

## PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE

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### DESCRIPTION

A co-operative venture with the American Law Institute (ALI), the Principles of Transnational Civil Procedure are aimed at introducing modern rules for transnational civil procedure (including, if appropriate, provisional measures) applicable to transnational disputes once the question of jurisdiction has been settled but before the question of recognition and enforcement of the judgment arises. The Principles apply to the adjudication of disputes arising from international commercial transactions. They may also serve as a source of inspiration for domestic law reform or as guidelines in interpreting existing national codes of procedure. Work on this project was finalised in 2004.

### WHO BENEFITS?

*Companies* that need to apply to courts for the adjudication of disputes arising from international commercial transactions.

### OPINION

“[...] the most striking change in the law since I graduated from law school more than two decades ago is the rise of a body of law that is genuinely transnational—neither fish nor fowl, in the sense that it is neither traditionally domestic nor traditionally international. Just take [...] the law of transnational civil procedure: the innovative American Law Institute/UNIDROIT project on the Transnational Rules of Civil Procedure has demonstrated that cutting across national borders are transnational procedural rules [...] that are neither local nor international, but fundamentally transnational in their character” (Harold Hongju Koh, *The Globalization of Freedom*, 26 *Yale Journal of International Law* 305, 306 (2001)).

### FUNDS NEEDED

€10,000 for conferences and seminars to promote the Principles of Transnational Civil Procedure. Special programmes may be agreed with Governments interested in the implementation of the instrument and UNIDROIT.