed infrastructure. *In Private investments abroad: problems and solutions in international business in 1998.* New York, Bender, 1999. Para. 5

\_\_\_\_\_. The nostalgic citizen, the omnipresent state, and the difficult emergence of capitalism in the provision of public services. *In Liber memorialis Petar Šarčević. Universalism, tradition and the individual.* Tomljenovic, V., J.A. Erauw and P. Volken, eds. Munich, Sellier, 2006. p. 531-541.

\_\_\_\_\_. Private and capital infrastructure: tragic?: useful and pleasant?: inevitable? *In Privatising development: transnational law, infrastructure and human rights.* M.B. Likosky, ed. Leiden, The Netherlands, Martinus Nijhoff Publishers, 2005. p. 131-145.

\_\_\_\_\_. UNCITRAL Consolidated Legislative Recommendations for the Draft Chapters of a Legislative Guide on Privately Financed Infrastructure Projects: UNCITRAL Draft Legislative Guide on Privately Financed Infrastructure: achievements and prospects. *Tulane journal of international and comparative law* (New Orleans, La.) 8:283-297, spring 2000. Also includes: United Nations General Assembly. United Nations Commission on International Trade Law, Thirty-third session, New York, 12 June - 7 July 2000. Privately Financed Infrastructure Projects. Draft Chapters of a Legislative Guide on Privately Financed Infrastructure Projects: Report of the Secretary-General. (A/CN.9/471) in *Tulane journal of international and comparative law* (New Orleans, La.) 8:299-303, spring 2000.

Wiwen-Nilsson, T. UNCITRAL Legislative Guide for Privately Financed Infrastructure Projects. *In International project finance.* Scott, F. and C.P. Martens, eds. Ardsley, N.Y., Transnational publishers, 2000. p. 7-13.