

CHALLENGE AND OPPORTUNITY: THE ALI/III GLOBAL PRINCIPLES PROJECT

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Summary

This article deals with an international project to establish the extent to which it is feasible to achieve a worldwide acceptance of the *Principles of Cooperation among the NAFTA Countries* together with the *Guidelines Applicable to Court-to-Court Communications in Cross-Border Cases*. This contribution explains the process whereby the American Law Institute and the International Insolvency Institute (1) developed principles of cooperation with regard to cross-border insolvency; (2) established acceptance of these principles in jurisdictions across the world, subject to any necessary local modifications; and (3) obtained the endorsement of leading domestic associations, courts, and other groups in those jurisdictions. This article may contribute to the development the South African cross-border insolvency law. The inclusion of the challenges of harmonisation of private international law is also contributing to current debate.

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