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Editorial

Jeffrey Wool & Rafal Zakrzewski

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Editorial

Jeffrey Wool

Universities of Washington and Oxford – General Editor

Rafal Zakrzewski

University of Cambridge – Editor

This past year has witnessed major developments in all aspects of the Cape Town Convention (“CTC”) system, starting with several additional ratifications. The United Kingdom, Australia and others have become party to the treaty. That, in turn, has added to the momentum for other ratifications, including several in Europe expected over the coming period. Important legal cases have been decided, both on substantive issues (the *SpiceJet* litigation in India) and those involving the International Registry (the *Belair* litigation in Ireland). The International Registry has launched a revolutionary re-design, the ‘closing room’, which replicates, in electronic terms, the dynamics of a transaction closing and provides the frame for registrations. That will undoubtedly be the starting point in the development of many future registration systems for secured (and other) transactions. Finally, a fundamental revision to the Practitioners’ Guide was released, which with the Official Commentary belongs in the centre of any detail-oriented Cape Town Convention library.

All of the foregoing may be found on the increasingly comprehensive website of the Cape Town Convention Academic Project (the ‘Project’), www.ctcap.org, a joint undertaking between the University of Oxford Faculty of Law and the University of Washington School of Law.

The fourth issue of Cape Town Convention Journal (the ‘CTC Journal’) adds to the corpus of important treaty materials. In line with the focus of the CTC Journal – to provide *in-depth, qualitative analysis of important, difficult or complex* topics under the Convention and its various Protocols – this issue covers these CTC items: legal opinions, standards and practices (P Durham and K Basch); the interaction between remedies and local procedural law (D Gray, J MacIntyre, and J Wool); public and private features of the treaty (L Weber); basic features of the protocol on mining, agriculture and construction equipment which is under development (H Gabriel, and a comment thereon by C Mooney Jr); international sanctions on the International Registry (D Fennelly); and the treaty’s relationship with the Geneva Convention of 1948 (D Hanley). For completeness, this issue continues the practice of including an article on depositary related matters by the UNIDROIT Secretariat, including a status report on ratifications and accessions and summaries of declarations made. Reflecting the spirit of openness animating the Project, this Journal continues to be available in electronic form at no cost. (A printed hard copy may be ordered.)

As was the case in prior years, the papers and topics in the CTC Journal were the subject of a conference held in Oxford under the auspices of the Project. We were joined by senior UK

government officials (H Gowan and R Ferris) and Sir Roy Goode to explain and discuss the effect of the UK ratification. The format for the conference is designed to facilitate intensive discussion and debate, with a presenter (the author of the paper) and one or more commentators. The event generated many new ideas and insights, the only problem being its popularity: we needed a larger space and need, in the

future, to ensure that the intimacy of the event is maintained.

One overriding theme that emerges from these articles and the related conference is that the CTC must increasingly be viewed in 'applied' as well as 'conceptual' terms. We expect that to be reflected in the topics selected for next year's CTC Journal and related conference.