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GOVERNING COUNCIL
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Rome, 10 - 12 May 2017

UNIDROIT 2017
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SUMMARY OF CONCLUSIONS

Item 1 on the agenda: Adoption of the annotated draft agenda (C.D. (96) 1 rev. 3)

1. The Governing Council adopted the agenda as proposed in document C.D. (96) 1 rev. 3.

Item 2 on the agenda: Appointment of the First and Second Vice-Presidents of the Governing Council (C.D. (96) 1 rev. 3)

2. The Governing Council appointed Mr Arthur Hartkamp as First Vice-President of the Governing Council and renewed the appointment of Mr Lyou Byung-Hwa as Second Vice-President, both of whom will serve in these positions until the 97th session of the Council.

Item 3 on the agenda: Reports

(a) Annual Report 2016 (C.D. (94) 2)

3. The Council took note of the Secretary-General's report on the activity of the Institute in 2016. The Council thanked the Secretariat for the numerous activities undertaken during the Institute's 90th year.

(b) Report on the UNIDROIT Foundation

4. The Council took note of the report by the Vice-President of the UNIDROIT Foundation, and thanked the Foundation for its continued support of the Institute.

Item 4 on the agenda: International Interests in Mobile Equipment

(a) Implementation and status of the Luxembourg Rail Protocol and of the Space Protocol (C.D. (96) 3)

5. The Council took note of the developments in relation to the implementation of the Luxembourg Rail Protocol and the Space Protocol. The Council encouraged the Ratification Task Force to continue to pursue early entry into force of the Luxembourg Rail Protocol.

(b) Fourth Protocol of the Cape Town Convention on matters specific to agricultural, construction and mining equipment (C.D. (96) 4)

6. The Council took note of the progress made at the first session of the Committee of Governmental Experts for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment. The Council noted that the second session of the Committee of Governmental Experts had been scheduled for 2 – 6 October 2017 and expressed its hope that the Committee would be able to conclude the draft text at the upcoming session.

Item 5 on the agenda: Transactions on Transnational and Connected Capital Markets - Principles and Rules Capable of Enhancing Trading in Securities in Emerging Markets (C.D. (96) 5)

7. The Council considered and adopted the UNIDROIT Legislative Guide on Intermediated Securities. The Council expressed its gratitude to the Secretariat for its work on the instrument and authorised the Secretariat to promote its dissemination and implementation.

Item 6 on the agenda: Private Law and Agricultural Development

(a) Follow-up activities and promotion of the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming (C.D. (96) 6(a))

8. The Council took note of the follow-up and promotional activities for the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming. The Council encouraged the Secretariat to continue to work with partner organisations to further disseminate the instrument.

(b) Preparation of an international guidance document on agricultural land investment contracts (C.D. (96) 6(b))

9. The Council took note of activities of the Secretariat to prepare an international guidance document on agricultural land investment contracts and expressed its appreciation for the work conducted by the Secretariat on the project.

Item 7 on the agenda: Transnational civil procedure - formulation of regional rules (C.D. (96) 7 and 7 Add.)

10. The Council took note of the progress made in the formulation of regional rules of transnational civil procedure. The Council expressed its support for the project, and noted that the final instrument would be of great value in Europe and beyond. The Council also took note of the draft set of Rules contained in document (C.D. (96) 7 Add).

Item 8 on the agenda: International Commercial Contracts: Formulation of principles of reinsurance contracts

11. The Council took note of the progress made on the formulation of principles of reinsurance contracts. The Council reiterated the importance of UNIDROIT remaining active in the field of international commercial contracts and renewed the Secretariat's mandate to participate as a leading member of the project.

Item 9 on the agenda: **International Sales Law: Preparation of a guidance document on existing texts in the area of international sales law in cooperation with UNCITRAL and the Hague Conference on Private International Law (C.D. (96) 8)**

12. The Council took note of the progress made on the preparation of a guidance document on international sales law. The Council encouraged the Secretariat to continue its collaboration with the Hague Conference and UNCITRAL on the project.

Item 10 on the agenda: **International protection of cultural property (C.D. (96) 9)**

(a) Follow-up activities and promotion of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects

13. The Council took note of the follow-up activities and promotion of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. The Council expressed its appreciation for the continued work of the Secretariat in the cultural property field.

(b) Private art collections

14. The Council took note of the activities of the Secretariat in relation to private art collections. The Council encouraged the Secretariat to continue to investigate possible future work on the topic.

Item 11 on the agenda: **Promotion of UNIDROIT instruments (C.D. (96) 10)**

15. The Council noted the initiatives of the Secretariat to promote UNIDROIT instruments. The Council reiterated the importance of promoting existing UNIDROIT instruments.

Item 12 on the agenda: **Library and research activities (C.D. (96) 11)**

16. The Council took note of developments in the Library, its policies and acquisitions, and expressed its appreciation for its promotion of research through the Scholarship and Internship Programme.

17. The Council authorised the Secretariat to undertake measures to begin the digitisation of the library's collection, within the limited budget available for the project.

Item 13 on the agenda: **UNIDROIT information resources and policy (C.D. (96) 12)**

(a) Uniform Law Review/ Revue de droit uniforme and other publications

18. The Council took note of the various publications prepared by the Secretariat. The Council stressed the importance of the publications in promoting the work of the Institute.

(b) The UNIDROIT Web Site and Depository Libraries for UNIDROIT documentation

19. The Council took note of the activities of the Secretariat in the digital sphere, including the operation of the UNIDROIT website and the progress of the UNIDROIT social media accounts.

Item 14 on the agenda: Administrative matters**(a) Preparation of the draft budget for the 2018 financial year (C.D. (96) 13 (a))**

20. The Council considered the draft Budget for the 2018 financial year and authorised the Secretariat to communicate it to member States.

(b) Report of the Permanent Committee (C.D. (96) 13 (b))

21. The Council took note of the report of the Permanent Committee.

22. The Council approved the re-appointment of the Deputy Secretary-General for a second term beginning 1 October 2017. The Council congratulated the Deputy Secretary-General and thanked her for her significant contributions to the work of the Institute.

23. The Council noted that the Secretary-General's appointment would expire on 30 September 2018. The Council authorised the Permanent Committee to begin the selection process for a successor to the Secretary-General, so as to be able to submit a nomination to the Council at its 97th session in 2018.

Item 15 on the agenda: Date and venue of the 97th session of the Governing Council (C.D. (96) 1 rev. 3)

24. The Council agreed that the 97th session of the Governing Council should be held from 2 – 4 May 2018, at the seat of UNIDROIT in Rome.

Item 16 on the agenda: Any other business**Private Law and Development – Cooperation with the Global Forum on Law Justice and Development (GFLJD) and possible future work in relation with the "Human-Centred Business Model" Project (C.D. (96) 14)**

25. The Council took note of the report by the Secretariat. The Council authorised the Secretariat to continue to work with the GFLJD with a view to participating in the development of the project, subject to funding being made available.

Item 17 on the agenda: International Colloquium on EU law and national private law (12 May 2017) (C.D. (96) 1 rev. 3)

26. The Council adjourned for the International Colloquium on EU law and national private law.