Déclaration de Berlin sur les Principes d'UNIDROIT

Cette « Déclaration de Berlin » est publiée lors du Congrès mondial de l'Académie Internationale de Droit Comparé (AIDC) - International Academy of Comparative Law (IACL) à Berlin, du 26 septembre au 3 octobre 2026, dans le cadre de l'atelier « Legal Counselling as Transnational Rule Setting ». S'inspirant – en partie littéralement – des résolutions adoptées en 2020 par l'*Union Internationale des Avocats* (UIA)[1] et en 2025 par l'*International Association of Young Lawyers - Association Internationale des Jeunes Avocats - (« AIJA »)*,[2] les signataires de la présente Déclaration de Berlin entendent contribuer

- à surmonter le clivage existant entre les différents systèmes juridiques nationaux, en particulier entre les parties issues de pays de common law et de pays de droit civil, en matière de contrats internationaux, et

- à faciliter ainsi le commerce international et, en particulier, les contrats commerciaux transfrontières et le règlement international des différends,

en recourant aux Principes d'UNIDROIT relatifs aux contrats du commerce international, universels et neutres.[3]

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[1] www.unidroit.org/uia-signs-resolution-recommending-consideration-of-unidroit-principles-of-international-commercial-contracts-2016/ (dernier accès le 5 novembre 2025). Le 28 octobre 2025, le comité exécutif de l'UIA a signé une résolution complémentaire sur la base d'un projet de la présente Déclaration de Berlin.

[2] www.unidroit.org/aija-endorses-unidroit-principles-on-international-commercial-contracts/ (dernier accès le 5 novembre 2025).

[3] **A. Un outil universel développé par UNIDROIT :** L'organisation intergouvernementale UNIDROIT, qui compte 65 États membres répartis sur cinq continents, a travaillé pendant près de 50 ans, entre 1968/1970 et 2016, à la compilation et au développement de principes et règles généraux relatifs aux contrats du commerce international, à savoir les Principes d'UNIDROIT relatifs aux contrats du commerce international. Le groupe de travail chargé de l'élaboration de ces Principes était composé d'éminents experts en droit des contrats issus de toutes les régions du monde et représentant l'ensemble des grands systèmes juridiques. Publiés initialement en 1994 en anglais et en français, des éditions ultérieures et enrichies des Principes ont été approuvées par le Conseil d'UNIDROIT en 2004, 2010, et plus récemment en 2016 (la version la plus récente étant désignée ci-après comme les **« Principes d'UNIDROIT »**). À ce jour, les Principes d'UNIDROIT ont été traduits en plus de vingt langues, y compris toutes les langues officielles des Nations Unies.

B. Objet des Principes d'UNIDROIT : Les Principes d'UNIDROIT énoncent des « règles générales propres à régir les contrats du commerce international » (Principes d'UNIDROIT, Préambule, § 1). Selon le préambule des Principes d'UNIDROIT,
« Ils s'appliquent lorsque les parties acceptent d'y soumettre leur contrat.
Ils peuvent s'appliquer lorsque les parties acceptent que leur contrat soit régi par les principes généraux du droit, la lex mercatoria *ou autre formule similaire.*
Ils peuvent s'appliquer lorsque les parties n'ont pas choisi une loi particulière devant régir leur contrat.
Ils peuvent être utilisés afin d'interpréter ou de compléter d'autres instruments du droit international uniforme.
Ils peuvent être utilisés afin d'interpréter ou de compléter le droit national. »
Bien que, par définition, les Principes d'UNIDROIT ne constituent pas du droit national interne, comme le précise le préambule, ils peuvent être expressément acceptés par les parties contractantes pour régir leur contrat en tant que « règles de droit » (ainsi que le reconnaissent de nombreux règlements d'arbitrage et l'art. 3 des Principes de la Conférence de La Haye sur le choix de la loi applicable aux contrats commerciaux internationaux), ou peuvent être utilisés comme modèle ou incorporés à un contrat lorsque le droit international privé applicable impose de recourir au droit d'un État, par comparaison au « droit souple », « soft law » (qui peut devenir du « droit dur », « hard law », par accord contractuel). Rien dans les Principes d'UNIDROIT ne restreint ni n'affecte, de quelque manière que ce soit, les règles impératives par ailleurs applicables, qu'elles soient d'origine nationale, internationale ou supranationale (Principes d'UNIDROIT, art. 1.4).

C. Contenu des Principes d'UNIDROIT : Les Principes d'UNIDROIT énoncent des dispositions générales de droit des contrats ainsi que des règles spécifiques portant notamment sur la formation du contrat, le pouvoir des représentants, la validité, l'interprétation, le contenu, les droits des tiers et les conditions, l'exécution et

l'inexécution, la compensation, la cession de droits et de contrats, le transfert d'obligations, les délais de prescription, la pluralité de débiteurs/créanciers, et les contrats à long terme. Les Principes d'UNIDROIT reposent sur un nombre restreint de concepts fondamentaux, tels que la liberté contractuelle/l'autonomie des parties, la force obligatoire des contrats (*pacta sunt servanda*), l'interprétation des contrats à la lumière des usages courants, la présomption en faveur du maintien du contrat lorsque cela est possible (*favor contractus*), ainsi que le respect de la bonne foi et de la loyauté et l'évitement de toute déloyauté. Les Principes tentent d'offrir un compromis neutre entre les diverses traditions juridiques, sans privilégier une solution nationale particulière. Un supplément aux Principes d'UNIDROIT 2016 énonce des clauses contractuelles types que les parties contractantes peuvent utiliser pour rendre les Principes applicables. Lorsqu'ils sont acceptés par les parties comme loi applicable à leur contrat, ou lorsque les décideurs les appliquent conformément au droit national, international et supranational, et sur le fondement du principe de l'autonomie de la volonté, les Principes d'UNIDROIT fournissent des règles supplétives générales pour les questions non traitées spécifiquement par les termes du contrat (Principes d'UNIDROIT, art. 1.1 et 1.5).

D. Reconnaissance par les tribunaux arbitraux, les juridictions nationales, les législateurs et la CCI : Depuis leur publication initiale en 1994, les Principes d'UNIDROIT ont été cités dans plusieurs centaines de sentences arbitrales et de décisions judiciaires internes, soit comme principes généraux du droit, soit comme *lex mercatoria*, soit pour interpréter ou compléter le droit interne ou des instruments juridiques internationaux tels que la CVIM. Dans plusieurs procédures arbitrales, les parties se sont accordées sur l'application des Principes d'UNIDROIT au cours de l'arbitrage lui-même. Des exemples de telles sentences arbitrales et décisions judiciaires figurent dans la base de données UNILEX, financée par UNIDROIT et librement accessible à l'adresse suivante : <www.unilex.info>. De nombreux législateurs se sont inspirés des Principes d'UNIDROIT lors de réformes de leur droit interne des contrats, et certains ont repris littéralement certains Principes d'UNIDROIT. Dans le même esprit, la CCI a intégré le choix des Principes d'UNIDROIT dans plusieurs de ses modèles de contrats.

E. Approbation de la CNUDCI : La Commission des Nations Unies pour le droit commercial international (CNUDCI) a approuvé les Principes d'UNIDROIT à plusieurs reprises, en 2007, 2012 et 2021 (s'agissant alors des Principes d'UNIDROIT 2016). En outre, en 2021, la CNUDCI, la HCCH et UNIDROIT ont uni leurs efforts pour publier un Guide juridique sur les instruments de droit uniforme relatifs aux contrats du commerce international, notamment de vente, invitant explicitement à envisager l'utilisation des Principes d'UNIDROIT également dans le cadre de l'application de la Convention sur la vente internationale de marchandises (CVIM), en indiquant *inter alia* : *« La question de savoir si et dans quelle mesure des principes externes peuvent contribuer à combler les lacunes de la CVIM en l'absence d'un accord des parties n'a pas été tranchée. […] Il est communément admis que ces derniers [c'est-à-dire les Principes d'UNIDROIT] ne sont pas, en tant que tels, considérés comme des principes généraux de la CVIM, mais qu'ils peuvent servir à corroborer l'existence d'un principe général donné et, partant, à interpréter la Convention (CVIM, art. 7-1) ou à en combler les lacunes (CVIM, art. 7-2), dès lors qu'il n'y a pas de conflit entre les deux instruments […]. »*

F. Les besoins des clients et le rôle des avocats : Partout dans le monde, les clients des avocats sont en droit d'attendre des prestations professionnelles de pointe. Ils peuvent attendre de leurs avocats qu'ils leur proposent un choix de solutions efficaces et performantes aux problèmes juridiques courants, adaptées à leurs besoins spécifiques et permettant de réduire les risques juridiques, y compris ceux résultant des différences entre systèmes juridiques nationaux. Les Principes d'UNIDROIT constituent un tel outil moderne. Il appartient dès lors à la profession d'avocat de faire connaître à ses clients cet outil, qui peut aider à surmonter le clivage entre différents systèmes juridiques nationaux, en particulier entre parties issues de pays de common law et de pays de droit civil, et à faciliter ainsi le commerce international, les contrats commerciaux transfrontières et le règlement international des différends.

G. Utilisation en tant qu'outil neutre : Les praticiens se sont référés aux Principes d'UNIDROIT dans le cadre de contrats internationaux et de règlements internationaux de différends. Selon les circonstances, les Principes d'UNIDROIT peuvent être utilisés par les praticiens à diverses fins : par exemple pour régir un contrat par accord des parties, soit de manière autonome (souvent combinée à une clause d'arbitrage international), soit en complément du droit national ; par accord des parties pour compléter des instruments internationaux, notamment la CVIM ; ou pour servir de liste de vérification lors de la rédaction de contrats internationaux.

H. L'ordre privé par le conseil juridique fondé sur les Principes d'UNIDROIT : Chaque fois que des avocats conviennent, pour le compte de leurs clients, de l'application des Principes d'UNIDROIT, ils contribuent à façonner l'État de droit. Dans le cadre du projet contractuel auquel les Principes d'UNIDROIT sont intégrés, les avocats contribuent à rendre le droit souple des Principes d'UNIDROIT contraignant en tant que droit « dur » (dans

Sur cette base, les signataires et organisations soutenant la présente « Déclaration de Berlin » ;

I. Considérant leur contenu propre et leur adoption par UNIDROIT en tant qu'organisation intergouvernementale, ainsi que l'approbation de la CNUDCI et les recommandations émises par l'UIA en 2021 et l'AIJA en 2025, *recommandent* à tous les avocats intervenant dans le domaine de la contractualisation internationale ou du règlement international des différends d'utiliser les Principes d'UNIDROIT 2016, selon le cas, aux fins prévues par leur préambule, notamment **(i)** en matière de contractualisation internationale, d'envisager le choix des Principes d'UNIDROIT comme régime contractuel neutre, en particulier lorsqu'il est combiné à une clause d'arbitrage (« Simplified Global Contracting »), en tenant dûment compte des circonstances propres au projet contractuel concerné, **(ii)** pour les contrats internationaux de vente de marchandises, d'envisager, comme alternative à l'application du droit interne, le choix de la CVIM telle qu'interprétée et complétée par les Principes d'UNIDROIT, **(iii)** en cas de différend, d'envisager d'intégrer les Principes d'UNIDROIT dans leurs observations et mémoires afin de faciliter une solution équilibrée et acceptable pour toutes les parties, et de parvenir à un accord transactionnel satisfaisant mettant fin au différend ;[4]

II. Adressent les invitations suivantes :

1. Nous **invitons** toutes les **associations internationales d'avocats**, tant celles regroupant des avocats en général que celles regroupant des juristes d'entreprise, dont des membres interviennent dans le domaine de la contractualisation internationale et/ou du règlement des différends, à émettre des recommandations formelles à leurs membres afin qu'ils envisagent les Principes d'UNIDROIT dans leur pratique quotidienne du commerce international, en tant qu'outil juridique.

2. Nous invitons les **barreaux et les associations internationales d'avocats** à informer leurs membres, par tout moyen approprié, de l'outil que peuvent constituer les Principes d'UNIDROIT dans le cadre de la contractualisation internationale et du règlement des différends, ainsi que de la nécessité de les envisager conformément au Guide juridique tripartite publié conjointement par la CNUDCI, UNIDROIT et la HCCH.

3. Nous **invitons** tous les **avocats internationaux en exercice** *(a)* à envisager les Principes d'UNIDROIT dans leur pratique quotidienne, comme un outil de contractualisation et de règlement des différends (par arbitrage, médiation, contentieux ou toute autre forme de

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la mesure où le droit international privé, le droit de l'arbitrage ou le droit interne des contrats applicable, reconnaissant l'autonomie de la volonté, l'autorise).

I. La diffusion de l'information est essentielle. En l'absence d'un enseignement mondial des Principes d'UNIDROIT dans les universités, en particulier dans les écoles de commerce et les facultés de droit, il est important de diffuser l'information relative aux Principes d'UNIDROIT afin de permettre aux parties et aux avocats de découvrir cet outil et de l'utiliser dans leur pratique, lorsque la référence aux Principes d'UNIDROIT peut être requise au titre des compétences professionnelles.

[4] La formulation du point I. comprend des clarifications textuelles minimes proposées par UNIDROIT le 4 mai 2026. Elles ne modifient pas la substance du texte, comme l'explique le message adressé par le Secrétariat d'UNIDROIT aux rapporteurs généraux dans les termes suivants : « La Déclaration semble excellente, et nous tenons à remercier l'ensemble des rédacteurs pour ce magnifique résultat. Malgré ce stade avancé, nous espérons toutefois que vous pourrez accepter quelques suggestions additionnelles de notre part, qui ne modifient ni la substance du texte introductif ni celle de la déclaration elle-même. Nous sommes pleinement conscients que de nombreuses organisations et personnes ont déjà accepté la Déclaration (ou l'ont adaptée dans leurs mémorandums). Nous estimons toutefois que les clarifications que nous proposons permettraient d'éviter des malentendus, en particulier auprès des lecteurs moins familiers des travaux et de la méthodologie d'UNIDROIT. » La version révisée a été communiquée à l'ensemble des coauteurs et organisations ayant accepté la Déclaration de Berlin dans sa version antérieure. Aucune objection n'a été reçue. C'est pourquoi la version révisée est publiée à Berlin.

mode alternatif de règlement des différends), même sous l'empire du droit interne, ainsi qu'un outil d'interprétation et de complément de la Convention sur la vente internationale de marchandises (CVIM) et d'autres instruments juridiques internationaux ; et *(b)* à s'impliquer au sein de leurs communautés, lors de séminaires, webinaires et conférences, ainsi que par des publications juridiques, afin de diffuser l'information sur la possibilité de recourir aux principes et règles généraux de droit compilés et développés par UNIDROIT, à savoir les Principes d'UNIDROIT relatifs aux contrats du commerce international.

4. Nous **invitons les associations professionnelles** dont les membres pratiquent la contractualisation internationale à informer leurs membres de cet outil rentable, réducteur de risques et neutre que constitue le recours aux principes généraux et règles de droit compilés et développés par UNIDROIT, à savoir les Principes d'UNIDROIT relatifs aux contrats du commerce international.

5. Nous **invitons les institutions d'arbitrage** à informer leurs utilisateurs de la possibilité de choisir les Principes d'UNIDROIT relatifs aux contrats du commerce international, chaque fois que leurs utilisateurs envisagent de recourir à des « règles de droit » (ou « principes de droit »), telles que visées dans le règlement d'arbitrage des institutions d'arbitrage concernées.

6. Nous **invitons les universités**, tant les facultés de droit que les écoles de commerce, à inclure des informations sur les Principes d'UNIDROIT dans le programme d'enseignement de leurs étudiants.

7. Nous **invitons les organisations étudiantes internationales et régionales** à organiser des événements consacrés aux Principes d'UNIDROIT afin d'informer leurs membres étudiants des possibilités de contractualisation internationale et de règlement des différends non couvertes par le programme général de leurs universités respectives.

Berlin, le 30 septembre 2026

Approuvée par les organisations suivantes :

Asian European Arbitration Centre[5]
Association Internationale des Jeunes Avocats (AIJA)[6]
Belgian-German Lawyers' Association[7]
Brazilian Academy of International Law[8]
Centre de conciliation et d'arbitrage de la Chambre de commerce du Guatemala (CENAC)[9]
Centre de médiation et d'arbitrage du GCAM - Organisation des entreprises du Cameroun (Centre de médiation et d'arbitrage du GCAM - Cameroun)[10]
Cercle d'arbitrage de Hambourg (HAC)[11]
Comité Consultatif de la CVIM[12]

[5] Approbation communiquée par le président de son actionnaire, l'Asian European Arbitration Association, le Dr Elke Umbeck, également au nom de Dominik Ziegenhahn, directeur général de l'ASEAC, le 8 octobre 2025.
[6] Signée en personne le 2 décembre 2025 par son président Arthur Stüssi dans les bureaux de Brödermann Jahn à Hambourg, Allemagne.
[7] Accord du conseil exécutif communiqué par Guido Imfeld le 21 mai 2026.
[8] Communiqué par son vice-président Claudio Finkelstein (coauteur adhérent) par courriel du 26 mai 2026.
[9] Accord communiqué par sa directrice générale, María Eugenia Ferreyra, par e-mail du 22 juin 2026.
[10] Accord communiqué par e-mail par son secrétaire général le 3 juillet 2026.

[11] Accord communiqué par son conseil d'administration (Antje Baumann/Simon Manner/Johanna Büstgens) le 23 juin 2026.
[12] Accord communiqué par sa présidente, Pilar Perales Viscasillas, par e-mail du 27 juillet 2026.

Comité du commerce international et de la distribution de l'Association internationale du barreau (IBA)[13]
Commission de résolution des conflits de la Chambre de l'industrie du Guatemala[14]
Consulegis : A close-knit global network[15]
Association allemande des avocats en Grèce (Deutscher Anwaltsverein Griechenland)[16]
Deutsch-Griechischer Juristenverein (DGJV) (*c'est-à-dire l'Association des juristes germano-hellénique*)[17]
Deutsch-Lusitanischer Juristenverein (DLJV) (*c'est-à-dire l'Association des juristes germano-lusitaniens*)[18]
DIE FAMILIENUNTERNEHMER e.V. (Entreprises familiales allemandes)[19]
European Law Students' Association (ELSA) Allemagne[20]
Harvard Club Hamburg[21]
ICC Allemagne[22]
Ilustre y Nacional Colegio de Abogados de México (INCAM)[23]
Institut tanzanien des arbitres[24]
Kun & Partner (Budapest, Hongrie)[25]
Le Centre de médiation et d'arbitrage (Maurice) Ltd (MARC)[26]
Lexledge – a global network[27]
Ordre des avocats d'Ukraine[28],
Research Centre for Private International Law in Emerging Countries, Faculty of Law, University of Johannesburg[29]
Ukrainian Future Hilfe-Verein e.V .[30]
Union Internationale des Avocats (UIA)[31]

par les personnes suivantes :

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[13] Consentement communiqué le 27 September 2027 par son co-président, Pieter W. Tubbergen, également au nom de son co-président (Riccardo Giorgio Cajola) et des vice-présidents (Dietmar Huemer and Martin Reufels).
[14] Information communiquée par son directeur exécutif, Victor López Juárez, par e-mail le 17 juin 2026.
[15] Par décision du 6 février 2026, communiquée le même jour par sa présidente Leila SABER et sa directrice générale Caroline CHETRIT.
[16] Accord communiqué par sa vice-présidente, Vicky Athanassoglou, le 5 juin 2026 lors du Forum du droit des affaires de l'UIA à Zurich.
[17] Accord communiqué par son président Stavros Konas le 3 novembre 2025.
[18] Autorisation communiquée par son président, le Prof. Dr. Dr. h.c. Stefan Grundmann, le 12 juin 2026.
[19] Accord communiqué par son vice-président Henning Fehrmann, le président de la région métropolitaine de Hambourg Andreas Fischer-Appelt, et le vice-président de la région métropolitaine de Hambourg Malte Wettern, ainsi que le président régional de Hambourg , Sven Höppner, et le président de la commission du droit de la concurrence et de la politique de numérisation Ulrich Herforth, par e-mail du 11 septembre 2026.
[20] Accord communiqué par sa présidente Nadine Hirth (conseil national d'ELSA Allemagne 2025/26) le 6 avril 2026.
[21] Approbation communiquée le 27 mars 2026 par ses présidents Stefanie Leclerk LL.M. '23 (Harvard) et Martin Bialluch LL.M. '23 (Harvard).
[22] Consentement communiqué par son secrétaire général, Oliver Wieck, par e-mail en date du 22 juin 2026.
[23] Décision du 10 décembre 2025, communiquée par Christian Zinser.
[24] Accord communiqué par sa secrétaire exécutive, Mariam Nicholaus Mruma, le 11 juin 2026, au nom de son président, Me Aderickson Njunwa.
[25] Accord communiqué par Mes Kertész Éva et Kun Péter, avocats, le 12 mai 2026.
[26] Consentement communiqué par son greffier, Alexis Merle, par e-mail du 22 juin 2026.
[27] Accord communiqué par son fondateur Chad Sluss MSA le 18 mai 2026.
[28] Par un mémorandum relatif à l'adhésion de l'Ordre des avocats d'Ukraine à la Déclaration de Berlin sur les principes d'Unidroit, signé le 30 juin 2026 par le président de l'Ordre des avocats d'Ukraine, M. Mykola Stetsenko, et transmis par e-mail le 2 juillet 2026.

[29] Accord communiqué par le Professeur Jan L Neels le 14 mai 2026
[30] Décision adoptée par le conseil le 23 avril 2026.
[31] Mention dans la Recommandation « Principes d'UNIDROIT » de l'UIA, émise le 28 octobre 2025 par le Comité exécutif de l'UIA à Guadalajara (→ § 5 II.2.i.aa).

Prof. Dr. *Klaus Peter Berger,* LL.M. (Virginia), fondateur et directeur du Center for Transnational Law (CENTRAL), Université de Cologne, Allemagne, arbitre international indépendant

Gary Born – président du groupe de pratique en arbitrage international chez Wilmar Cuttler Pickering Hale Dorr LLP, professeur honoraire à l'Université de Saint-Gall/Suisse (*Londres, Royaume-Uni*)

Christine Chappuis – professeure honoraire à l'Université de Genève (*Genève, Suisse*)

Alejandro Garro - professeur à l'Université Columbia, membre du Conseil consultatif de la CVIM (CISG-AC) (*Argentine/New York, États-Unis*)

Professeur *Yoshihisa Hayakawa*, professeur de droit à l'Université Rikkyo, associé chez Uryo & Itoga, directeur exécutif et secrétaire général du Japan International Dispute Resolution Center (JIDRC), président de la Fédération japonaise des barreaux (*Tokyo, Japon*)

Prof. Dr. Dres. h.c. *Herbert Kronke*, professeur émérite à l'Université de Heidelberg (Allemagne), arbitre au Tribunal des réclamations Iran-États-Unis, La Haye, ancien Secrétaire général d'UNIDROIT (*Heidelberg, Allemagne*)

Professeur Ange Sankieme Lusanga, docteur en droit (Université de Berne, Suisse) et docteur en théologie (Bâle, Suisse), avocat aux barreaux de Kinshasa-Matete et de Bruxelles (Ordre français), associé chez Lunda Law (Bruxelles, Kinshasa), professeur à l'Université pédagogique nationale (Kinshasa, RDC) et à l'Université protestante au Congo (Kinshasa, RDC)[32]

Prof. Dr. Dr. h.c. *Heinz Mansel*, professeur de droit civil, de droit international privé, de droit comparé et de procédure civile, directeur de l'International Investment Law Centre Cologne (IICC) et directeur de l'Institut de droit privé international et étranger (*Institut für internationals und ausländisches Privatrecht*), coéditeur et directeur de la revue *IPRax – Praxis des Internationalen Privat- und Verfahrensrechts* (« Pratique du droit privé international et de la procédure ») (*Cologne, Allemagne*)

Prof. Dr. *Ralf Michaels*, directeur du Max Planck Institute for Comparative and International Private Law à Hambourg, titulaire de la chaire de droit mondial à la Queen Mary University of London, et professeur de droit à l'Université de Hambourg (*Hambourg, Allemagne*)

Professeur *Peter Arnt Nielsen,* LL.M. (Cambridge), Ph.D. (Copenhague), professeur à la Copenhagen Business School (CBS Law) et professeur extérieur au Collège d'Europe (Bruges), arbitre et médiateur (*Copenhague, Danemark*)

Professeur *Dominic Spenser Underhill* - professeur honoraire à la faculté de droit de Queen Mary, Université de Londres, solicitor, arbitre (*Londres, Royaume-Uni*)

Professeur Dr. Dr. h.c. mult. *Reinhard Zimmermann* – ancien directeur du Max Planck Institute for Comparative and International Law à Hambourg, professeur à la Bucerius Law School de Hambourg et professeur honoraire à l'Université d'Édimbourg

Ainsi que par les "Rapporteurs Speciaux"

Professor Dr. *Eckart Brödermann,* Licence and Maîtrise en droit (University René Descartes Paris V), LL.M. (Harvard University), Fellow of the Chartered Institute of Arbitrators (London), *Lawyer*, Certified Specialist in International Business Law (Germany), Founding Partner of Brödermann Jahn (Hamburg), Attorney-at-Law (New York), Arbitrator, Professor at the University of Hamburg, Faculty of Law, Vice President of the Arbitration Court

[32] Signée sur la base d'une traduction française préparée par Angèle Perignon Lunda Mutombo, avocate au Barreau de Bruxelles (Ordre français), fondatrice de Lunda Law (Bruxelles, Kinshasa).

of the German-Bulgarian Chamber of Commerce, Honorary Chairman of the Board of the Asian European Arbitration Centre (*Germany*)

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ainsi que par la totalité de 370 coauteurs issus de 103 juridictions (compté au moment de la publication de la Déclaration de Berlin le 30 September 2026)

de la contribution *« From Soft Law Formulation To Implementation As Hard Law, The Case Of The UNIDROIT Principles of International Commercial Contracts »* présentée dans l'atelier *« Legal Counselling as Transnational Rule Setting »* du Congrès mondial de l'Académie Internationale de Droit Comparé à Berlin, du 28 septembre au 3 octobre 2026 ;

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