

JOHN O. HONNOLD

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It is an honor for me to participate in this tribute to Professor John Honnold. I frequently reflect upon the close personal and professional relationship that I have enjoyed with Professor Honnold ever since he appointed me a legal officer in the International Trade Law Branch, which he headed during its early years (1969-1974). I was his first recruit to the staff of the Branch. However, I have had less frequent occasion to acknowledge publicly and to pay tribute to the legacy of Professor Honnold to the Branch, which is also the Secretariat of the United Nations Commission on International Trade Law (UNCITRAL) and to the Commission itself.

Professor Honnold, because of his knowledge and experience in the field of international trade law, was the first Chief of the International Trade Law Branch and the first Secretary of UNCITRAL to have been selected. With his background, he provided the substantive guidance that enabled the Secretariat to help bridge the gaps among national legal systems in the areas of international trade law that had been taken up by the Commission: international sale of goods, international payments, international commercial arbitration, and carriage of goods by sea. The organizational framework that he established and his rigorous insistence on scholarship and intellectual excellence, enabled the Secretariat to produce high quality work that served as a foundation for the Commission's successes.

An appreciation of the depth and thoroughness of the work of the Secretariat under Professor Honnold may be gleaned from an examination of the UNCITRAL Yearbooks covering his tenure as Chief of the Branch. This examination reveals, for example, that no less than twenty-five reports and studies were prepared by the Secretariat on various aspects of the law of international sale of goods. The breadth of these studies and the high standards of scholarship that they reflect doubtless contributed to the success of the Commission in the two international conventions in this field that it produced.¹ Moreover, in the

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¹ United Nations Convention on Contracts for the International Sale of Goods, U.N. Sales No. E.81.IV.3 (1981), *reprinted in* [1980] 9 UNCITRAL Yearbook 151, U.N. Sales No. E.81.V.8 (1982); Convention on the Limitation Period in the Interna-

Vienna Sales Convention can be seen Professor Honnold's commitment to a unification of law that is practical and realistic. The creation of a Convention to govern international sales transactions, understandable and usable by businessmen in every part of the world, in marked contrast to the 1964 Hague Uniform Law on International Sales that it is to replace, is due to a significant degree to the influence of Professor Honnold.

Since the "Honnold years," the workload of the Commission and its Secretariat has changed and expanded significantly. Having successfully completed work in traditional areas of international trade law, the Commission has entered other areas, using nontraditional devices for the unification of law. Examples are the two legal guides currently being prepared by the Secretariat for the Commission, on international contracts for the construction of industrial works, and on electronic funds transfers.

Despite these changes in its work, the UNCITRAL Secretariat continues to reflect the efficient organization, the working methods, and the standards of quality Professor Honnold first created. Professional staff members of the Secretariat are well-qualified individuals from most major geographic regions and most principal legal systems of the world. Although projects are initially the responsibility of individual staff members or teams of staff members, studies and other documents issued in the name of the Secretariat result from the combined efforts of all of its members. An important consequence of this practice is that every substantive study receives a thorough comparative law critique before it is issued. Collective responsibility is a functional reality and not just a formal concept. In a very real sense, the Secretariat has evolved into Professor Honnold's conception of a productive and respected research institution.

As a result of Professor Honnold's influences, the Secretariat has come to enjoy a special relationship with the Commission. Because of the high quality of its work, free from political factors, it has earned the confidence of the Commission, and the Commission has vested in the Secretariat an unusual degree of intellectual independence. In its preparation of legal texts, the Commission does not make use of special rapporteurs, as is common in many international legal organizations. Rather, it relies on its Secretariat for legal research and the preparation of studies and draft texts to serve as a basis for its work.

The high quality of the work of the UNCITRAL Secretariat has

been acknowledged both within and outside the United Nations. The General Assembly recently recognized the Secretariat's important role in the implementation of the Commission's work program, which serves as the United Nations' central legal body in the field of international trade law. Members of the Secretariat are called upon to participate in seminars and colloquia worldwide. Studies and drafts produced by the Secretariat for the Commission are used as teaching materials in law schools in many countries.

The high regard in which the UNCITRAL Secretariat is held results from the lasting traditions established by Professor Honnold. I have the good fortune to have served under him as a staff member of the Secretariat until 1973 and to have been influenced directly by his leadership and standards. Later, while participating in UNCITRAL activities in a different capacity, I was able to observe that the traditions established by him had prevailed even after his departure from the Secretariat. When I returned to the Secretariat in 1980 as Chief of the International Trade Law Branch, I was proud, but not surprised, to observe that the Honnold legacy had endured.