The banks in China and Australia have no problem with the format but this case I believe involved a confirming bank in a third country who the cynic in me says took their confirmation fee and then avoided their responsibility by finding an alleged discrepancy. The ICC Technical Advisors then regrettably also misunderstood ISBP745 Paragraph L1 and assumed incorrectly that the certificate of origin needs to state the actual country of origin when there is no such requirement.

All challenging stuff as I transit through the twilight of my career of over 50 years into impending retirement in the tropics.

---

**PAYING HOMAGE TO VIENNA 1933**

*by Xavier FORNT*

A handful of entrepreneurs decided in 1919 to create an organization that would represent business everywhere. The International Chamber of Commerce (ICC) was born. Some years later, their vision to enhance the structure of business practice became reality. Let’s allow our imaginations take us to Vienna 1933.

It was February 11th. One of those cold days in a Vienna winter. At this point the group had grown to 20 or 30 merchants of peace gathered around a table ... clad in dark suits with vests ... sporting pocket watches with chains ... hats and coats draped on hangers. And on the central table of that great hall, a pair of inkwells, pens, blotting papers, and a few sheets of paper marked in red lettering “Proposal for a Uniform Customs and Practice for Commercial Documentary Credits”.

The assembled ones were trying to improve and update the Uniform Regulation for Commercial Documentary Credit that had been approved in Amsterdam on 13 July 1929. Smoky cups of coffee and tea accompanied the long discussions. The result of this meeting was the first Uniform Customs and Practice for Commercial Documentary Credits (UCP 82) which over time have been revised.

But what did this first set of rules say? How have it changed over time? Now 85 years after its initial publication, the time has come to pay homage to UCP. And the best way is to remember Vienna 1933 and the legacy it launched.

In this first edition of the Uniform Customs and Practice for Commercial Documentary Credits, no mention was made, of course, of electronic documents. The second paragraph of Article 9 of UCP 82 began by stating: “When a correspondent is instructed by cable or telegram to notify such Letter of Credit ...” Consider how far the world has come from cables and telegrams.

---

* Professor at Barcelona School of Management and ESCI, University Pompeu Fabra (Barcelona).
It was 69 years later, in April 2002, when the Supplement to UCP for Electronic Presentation (eUCP) came into effect. In the preface to that supplement, then-Chairman of the Commission, Dieter Kiefer, wrote: “The completion of the UCP Supplement for Electronic Presentation (eUCP) brings the documentary credit into the electronic age.”

And since then we have witnessed the birth of a series of platforms that have sought to channel and perhaps monopolize the traffic of these electronic presentations, but I think with little success. Many small and medium-sized businesses operating in the world of international trade are not yet ready for this new electronic age. However, there is a possibility that the original paper documents required in a documentary credit are scanned. And all companies, even the smaller ones, have that capacity.

We now enter the debate: Can a document scanned from the original be considered an electronic record?

And the scanning of an original document is sent and received by electronic means?

And the scanning of an original document shows the source and is unaltered?

And the scanning of an original document is capable of being examined for compliance?

If all three answers are yes, would we agree that the scanning of an original document can be considered an electronic record?

If we again answer yes, the possibility for small businesses to use credits subject to the eUCP supplement would be immense.

But let’s continue analyzing. With the documents scanned, it is very possible that importers/applicants could not dispatch the underlying goods and present the electronic records at their respective customs offices. They continue to need the original paper documents. Nothing would prevent the exporter from submitting the originals directly to their importing client once the electronic presentation was made and accepted.

These considerations would surely astonish those visionaries who, sitting around a table in Vienna, were working to draft the first set of uniform rules. This article serves as a tribute to how far those pioneers have taken us and how far we still have to go.