INNOVATIVE SOLUTIONS FOR THE CHOICE OF THE LAW GOVERNING INTERNATIONAL CONTRACTS

Unidroit Principles and ICC model contracts

Rome, 8 November 2013

Parties engaged in the negotiation of an international contract are frequently faced with the problem of agreeing on a neutral solution when it comes to agree on the governing law.
In addition to the traditional solutions, such as the choice of the law of a third country, the option of having recourse to transnational rules instead of a domestic law is receiving more and more acceptance in recent years, also thanks to the growing success of the Unidroit Principles, which offer a clear and well-balanced alternative legal framework.
The purpose of this conference is to analyse and discuss a number of contractual solutions based on the Unidroit Principles, such as in particular the "Model clauses for the use of the Unidroit Principles" adopted by Unidroit in June of this year and the choice-of-law clauses contained in several model contracts published by the International Chamber of Commerce.

PROGRAMME

10.30 – 11:00 ***Welcome address***
JOSÉ ANGELO ESTRELLA FARIA, Secretary General Unidroit
MARIA BEATRICE DELI, Secretary General ICC Italy

11:00 – 11:20 ***The model clauses for the use of the Unidroit Principles***
MICHAEL JOACHIM BONELL, Professor Emeritus, University of Rome Sapienza; Rapporteur for the working group which drafted the Unidroit Model clauses.

11:20 – 11:40 ***The choice of general principles of law together with the Unidroit Principles: the solutions proposed in the ICC model contracts***
FABIO BORTOLOTTI, Partner, Buffa, Bortolotti & Mathis, Italy; Chair of the Commission on Commercial Law and Practice of the ICC

11:40 – 12:15 ***Discussion***

12:15 – 13:15 ***Light refreshments***

13:15 – 14:30 ***The growing acceptance of a-national solutions in international contracts, particularly by developing countries***
Discussion panel chaired by **H. ERCÜMENT ERDEM**, Partner, Erdem & Erdem Law Office, Istanbul; Vice-Chair of the Commission on Commercial Law and Practice of the ICC
ANDREA MONTANARI, General Counsel, FATA SpA, Turin
STEFANO CATELANI, Corporate Counsel DuPont de Nemours International SA, Geneva
EDOARDO MARCENARO, Head of Legal & Corporate Affairs, ENEL, Rome
PIETRO GALIZZI, Head of International Downstream Legal, ENI, Rome

14:30 – 15:00 ***Concluding remarks***
ANDREA GIARDINA, Professor Emeritus, University of Rome Sapienza, AIA