



**DIPLOMATIC CONFERENCE TO ADOPT A MOBILE EQUIPMENT
CONVENTION AND AN AIRCRAFT PROTOCOL**

(Cape Town, 29 October to 16 November 2001)

PROPOSAL CONCERNING THE DRAFT CONVENTION

(Presented by Mexico)

The Mexican delegation proposes the elimination of Article 44 of the Convention on international interests in mobile equipment.

Mexico has supported in different forums, especially the international Conference of The Hague, the principle according to which, failing agreement between the parties, the prevailing jurisdiction should be that of the debtor's residence. We recognise however that the common law system postulates a different principle.

In view of the fact that it is impossible to draft a compromise solution leading to a minimum level of consensus and considering that the existing solution causes more problems than it tries to resolve, we request the elimination of Article 44.

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