



Electronic Resource Guide

Private  
International Law

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of International Law

**T**his electronic resource guide, often called the ERG, has been published online by the American Society of International Law (ASIL) since 1997. Since then it has been systematically updated and continuously expanded. The chapter format of the ERG is designed to be used by students, teachers, practitioners and researchers as a self-guided tour of relevant, quality, up-to-date online resources covering important areas of international law. The ERG also serves as a ready-made teaching tool at graduate and undergraduate levels.

The narrative format of the ERG is complemented and augmented by EISIL (Electronic Information System for International Law), a free online database that organizes and provides links to, and useful information on, web resources from the full spectrum of international law. EISIL's subject-organized format and expert-provided content also enhances its potential as teaching tool.

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## **I. Introduction**

Private international law is the body of conventions, model laws, national laws, legal guides, and other documents and instruments that regulate private relationships across national borders. Private international law has a dualistic character, balancing international consensus with domestic recognition and implementation, as well as balancing sovereign actions with those of the private sector. United States domestic law's nearest equivalent to private international law would be interstate "conflict of laws" or "choice of laws."

This chapter will examine accessible electronic resources maintained by international organizations, governments, universities and scholarly groups, trade organizations, and commercial information services. All hypertext links are correct as of the date of last revision.

## **II. International Organizations**

This section describes the principal international organizations involved in private international law. Each of these organizations maintains an Internet site, which contains information about their current work and archives earlier documents, as well as status information on their conventions.

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## A. Hague Conference on Private International Law

The [Hague Conference on Private International Law](http://www.hcch.net/index_en.php) ([http://www.hcch.net/index\\_en.php](http://www.hcch.net/index_en.php)), which traces its origins to an 1893 conference convened by the Government of the Netherlands, is "the world organization for cross-border co-operation and commercial matters." It develops conventions (rather than principles, guidelines and model laws) in various areas of private law, addressing topics ranging from traditional issues such as choice-of-law rules and jurisdictional rules to contemporary issues such as intercountry adoption and child abduction. The Hague Conference's structure and purpose are stated in the [Statute of the Hague Conference on Private International Law](http://www.hcch.net/index_en.php?act=conventions.text&cid=29) (entered into force 15 July 1955) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=29](http://www.hcch.net/index_en.php?act=conventions.text&cid=29)).

The Hague Conference Web site contains the full text, status, bibliographic information, and explanatory reports (where available) about its work, including:

- [Convention Abolishing the Requirement of Legalisation for Foreign Public Documents](http://www.hcch.net/index_en.php?act=conventions.text&cid=41) (Apostille Convention) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=41](http://www.hcch.net/index_en.php?act=conventions.text&cid=41)), concluded at The Hague, 5 October 1961, entered into force 24 January 1965; See also the helpful Hague Conference online brochure [\*The ABC's of Apostilles: How to ensure that your public documents will be recognized abroad\*](http://www.hcch.net/upload/abc12e.pdf) (<http://www.hcch.net/upload/abc12e.pdf>).
- [Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters](http://www.hcch.net/index_en.php?act=conventions.text&cid=17) (Hague Service Convention) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=17](http://www.hcch.net/index_en.php?act=conventions.text&cid=17)), concluded at The Hague, 15 November 1965, entered into force 10 February 1969;
- [Convention on the Taking of Evidence Abroad in Civil or Commercial Matters](http://www.hcch.net/index_en.php?act=conventions.text&cid=82) (Taking of Evidence Convention) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=82](http://www.hcch.net/index_en.php?act=conventions.text&cid=82)), concluded at The Hague, 18 March 1970, entered into force 7 October 1972;
- [Convention on the Civil Aspects of International Child Abduction](http://www.hcch.net/index_en.php?act=conventions.text&cid=24) (Child Abduction Convention) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=24](http://www.hcch.net/index_en.php?act=conventions.text&cid=24)), concluded at The Hague, 25 October 1980, entered into force 1 December 1983; and
- [Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption](http://www.hcch.net/index_en.php?act=conventions.text&cid=69) (Hague Adoption Convention) ([http://www.hcch.net/index\\_en.php?act=conventions.text&cid=69](http://www.hcch.net/index_en.php?act=conventions.text&cid=69)), concluded at The Hague, 29 May 1993, entered into force 1 May 1995.

The [News & Events](http://www.hcch.net/index_en.php?act=events.listing) ([http://www.hcch.net/index\\_en.php?act=events.listing](http://www.hcch.net/index_en.php?act=events.listing)) listing provides current information on the status of conventions. Archives go back to 1997.

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The Hague Conference also maintains lists of [Central Authorities](#) designated under a number of conventions ([http://www.hcch.net/index\\_en.php?act=authorities.listing](http://www.hcch.net/index_en.php?act=authorities.listing)).

## B. UNCITRAL

The [United Nations Commission for International Trade Law \(UNCITRAL\)](#) (<http://www.uncitral.org/>) was established by a resolution of the UN General Assembly in 1966 (the resolution is available on "[General Assembly Resolutions](#)" page of the UNCITRAL Web site (<http://www.uncitral.org/uncitral/en/GA/resolutions.html>)). It is the active catalyst for some of the most significant work in the progressive harmonization of private international law. The UNCITRAL site contains primary documents and status information about established instruments such as

- [United Nations Convention on Contracts for the International Sale of Goods \(CISG\)](#) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/sale\\_goods/1980CISG.html](http://www.uncitral.org/uncitral/en/uncitral_texts/sale_goods/1980CISG.html)),
- [Convention on the Limitation Period in the International Sale of Goods](#) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/sale\\_goods/1974Convention\\_limitation\\_period.html](http://www.uncitral.org/uncitral/en/uncitral_texts/sale_goods/1974Convention_limitation_period.html)), and
- 1958 "New York" [Convention on the Recognition and Enforcement of Foreign Arbitral Awards](#) (the "New York" Convention) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/arbitration/NYConvention.html](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html)).

Most of the UNCITRAL site contents are available in English, French, Spanish, Arabic, Chinese and Russian - the six official languages of UNCITRAL.

In addition to conventions and similar instruments that are enacted at the international level by states, UNCITRAL furthers the harmonization of international trade law through the creation of model laws and legal guides designed to inform domestic legislative drafters. Perhaps the best example is the [UNCITRAL Model Law on the Procurement of Goods, Construction and Services with Guide to Enactment](#) (1994) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/procurement\\_infrastructure/1994Model.html](http://www.uncitral.org/uncitral/en/uncitral_texts/procurement_infrastructure/1994Model.html)). Other UNCITRAL efforts are directed at private commercial parties, such as the well-known [UNCITRAL Arbitration Rules](#) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/arbitration/1976Arbitration\\_rules.html](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1976Arbitration_rules.html)) and the [UNCITRAL Notes on Organizing Arbitral Proceedings](#) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/arbitration/1996Notes\\_proceedings.html](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1996Notes_proceedings.html)).

The work of UNCITRAL is furthered through six specialized [working groups](#)

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([http://www.uncitral.org/uncitral/en/commission/working\\_groups.html](http://www.uncitral.org/uncitral/en/commission/working_groups.html)):

- [Working Group I](#)  
([http://www.uncitral.org/uncitral/en/commission/working\\_groups/1Procurement.html](http://www.uncitral.org/uncitral/en/commission/working_groups/1Procurement.html))  
which has recently completed its work on the [UNCITRAL Model Law on Public Procurement](#) (2011)  
([http://www.uncitral.org/uncitral/en/uncitral\\_texts/procurement\\_infrastructure/2011Model.html](http://www.uncitral.org/uncitral/en/uncitral_texts/procurement_infrastructure/2011Model.html)) and a [Draft Guide to the Enactment of the UNCITRAL Model Law on Public Procurement](#) (2012)  
(<http://www.uncitral.org/pdf/english/texts/procurem/construction/Final-MU-CONSOLIDATED-Guide-post-WG-session-may-2012.pdf>).
- [Working Group II](#)  
([http://www.uncitral.org/uncitral/en/commission/working\\_groups/2Arbitration.html](http://www.uncitral.org/uncitral/en/commission/working_groups/2Arbitration.html))  
currently deals with the topic of international arbitration and conciliation.
- [Working Group III](#)  
([http://www.uncitral.org/uncitral/commission/working\\_groups/3Online\\_Dispute\\_Resolution.html](http://www.uncitral.org/uncitral/commission/working_groups/3Online_Dispute_Resolution.html)) currently deals with the online dispute resolution.
- [Working Group IV](#)  
([http://www.uncitral.org/uncitral/en/commission/working\\_groups/4Electronic\\_Commerce.html](http://www.uncitral.org/uncitral/en/commission/working_groups/4Electronic_Commerce.html)) currently deals with the topic of electronic commerce.
- [Working Group V](#)  
([http://www.uncitral.org/uncitral/en/commission/working\\_groups/5Insolvency.html](http://www.uncitral.org/uncitral/en/commission/working_groups/5Insolvency.html))  
currently deals with the topic of insolvency law.
- [Working Group VI](#)  
([http://www.uncitral.org/uncitral/en/commission/working\\_groups/6Security\\_Interests.html](http://www.uncitral.org/uncitral/en/commission/working_groups/6Security_Interests.html))  
currently deals with the topic of security interests.

Each Working Group section contains drafts and preparatory documents that reflect the progress towards a finished document.

The UNCITRAL Web site is regularly updated. Persons interested in the work of UNCITRAL may obtain information regarding [commission sessions](#) (<http://www.uncitral.org/uncitral/en/commission/sessions.html>), [vacancies and internships](#) ([http://www.uncitral.org/uncitral/en/vacancies\\_internships.html](http://www.uncitral.org/uncitral/en/vacancies_internships.html)), and [technical assistance and coordination](#) ([http://www.uncitral.org/uncitral/en/technical\\_assistance\\_coordination.html](http://www.uncitral.org/uncitral/en/technical_assistance_coordination.html))

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programs offered by UNCITRAL.

A useful feature of the UNCITRAL Web site is the [Documents and Symbols](http://www.uncitral.org/uncitral/en/types_symbols.html) page ([http://www.uncitral.org/uncitral/en/types\\_symbols.html](http://www.uncitral.org/uncitral/en/types_symbols.html)) which discusses the types of documents produced by UNCITRAL and provides an explanation of the document symbols assigned to UNCITRAL documents. Similarly, the [bibliography of recent writings relating to the work of UNCITRAL](http://www.uncitral.org/uncitral/en/publications/bibliography.html) (<http://www.uncitral.org/uncitral/en/publications/bibliography.html>) sets forth bibliographic references compiled by the Secretariat from 1993 to present, and is now regularly updated as new material is received. As a general aid, the United Nations Dag Hammarskjöld Library has a [research guide](http://www.un.org/Depts/dhl/resguide/) (<http://www.un.org/Depts/dhl/resguide/>) providing information on United Nations documents, which is useful when consulting UNCITRAL materials.

Two other features of the UNCITRAL Web site merit discussion.

- The [CLOUT \(Case Law on UNCITRAL Texts\) database](http://www.uncitral.org/uncitral/en/case_law.html), ([http://www.uncitral.org/uncitral/en/case\\_law.html](http://www.uncitral.org/uncitral/en/case_law.html)) provides abstracts and digests of court decisions and arbitral awards that are relevant to the interpretation or application of UNCITRAL legal texts, such as the CISG and the UNCITRAL Model Arbitration Law, prepared by a network of national correspondents. CLOUT Cases are also [searchable](http://www.uncitral.org/clout/showSearchDocument.do?lf=898&lng=en) (<http://www.uncitral.org/clout/showSearchDocument.do?lf=898&lng=en>) by parties, country, CLOUT case number, legislative text, court/arbitral tribunal, and decision date. The CLOUT system also includes a range of new case law research aids, such as thesauri and keyword charts. All decisions and arbitral awards stored by the Secretariat will be made available to the public upon individual request, subject to any copyright restriction attendant to the decisions and awards.
- Status information, travaux préparatoires, and bibliographies on UNCITRAL instruments are also available and regularly updated (see individual instruments). Status information about UNCITRAL Conventions is also available at the [United Nations Treaty Collection](http://treaties.un.org/Home.aspx) (<http://treaties.un.org/Home.aspx>), under the heading "Status of Treaties (MTDSG)." For a discussion of other online treaty sources, see [ASIL Guide to Electronic Resources for International Law: Treaties](http://www.asil.org/erg/?page=treaties) (<http://www.asil.org/erg/?page=treaties>).

### **C. International Institute for the Unification of Private Law (UNIDROIT)**

[UNIDROIT](http://www.unidroit.org/dynasite.cfm) (<http://www.unidroit.org/dynasite.cfm>). The International Institute for the Unification of Private Law (UNIDROIT) traces its origins to the League of Nations and is today an autonomous international organization active in "modernising, harmonising and co-ordinating private and in particular commercial law as between states and groups of states and to formulate

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uniform law instruments, principles and rules to achieve those objectives." English and French, the working languages of UNIDROIT, are both represented on its Internet site, which includes full text and status information concerning UNIDROIT Conventions such as the:

- 1988 Ottawa [Convention on International Financial Leasing](http://www.unidroit.org/english/conventions/1988leasing/main.htm) (<http://www.unidroit.org/english/conventions/1988leasing/main.htm>)
- 1988 Ottawa [Convention on International Factoring](http://www.unidroit.org/english/conventions/1988factoring/main.htm) (<http://www.unidroit.org/english/conventions/1988factoring/main.htm>),
- 1995 Rome [UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects](http://www.unidroit.org/english/conventions/1995culturalproperty/main.htm) (<http://www.unidroit.org/english/conventions/1995culturalproperty/main.htm>),
- 2001 Cape Town [Convention on International Interests in Mobile Equipment](http://www.unidroit.org/english/conventions/mobile-equipment/main.htm) (<http://www.unidroit.org/english/conventions/mobile-equipment/main.htm>), and
- 2001 Cape Town [Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment](http://www.unidroit.org/english/conventions/mobile-equipment/main.htm#NR1) (scroll down below the Convention entry) (<http://www.unidroit.org/english/conventions/mobile-equipment/main.htm#NR1>).

One of the best-known accomplishments of UNIDROIT in recent years is the creation of the [UNIDROIT Principles of International Commercial Contracts](http://www.unidroit.org/english/principles/contracts/main.htm) (<http://www.unidroit.org/english/principles/contracts/main.htm>). The *Principles* represent general rules of commercial contract law derived from various legal systems, and may be used by private parties as the law governing their contracts, as a supplementary source to be used in conjunction with the CISG, and as a codification of *lex mercatoria* for arbitration.

The UNIDROIT Web site also includes [status information](http://www.unidroit.org/english/implement/i-main.htm) on UNIDROIT Conventions (<http://www.unidroit.org/english/implement/i-main.htm>), information on [current projects](http://www.unidroit.org/english/workprogramme/main.htm) (<http://www.unidroit.org/english/workprogramme/main.htm>), and [Internship or Secondment opportunities](http://www.unidroit.org/dynasite.cfm?dsmid=90060) (<http://www.unidroit.org/dynasite.cfm?dsmid=90060>).

[UNILAW](http://www.unidroit.info/program.cfm?menu=subject&file=convention&lang=en) (<http://www.unidroit.info/program.cfm?menu=subject&file=convention&lang=en>) Set up by UNIDROIT, this database will provide the full text of UNIDROIT instruments, as well as case law and secondary resources on each instrument. Work has started on the 1956 Convention on the Contract for the International Carriage of Goods by Road (CMR).

UNIDROIT also publishes a scholarly journal - [Uniform Law Review](http://www.unidroit.org/english/publications/review/main.htm) (<http://www.unidroit.org/english/publications/review/main.htm>).



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### III. International Sale of Goods

There are a number of Web sites relating to the international sale of goods and UNCITRAL's [Convention on Contracts for the International Sale of Goods \(CISG\)](#) (<http://www.uncitral.org/pdf/english/texts/sales/cisg/V1056997-CISG-e-book.pdf>). A particularly valuable resource is the [Pace database on the CISG](#) (<http://cisgw3.law.pace.edu/>) produced by the Pace Law Library and the Pace University School of Law Institute of International Commercial Law. The database contains the complete [annotated table of contents and text of the CISG](#) (<http://cisgw3.law.pace.edu/cisg/text/cisg-toc.html>), with hyperlinks from each individual article to its drafting history, along with interpretive case law and bibliographic references to scholarly writing. The Web site reports over 2000 cases on the CISG and provides a [searchable database](#) (<http://cisgw3.law.pace.edu/cisg/search-cases.html>). The Pace database also includes information on the annual [Willem C. Vis International Commercial Arbitration Moot on the CISG](#) (<http://cisgw3.law.pace.edu/vis.html>), held in Vienna, and the annual Willem C. Vis (East) International Commercial Arbitration Moot held in Hong Kong.

An important online resource for international sales law is the [UNILEX](#) (<http://www.unilex.info/>) collection of case law and bibliographies on the CISG and the UNIDROIT Principles. The UNILEX database includes both case abstracts and the full text of decisions.

The [Autonomous Network of CISG Web Sites](#) (<http://cisgw3.law.pace.edu/network.html>) links to other useful CISG Web sites, each focusing on case law from one or more countries in the language of the host country or region. Some of these Web sites are:

- [CISG-online.ch](#) (<http://www.globalsaleslaw.org/index.cfm?pageID=28>) at the Law Faculty of the University of Basel, Switzerland, which concentrates on Austrian, German, and Swiss case law on the CISG;
- [CISG-France](#) (<http://www.cisg.fr/?lang=fr>) database which emphasizes French case law on the CISG;
- [CISG - Spain and Latin America](#) database of the Universidad Carlos III de Madrid (<http://turan.uc3m.es/uc3m/dpto/PR/dppr03/cisg/>), which contains the Spanish language text of the CISG, along with CISG case law from Mexico, Argentina, Spain, and other countries; and
- [CISG-Japan](#) Database ([http://www.juris.hokudai.ac.jp/~sono/cisg/eng\\_index.html](http://www.juris.hokudai.ac.jp/~sono/cisg/eng_index.html)) which includes English digests of Japanese cases and arbitral award on CISG.

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#### IV. International Commercial Arbitration

International commercial arbitration is recognized as an important component of private international law, largely through the wide acceptance of the 1958 ["New York" Convention on the Recognition and Enforcement of Foreign Arbitral Awards](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html) ([http://www.uncitral.org/uncitral/en/uncitral\\_texts/arbitration/NYConvention.html](http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html)). International commercial arbitration may either be "ad hoc" pursuant to the UNCITRAL Arbitration Rules, or "institutional," following the rules of arbitration promulgated by private organizations such as the [International Chamber of Commerce \(ICC\)](http://www.iccwbo.org/) (<http://www.iccwbo.org/>), the [American Arbitration Association \(AAA\)](http://www.adr.org/), or the [London Court of International Arbitration](http://www.lcia.org/) (<http://www.lcia.org/>), *inter alia*. For a detailed guide to international commercial arbitration, see the [ASIL Guide to Electronic Resources for International Law: International Commercial Arbitration](http://www.asil.org/erg/?page=arb) (<http://www.asil.org/erg/?page=arb>).

The [International Court of Arbitration of the ICC](http://www.iccwbo.org/about-icc/organisation/dispute-resolution-services/icc-international-court-of-arbitration/) (<http://www.iccwbo.org/about-icc/organisation/dispute-resolution-services/icc-international-court-of-arbitration/>) is a major source of expertise in international commercial arbitration. The ICC Web site includes the 1998 revision of the [Rules of Arbitration of the International Chamber of Commerce](http://www.iccwbo.org/Products-and-Services/Arbitration-and-ADR/Arbitration/Rules-of-arbitration/Download-ICC-Rules-of-Arbitration/ICC-Rules-of-Arbitration-in-several-languages/) (<http://www.iccwbo.org/Products-and-Services/Arbitration-and-ADR/Arbitration/Rules-of-arbitration/Download-ICC-Rules-of-Arbitration/ICC-Rules-of-Arbitration-in-several-languages/>) and other information on ICC arbitration, including [ICC standard clauses for dispute resolution services](http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/standard-icc-arbitration-clauses/) (<http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/standard-icc-arbitration-clauses/>) and rules on [appointing authority](http://www.iccwbo.org/products-and-services/arbitration-and-adr/appointing-authority/rules-of-icc-as-appointing-authority/) (<http://www.iccwbo.org/products-and-services/arbitration-and-adr/appointing-authority/rules-of-icc-as-appointing-authority/>), and [arbitration cost calculator](http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/cost-and-payment/cost-calculator/) (<http://www.iccwbo.org/products-and-services/arbitration-and-adr/arbitration/cost-and-payment/cost-calculator/>).

The [American Arbitration Association](http://www.adr.org/) (<http://www.adr.org/>) is the primary private arbitral authority in the United States. The AAA has promulgated [rules and procedures](http://www.adr.org/arb_med) ([http://www.adr.org/arb\\_med](http://www.adr.org/arb_med)) and serves as an administering body for the arbitration process, including acting as an appointing authority for arbitrators, if necessary, as well as providing [resources needed to commence the ADR process](http://www.adr.org/fileacase) (<http://www.adr.org/fileacase>) such as filing and managing cases online, online access to cases and calendar for neutrals, etc. Like other institutional arbitral bodies, the AAA maintains [a Mediator Profile](http://www.mediatorindex.com/) (<http://www.mediatorindex.com/>) giving useful information such as field expertise, number of years as a mediator and number of cases mediated, locale, and language.

#### [ICSID \(International Centre for Settlement of Investment Disputes\)](https://icsid.worldbank.org/ICSID/Index.jsp)

(<https://icsid.worldbank.org/ICSID/Index.jsp>), an autonomous organization with close ties to the

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World Bank, was established under the [Convention on the Settlement of Investment Disputes between States and Nationals of other States](#)

(<https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/partA.htm>). The Web site provides access to [Decisions and awards](#)

(<https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&reqFrom=Main&actionVal=OnlineAward>) and at least excerpts of the legal reasoning of the Tribunal if consent of both parties to publish awards is not given. It also provides access to a very useful list of [bilateral investment treaties](#) (BITs)

(<https://icsid.worldbank.org/ICSID/FrontServlet?requestType=ICSIDPublicationsRH&actionVal=ViewBilateral&reqFrom=Main>)

## V. Regional Harmonization

This section describes the principal efforts in harmonizing private law on a regional basis.

### A. European Union (EU)

The EU harmonizes the private international law of its member nations through the development of conventions, directives, and regulations. An initiative to create a European Civil Code is also underway.

- [The Brussels Convention and the Lugano Convention](#) (<http://curia.europa.eu/common/recdoc/convention/en/index.htm>) aim to "determine the international jurisdiction of their courts, to facilitate recognition and to introduce an expeditious procedure for securing the enforcement of judgments, authentic instruments and court settlements." (from the [Preamble of the Conventions](#); <http://curia.europa.eu/common/recdoc/convention/en/c-textes/brux.htm>). The Lugano Convention extended the rules on jurisdiction and the enforcement of judgments beyond the boundaries of the European Union.
- [Convention on the Law Applicable to Contractual Obligations](#) (Rome Convention) (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:41980A0934:EN:NOT>) stipulates that a contract shall be governed by the law chosen by the parties and demonstrated in the terms of the contract or the circumstances of the case.
- [Study Group on a European Civil Code](#) (<http://www.sgecc.net/>) is a network of academics from across the EU conducting comparative law research in private law with an aim to produce a codified set of Principles of European Law for the law of obligations and core aspects of the law of property. The impetus for their work was two Parliamentary resolutions: OJ C 158 (28.6.1989), resolution of 26th May 1989, and OJ C 205 (25.7.1994), resolution

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of 6th May 1994 whereby the European Parliament summoned the legal academic community to take on the task of the creation of a European Code of Private Law. The Web site provides their work-in-progress and information on their methodology.

- [Commission on European Contract Law: Principles of European Contract Law](http://frontpage.cbs.dk/law/commission_on_european_contract_law/) (http://frontpage.cbs.dk/law/commission\_on\_european\_contract\_law/) Also known as the Lando Commission, the Commission drafted the Principles of Contract Law which are intended to be applied as general rules of contract law in the European Communities when the parties have agreed to incorporate them into their contract or when the parties have agreed that their contract is to be governed by them.

Other useful Web sites for European harmonization of private law are:

- [Institute of European and Comparative Private Law](http://civil.udg.edu/php/index.php?id=139) (University of Girona, Spain) (http://civil.udg.edu/php/index.php?id=139) provides links to international private law materials, and European private law materials (EU directives, treaties and principles) dealing with commercial law. It also includes national legal materials from eight European countries, Canada, and United States.
- [European Private Law Forum](http://www.eui.eu/DepartmentsAndCentres/Law/ResearchAndTeaching/ResearchThemes/EPL/EPLForum.aspx) (European University Institute) (http://www.eui.eu/DepartmentsAndCentres/Law/ResearchAndTeaching/ResearchThemes/EPL/EPLForum.aspx) The Forum is concerned with the harmonization of European Private Law. The web site provides access to the results of and information about the Forum's research activities.
- [Practical Handbook on European Private International Law](http://ec.europa.eu/justice/civil/files/practical_handbook_eu_international_law_en.pdf) (European Union Civil Justice Program; German Foundation for International Legal Cooperation; Romanian Ministry of Justice) (http://ec.europa.eu/justice/civil/files/practical\_handbook\_eu\_international\_law\_en.pdf). The Practical Handbook is a primer on European Private International Law, using a black letter format supplemented with specific illustrations from relevant judicial decisions.

## **B. Inter-American Specialized Conferences on Private International Law (CIDIPs)**

Under the auspices of the Organization of American States, [Inter-American Specialized Conferences on Private International Law](http://www.oas.org/dil/private_international_law.htm) (known by the Spanish Acronym as CIDIPs)

(http://www.oas.org/dil/private\_international\_law.htm) play a central role in the harmonization and codification of Private International Law in the Western Hemisphere. Six Conferences have been held in various cities in the Americas:

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- [CIDIP-I](http://www.oas.org/dil/CIDIPI_home.htm) ([http://www.oas.org/dil/CIDIPI\\_home.htm](http://www.oas.org/dil/CIDIPI_home.htm)) was held in Panama City, Panama in 1975. Six conventions were adopted.
- Seven conventions and one protocol was adopted in [CIDIP-II](http://www.oas.org/dil/CIDIPII_home.htm) ([http://www.oas.org/dil/CIDIPII\\_home.htm](http://www.oas.org/dil/CIDIPII_home.htm)) held in Montevideo, Uruguay in 1979.
- [CIDIP-III](http://www.oas.org/dil/CIDIPIII_home.htm) ([http://www.oas.org/dil/CIDIPIII\\_home.htm](http://www.oas.org/dil/CIDIPIII_home.htm)), held in La Paz, Bolivia in 1984, adopted three conventions and one protocol.
- Held once again in Montevideo, [CIDIP-IV](http://www.oas.org/dil/CIDIPIV_home.htm) ([http://www.oas.org/dil/CIDIPIV\\_home.htm](http://www.oas.org/dil/CIDIPIV_home.htm)) in 1989 adopted three conventions.
- [CIDIP-V](http://www.oas.org/dil/CIDIPV_home.htm) ([http://www.oas.org/dil/CIDIPV\\_home.htm](http://www.oas.org/dil/CIDIPV_home.htm)) in Mexico City in 1994 saw the adoption of two conventions.
- [CIDIP-VI](http://www.oas.org/dil/CIDIPVI_home.htm) ([http://www.oas.org/dil/CIDIPVI\\_home.htm](http://www.oas.org/dil/CIDIPVI_home.htm)) held in OAS's Headquarters in Washington, D.C., adopted three instruments.
- [CIDIP-VII](http://www.oas.org/dil/CIDIP-VII_home.htm) ([http://www.oas.org/dil/CIDIP-VII\\_home.htm](http://www.oas.org/dil/CIDIP-VII_home.htm)) was convened in June 2003. Consumer protection and electronic registries are the topics for CIDIP-VII.

The instruments adopted fall into four general categories of private international law:

- [applicable law](http://www.oas.org/dil/PrivateIntLaw-studytopics_applicablelaw.htm) ([http://www.oas.org/dil/PrivateIntLaw-studytopics\\_applicablelaw.htm](http://www.oas.org/dil/PrivateIntLaw-studytopics_applicablelaw.htm)),
- [enforcement and procedural law](http://www.oas.org/dil/PrivateIntLaw-studytopics_enforcement.htm) ([http://www.oas.org/dil/PrivateIntLaw-studytopics\\_enforcement.htm](http://www.oas.org/dil/PrivateIntLaw-studytopics_enforcement.htm)),
- [family law](http://www.oas.org/dil/PrivateIntLaw-studytopics_familylaw.htm) ([http://www.oas.org/dil/PrivateIntLaw-studytopics\\_familylaw.htm](http://www.oas.org/dil/PrivateIntLaw-studytopics_familylaw.htm)), and
- [commercial law](http://www.oas.org/dil/PrivateIntLaw-studytopics_commerciallaw.htm) ([http://www.oas.org/dil/PrivateIntLaw-studytopics\\_commerciallaw.htm](http://www.oas.org/dil/PrivateIntLaw-studytopics_commerciallaw.htm)).

### C. Organisation pour l'Harmonisation en Afrique du Droit des Affaires (OHADA)

[OHADA](http://www.ohada.org/) (<http://www.ohada.org/>) started the legal unification process in Africa in October 1992 with the cooperation of the head of states of sixteen OHADA countries. The first OHADA treaty—[Treaty on the Harmonization of Business Law in Africa](http://www.ohadalegis.com/anglais/traiteharmonisationgb.htm) (<http://www.ohadalegis.com/anglais/traiteharmonisationgb.htm>) - was signed in Mauritius in October 1993. The [OHADA.com](http://www.ohada.com/) Web site (<http://www.ohada.com/>) disseminates information regarding the ongoing works of OHADA. In addition to treaties, OHADA is also creating [uniform acts](http://www.ohada.com/actes-uniformes.html) (<http://www.ohada.com/actes-uniformes.html>), such as the Uniform Act Relating to General Commercial Law. The treaties and uniform acts are accessible to the general public. The "Case

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Law," "Doctrine," and "Bibliography" sections are only available to OHADA members.

## **VI. Private International Law in the United States**

The [State Department Office of the Assistant Legal Adviser for Private International Law \(L/PIL\)](http://www.state.gov/s/l/c3452.htm) (<http://www.state.gov/s/l/c3452.htm>) has primary responsibility for coordinating US efforts in the development of private international law. Practitioners, corporate counsels, scholars, and government attorneys participate in the private international law harmonization process through membership in the Secretary of State's Advisory Committee on Private International Law, specialized study groups, and delegations to [UNCITRAL](#), [UNIDROIT](#), the [Hague Conference](#), and the [OAS Inter-American Conferences on Private International Law](#) (CIDIP). L/PIL draws heavily on the private sector for sectoral expertise and works closely with the [National Conference of Commissioners on Uniform State Laws \(NCCUSL\)](#) (<http://uniformlaws.org/Default.aspx>) and members of the [American Law Institute \(ALI\)](#) (<http://www.ali.org/>), among others. The [Office of the Legal Adviser](#) (<http://www.state.gov/s/l/>) maintains a central Web page.

## **VII. Private International Law on LEXIS, WESTLAW, HeinOnline, in EISIL and International Law In Brief**

The two most widely-accepted commercial legal databases in the United States are [LEXIS](#) (<http://www.lexis.com>) and [WESTLAW](#) (<http://www.westlaw.com/>).

Both LEXIS and Westlaw include case law and legislation on international commercial law (primarily from the United States); some treaty materials; European Union materials; information on GATT and the WTO; international law journals; and ASIL publication [International Legal Materials](#) (ILM) (<http://www.asil.org/ilm.cfm>).

[HeinOnline](#) (<http://home.heinonline.org/>) has added (Summer 2013) the [Parker School of Foreign & Comparative Law Publications](#) (<http://heinonline.org/HeinDocs/ParkerSchool.pdf>). The Parker School materials include, inter alia: Charles Szladits' Bibliography on Foreign and Comparative Law Books and Articles in English; American-Australian Private International Law (Zelman Cowen); America-Belgian Private International Law (Georges van Hecke & Nina Moore Galston); American-Brazilian Private International Law (Paul Griffith Garland); American-Colombian Private International Law (Phanor J. Eder); American-Venezuelan Private International Law (Richard S. Lombard & Nina Moore Galston).

[International Law In Brief \(ILIB\)](#) (<http://www.asil.org/ilibmenu.cfm>), a publication of The American Society of International Law (ASIL), is delivered twice a month by email, and frequently abstracts documents reflecting developments in international law. Subscriptions are free.

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[The Electronic Information System for International Law \(EISIL\)](http://www.eisil.org/) (<http://www.eisil.org/>) is an extensive database of quality international law information available on the web. EISIL is developed and maintained by the ASIL, and includes sections on International Economic Law and Private International Law, among others.

### VIII. Research Guides and Yearbooks

- Duncan Alford, [A Guide on the Harmonization of International Commercial Law](http://www.nyulawglobal.org/globalex/Unification_Harmonization1.htm) ([http://www.nyulawglobal.org/globalex/Unification\\_Harmonization1.htm](http://www.nyulawglobal.org/globalex/Unification_Harmonization1.htm)) This guide focuses on the intergovernmental organizations whose purpose is to harmonize commercial laws, treaties that harmonized commercial law, and research institutes that support it.
- Jean M. Wenger, [ASIL Guide to Electronic Resources for International Law: International Economic Law](http://www.asil.org/iel1.cfm) (<http://www.asil.org/iel1.cfm>) provides links to important and current sources of information for international economic law.
- Gloria Miccioli, [ASIL Guide to Electronic Resources for International Law: International Commercial Arbitration](http://www.asil.org/erg/?page=arb) (<http://www.asil.org/erg/?page=arb>)
- Yearbook of Private International Law ([Sellier European Law Publishers](http://www.sellier.de/pages/en/buecher_s_elp/int_privatrecht/924.newsletter.htm)) ([http://www.sellier.de/pages/en/buecher\\_s\\_elp/int\\_privatrecht/924.newsletter.htm](http://www.sellier.de/pages/en/buecher_s_elp/int_privatrecht/924.newsletter.htm))
- [Czech Yearbook of Public & Private International Law](http://www.cyil.eu/) (<http://www.cyil.eu/>) (web access to selected articles)
- [Japanese Yearbook of International Law](http://www.ilajapan.org/jyil/) (<http://www.ilajapan.org/jyil/>) (web access to selected articles)

### IX. Private International Law Interest Groups and Sections

The [Private International Law Interest Group](http://www.asil.org/interest-groups-view.cfm?groupid=29) (<http://www.asil.org/interest-groups-view.cfm?groupid=29>) of [The American Society of International Law](http://www.asil.org/) (ASIL) ([http://www.asil.org](http://www.asil.org/)) conducts meetings and panels on topics of relevance in private international law, such as Corporate Codes of Conduct and the CISG.

The [American Bar Association](http://www.americanbar.org/aba.html) (<http://www.americanbar.org/aba.html>) [Section of International Law](http://www.americanbar.org/groups/international_law.html) ([http://www.americanbar.org/groups/international\\_law.html](http://www.americanbar.org/groups/international_law.html)) has a number of [divisions and committees](http://apps.americanbar.org/intlaw/committees/roster/newroster.html) (<http://apps.americanbar.org/intlaw/committees/roster/newroster.html>) of interest to private international lawyers.

Private international law associations, institutes, and resources outside the United States of America

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include: [British Institute of International and Comparative Law](http://www.biicl.org/) (<http://www.biicl.org/>); [Research Center of Private International Law \(CREDIP\)](http://ediec.univ-lyon3.fr/gb/research/research-centers/research-center-of-private-international-law-credip/) (<http://ediec.univ-lyon3.fr/gb/research/research-centers/research-center-of-private-international-law-credip/>); Private International Law Association of Japan (<http://www.pilaj.jp/index-e.html>); [Union Internationale des Avocats](http://www.uianet.org/en) (International Association of Lawyers; web access to selected English editions of *Juriste International*) (<http://www.uianet.org/en>).

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