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HARMONIZATION OF PRIVATE LAW AND PRIVATE INTERNATIONAL LAW IN THE COMMERCIAL FIELD IN WESTERN, EQUATORIAL AND EASTERN AFRICAN STATES

The following Explanatory Memorandum has been issued by the Organizing Committee:—

An international Symposium on “The harmonization of private law and private international law in the commercial field in western, equatorial and eastern African states” is being organized by the Italian Section of the International African Law Association—IALA, under the sponsorship of the International Institute for the Unification of Private Law—UNIDROIT, with the participation of other specialized organizations. This meeting is one of the periodical working meetings organized by national sections of IALA.

The adoption of uniform or harmonized laws in the commercial field will favour the development of international trade by minimizing conflicts of law and by facilitating trade generally. A major example of this process is presented by the study initiated four years ago by a specialized body within the United Nations, that is, the United Nations Commission on International Trade Law—UNCITRAL. The adoption of uniform rules for the settlement of conflicts of law also makes a positive contribution to the development of international trade.

The Symposium is intended to contribute to the extensive international programme of investigation and action at present in progress in this field. The geographical range of the Symposium is confined to the countries of western, equatorial and eastern Africa and it will be concerned with the examination of the following topics:—

- (a) the content and functioning in the countries of western, equatorial and eastern Africa of the following sources of law, in so far as they relate to “commercial relationships of a private law nature involving different countries”, viz:—
 - (i) international conventions providing uniform rules of private law and private international law concerning the subjects under discussion; the extent to which reception of

foreign laws has produced an effect similar to that of uniform laws will also be examined; (ii) rules of private international law or other systems for settling conflicts of law in the given field;

- (b) problems of a general character concerning the above sources of law, with special reference to harmonization of laws.

Within the general field of the law affecting trade and commerce, the following topics, in particular, fall within the scope of the Symposium:—the law concerning companies, agency, sale of goods, transport, bailment, insurance, negotiable instruments, patents and trade-marks, bankers' commercial credits, guarantees and securities, copyright, arbitration, etc.

Those receiving invitations to attend the Symposium will include legal scholars and members of the legal profession, representatives of inter-governmental and of non-governmental organizations, and representatives of scientific, technical or economic institutions having an interest in the questions to be discussed.

The Symposium will be held in Rome on 24th, 25th, 26th and 27th March, 1971; participants are kindly requested to register with the Secretariat of the Symposium on 23rd March.

The final programme will include full details of papers submitted and matters to be discussed, but it may be helpful to participants if a brief indication is given now of the main criteria which have guided the Organizing Committee in planning the Symposium. Participation implies no obligation to submit a report, but it is expected that each participant will submit before 28th February, 1971, a short paper containing (a) information on general or special studies or research that the participant or the organization which he represents may have conducted on one or more of the topics to be dealt with at the Symposium; and/or (b) a note on the general aspects or problems of the theme of the Symposium. Participants from African countries in particular are invited to report on international and national rules and procedures on this subject applying in their respective countries.

Background papers are being prepared by UNIDROIT and the Italian Section of IALA and will be forwarded to participants.

Two general rapporteurs are being appointed and will submit a paper at the beginning of the Symposium resuming the reports received to date, with a view to presenting a general conspectus of the data and problems involved in the subject. English and French will be the official languages of the Symposium. It is intended to publish the documents and other proceedings of the Symposium. Correspondence concerning the Symposium should be addressed to the Organizing Committee or to the Secretariat of the Symposium at the offices of UNIDROIT, 28 Via Panisperna, 00184 Rome, Italy.