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**Item No. 9 on the Agenda: Approval of the draft Budget for 2019
and fixing of contributions of Member States for that financial year**

(prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Explanation of the proposed expenditure and receipts under the 2019 draft Budget and the proposed contributions of Member States</i>
<i>Action to be taken</i>	<i>Approval of the draft Budget for 2019</i>
<i>Related documents</i>	<i>UNIDROIT 2018 – F.C. (85) 7</i>

Introduction

1. The first estimates of receipts and expenditure for the 2019 financial year prepared by the Secretariat (F.C. (84) 2) were examined by the Finance Committee at its 84th session (Rome, 15 March 2018), in accordance with Article 31 of the Regulations. Those first estimates were then submitted to the Governing Council, which at its 97th session (Rome, 2-4 May 2018), established the draft Budget for 2019 as set forth in the Annex to this document, taking into account the opinion expressed by the Finance Committee.

2. In line with the Institute's practice, the draft Budget resulting from this procedure has been submitted to the Governments of UNIDROIT Member States with a view to their formulation of any observations that they might wish to make by 27 August 2018, and none were received. Overall, the Secretariat proposes a total expenditure of € 2,289,370.00 for the 2019 Budget. This total reflects an increase compared to the expenditure authorised under the 2018 Budget of € 17,500, which is fully attributable to the annual payment received under the five-year licencing agreement with Aviareto that has been incorporated into the Budget (see Receipts, note 5). The Secretariat proposes to cover the Institute's expenditure in 2019 as follows:

Statutory contributions of other Member States ¹	€	2,223,870.00
Other receipts	€	50,500.00

¹ See Explanatory Note 1 To The Draft Budget – Receipts.

3. The draft Budget for 2019 does not anticipate a balance being carried over from the 2018 financial year, neither does it include estimates on financing from private sources for particular projects and activities (e.g. organisation of meetings, sponsoring of research fellows, scholarship, purchase of books and journals and the promotion of UNIDROIT instruments). The Secretariat will continue to solicit voluntary contributions of this type, which will be accounted for separately.

4. The Secretariat would propose that the statutory contributions of all Member States for 2019 be calculated on the basis of a unit of contribution amounting to € 2,530.

5. Under this proposal, the statutory contributions of Member States would be as follows:

Category I	€ 126,500.00
Category II	€ 55,660.00
Category III	€ 45,540.00
Category IV	€ 32,890.00
Category V	€ 27,830.00
Category VI	€ 22,770.00
Category VII	€ 20,240.00
Category VIII	€ 12,650.00
Special Category	€ 2,530.00

6. At its 85th session (Rome, 4 October 2018), the Finance Committee expressed itself in favour of the draft Budget for the 2019 financial year and recommended that the General Assembly adopt the draft Budget for the 2019 financial year.

7. In light of the foregoing, the General Assembly, at its 77th session, may wish to adopt the draft Budget for 2019 as set forth in the Appendix to this document.

ANNEX

**DRAFT BUDGET
FOR THE 2019 FINANCIAL YEAR**

RECEIPTS (in Euro)

	Budget 2018	Budget 2019
Chapter 1: Contributions of Member States¹		
Contributions of Member States	2,223,870.00	2,223,870.00
Chapter 2: Other receipts:		
Art. 1 (Interest) ²	1,000.00	1,000.00
Art. 2 (Contributions to overhead expenses) ³	15,000.00	15,000.00
Art. 3 (Sale of publications) ⁴	17,000.00	17,000.00
Art. 4 (Aviareto) ⁵	0.00	17,500.00
Chapter 3: Various receipts		
Tax reimbursement credit ⁶	15,000.00	15,000.00
Total of receipts	2,271,870.00	2,289,370.00

EXPLANATORY NOTES TO THE DRAFT BUDGET - RECEIPTS

¹ The Secretariat has retained the same sum for contributions of Member States as previous years. At its 76th session (Rome, 7 December 2017), the UNIDROIT General Assembly adopted a revised methodology for the classification of Member States, which (a) included two new Categories in the Contributions Chart to address the current gap between existing Categories I and II and to break the current range of contributions in existing Category VIII into two; and (b) “would make use of the UN scale of assessments for 2019-2021 and come into effect in 2019” (see UNIDROIT 2017 – A.G. (76) 10, paras. 43-49; see also UNIDROIT 2017 – A.G. (76) 6) (describing the basic assessment rules, the classification methodology and the Finance Committee’s review of the Contributions Chart)). As of this writing, however, the UN scale of assessments for 2019-2021 is not yet available, and it likely will not be issued until late December 2018 (see UN Doc A/RES/70/245 (23 Dec. 2015) (containing the UN scale of assessments for 2016-2018, which was adopted by the UN General Assembly on 23 December 2015); UN Doc A/73/150 (20 July 2018) (containing the provisional agenda of the UN General Assembly’s 73rd session, which is to begin on 18 September 2018 and includes consideration of the UN scale of assessments for 2019-2021 as item 141 out of 175 on that agenda)).

The Finance Committee, at its 84th session (Rome, 15 March 2018), flagged the possibility that the new UN scale of assessments might not be issued in time for the Finance Committee’s 85th session (Rome, 4 October 2018) or even the General Assembly’s 77th session (Rome, 6 December 2018). In this regard, concerns were expressed, in particular with respect to difficulties arising from domestic budgetary cycles and late changes in the amount of contributions (see UNIDROIT 2018 – F.C. (84) 5, paras. 9-10, 16, 19, 22, 26-31). In the event that the new UN scale of assessments was not ready, it was noted that the Finance Committee “would have various options, including basing the Contributions Chart on the current UN scale of assessments [for 2016-2018] or using the current Contributions Chart for an additional year” and that “the Finance Committee would be able to make a decision at its fall session” (see *id.* para. 27). For consistency and in light of the concerns expressed about the timing and budgetary cycles, in accordance with a proposal by the Secretariat, the Finance Committee, at its 85th session (Rome, 4 October 2018), recommended that UNIDROIT’s current

Contributions Chart be used for an additional year and that the new Contributions Chart, which would make use of the UN scale of assessments for 2019-2021, come into effect in 2020 (UNIDROIT 2018 – F.C. (85) 8, paras. 30, 33 *et seq.*).

2 The Secretariat estimates the interests earned on deposits in checking accounts to be the same as in previous years.

3 This sum represents the share of the Office for Italy and San Marino of the International Labour Organization in the operating expenses of the premises of UNIDROIT.

4 The Secretariat estimates the income earned from the sale of publications to be approximately the same as in previous years.

5 UNIDROIT is to receive in 2019 the third of five annual USD 20,000 payments from Aviareto, the International Registry under the Aircraft Protocol to the Cape Town Convention, in accordance with a five-year licencing agreement by which UNIDROIT provided an electronic version of the third edition of the Aircraft Protocol Official Commentary by Sir Roy Goode to Aviareto to make available to users of the International Registry. Such payments were previously noted in the Budget (UNIDROIT 2017 – A.G. (76) 8, Receipts, note 2), but have now been incorporated into it.

6 The extraordinary income estimated under this Chapter relates to the reimbursement by the Government of the United States of America of federal, state and municipal taxes payable by a US citizen appointed to the UNIDROIT Secretariat, under the terms of a tax reimbursement agreement signed between UNIDROIT and the Government of the United States of America on 17 September 2013 (see Expenditure, note 4).

EXPENDITURE (in Euro)

	2018	2019
Chapter 1 – Meeting and travel costs ¹		
Art. 1 (Governing Council and Permanent Committee)	50,000.00	50,000.00
Art. 2 (Auditor)	4,500.00	4,500.00
Art. 3 (Administrative tribunal)	-	-
Art. 4 (Committees of Experts)	120,000.00	107,500.00
Art. 5 (Official journeys and promotion of activities)	50,000.00	55,000.00
Art. 6 (Interpreters)	36,000.00	36,000.00
Art. 7 (Representation)	8,000.00	8,000.00
Subtotal	268,500.00	261,000.00
Chapter 2 – Salaries and allowances		
Art.1 (Salaries of Categories D, P and GS staff and consultant) ²	1,179,293.00	1,189,293.00
Art. 2 (Remuneration for occasional collaborators) ³	20,000.00	32,500.00
Art. 3 (Tax reimbursement) ⁴	15,000.00	15,000.00
Subtotal	1,214,293.00	1,236,793.00
Chapter 3 – Social security charges		
Art. 1 (Insurance against disablement, old age and sickness) ⁵	414,327.00	434,327.00
Art. 2 (Accidents' insurance) ⁶	9,000.00	9,000.00
Art. 3 (Compensation for retired members of staff) ⁷	2,250.00	2,250.00
Subtotal	425.577.00	445.577.00
Chapter 4 – Administrative expenses ⁸		
Art. 1 (Stationery)	20,000.00	15,000.00
Art. 2 (Telephone, fax and Internet)	23,000.00	18,000.00
Art. 3 (Postage)	11,500.00	10,000.00
Art. 4 (Miscellaneous)	5,000.00	5,000.00
Art. 5 (Printing of publications)	15,000.00	15,000.00
Subtotal	74,500.00	63,000.00
Chapter 5 – Maintenance costs ⁹		
Art. 1 (Electricity)	20,000.00	16,000.00
Art. 2 (Heating)	20,000.00	20,000.00
Art. 3 (Water)	7,000.00	7,000.00
Art. 4 (Insurance of premises)	12,000.00	12,000.00
Art. 5 (Office equipment)	26,000.00	24,000.00
Art. 6 (Upkeep of building, public services)	30,000.00	30,000.00
Art. 7 (Labour costs)	45,000.00	45,000.00
Subtotal	160,000.00	154,000.00
Chapter 6 – Library ¹⁰		
Art. 1 (Purchase of books)	90,000.00	90,000.00
Art. 2 (Binding)	9,000.00	9,000.00
Art. 3 (Software)	30,000.00	30,000.00
Subtotal	129,000.00	129,000.00
Total expenditure	2,271,870.00	2,289,370.00

EXPLANATORY NOTES TO THE DRAFT BUDGET - EXPENDITURE

1 **Purpose of expenditure:** to cover travel and subsistence expenses incurred by the members of the Governing Council and of the Permanent Committee in their attendance of sessions of those bodies; the fees due to the auditor appointed by the General Assembly; the costs of hearings of the Administrative Tribunal, registrar services and sums awarded by the Tribunal for settlement of claims; the costs incurred by UNIDROIT in organising meetings of committees of experts and other meetings associated with UNIDROIT's Work Programme; the travel and subsistence expenses incurred by representatives of UNIDROIT, members of staff and collaborators in connection with the attendance of meetings of other organisations with which UNIDROIT cooperates, as well as missions intended to further awareness of UNIDROIT's work in general and, where appropriate, to encourage accession to the Statute of the Organisation; the cost of simultaneous interpretation at meetings held by UNIDROIT; and the cost of representation functions, such as receptions and similar events organised by UNIDROIT in connection with its meetings.

With respect to Article 4 (Committees of Experts), the Secretariat notes that this line of expenditure had been increased by € 30,000 in the Budget for 2017 as a result of the departure of a long-serving staff member and in anticipation of possible additional activities in connection with the establishment and implementation of the triennial Work Programme for 2017-2019 (UNIDROIT 2016 – A.G. (75) 7, Expenditure, notes 1-2). It is estimated that, in light of current activities, the costs incurred by UNIDROIT in organising meetings of Committees of Experts and other meetings associated with the UNIDROIT's Work Programme can be reduced slightly. The Secretariat thus proposes a decrease of € 12,500. It is anticipated, however, that in the event additional expenditure is necessary – for example in connection with the convening of the diplomatic Conference to adopt the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment – such expenditure could be covered by the surplus from previous years in accordance with Article 38(4) of the UNIDROIT Regulations (see, e.g., UNIDROIT 2018 – F.C. (85) 3, Receipts, note 1; UNIDROIT 2018 – F.C. (85) 8, paras. 10, 16) and would be reported in the Adjustments to the Budget for the 2019 financial year to be reviewed by the Finance Committee at its fall session in 2019.

With respect to Article 5 (Official journeys and promotion of activities), the Secretariat proposes that, with part of the payment from Aviareto (see Receipts, note 5), this line of expenditure be increased by € 5,000 in order to support further promotion of UNIDROIT's current activities and instruments, including those in connection with the Cape Town Convention on International Interests in Mobile Equipment and its Protocols, as well as funding activities aimed at increasing its membership. As noted with respect to Article 4 (Committees of Experts) in the paragraph above, in the event additional expenditure is necessary, such expenditure could be covered by the surplus from previous years.

2 **Purpose of expenditure:** to cover the salaries and allowances of the professional, administrative, secretarial and library members of UNIDROIT staff as well as remuneration of consultants.

The Secretariat proposes that this line of expenditure be increased by € 10,000 to take into account regular within grade step increments pursuant to the UNIDROIT Regulations. This increase does not exceed the amount forecast by the expert consultant in connection with the review of the compensation package offered to UNIDROIT staff, which resulted in the transition of all staff to the UN salary scales localised for Rome in February 2018 (UNIDROIT 2018 – A.G. (77) 8; UNIDROIT 2018 – F.C. (84) 4; UNIDROIT 2017 – A.G. (76) 10, paras. 50-64).

3 **Purpose of expenditure:** to cover the cost of remuneration of occasional collaborators, including to support UNIDROIT's legislative and promotional activities.

The Secretariat proposes that, with the remainder of the payment from Aviareto (see Receipts, note 5), this line of expenditure be increased by € 12,500 in order to provide greater funding for work with occasional collaborators to fulfil and promote UNIDROIT's current activities and instruments.

4 **Purpose of expenditure:** to cover the cost of federal, state and municipal taxes payable by a US citizen appointed to the UNIDROIT Secretariat. These costs will be refunded by the Government of the United States of America, under the terms of a tax reimbursement agreement signed in September 2013.

The first financial year in which taxes were refunded by UNIDROIT was the year 2015. The Secretariat has retained for the year 2019 the estimate figure stated in the Budget approved for the year 2018.

5 **Purpose of expenditure:** insurance coverage of staff members against disability, old age and sickness in accordance with the UNIDROIT Regulations.

The Secretariat estimates that this line of expenditure will increase – due primarily to (a) the departure of the former Secretary-General whose participation in the UN pension and health system had generated significant savings; and (b) the implementation of the compensation and social security package offered to UNIDROIT staff (UNIDROIT 2017 – A.G. (76) 10, Item No. 10) – though the sum may ultimately differ depending upon the implementation of the social security package.

The Secretariat thus proposes an increase of € 20,000 and notes that an update regarding implementation of the social security package is provided in document UNIDROIT 2018 – A.G. (77) 8.

6 **Purpose of expenditure:** insurance coverage of all staff members against accidents. All staff members are insured for this purpose with a private Italian insurance company.

No change is proposed for 2019.

7 **Purpose of expenditure:** payments to one retired member of staff to cover the periods, in the past, during which he was not covered for social security purposes.

No change is proposed for 2019.

8 **Purpose of expenditure:** to cover ordinary running expenses of UNIDROIT (purchase of stationary, telephone charges, postage of materials and correspondence etc.).

The Secretariat proposes to decrease the following lines of expenditure in Chapter 4: Article 1 (Stationary) by € 5,000; Article 2 (Telephone, fax and Internet) by € 5,000; and Article 3 (Postage) by € 1,500. These savings are expected to result, *inter alia*, from: the implementation of a new paper saving policy, in accordance with the General Assembly's recommendation (UNIDROIT 2017 – A.G. (76) 10, paras. 35-39) and the increased use of online communications and teleconference services (e.g. Skype, GoToMeeting) in place of long-distance calling.

9 **Purpose of expenditure:** to cover utilities fees (electricity, water and gas bills), building maintenance costs (insurance, ordinary repairs in the building, maintenance of elevators) and charges for municipal services (i.e. waste disposal).

The Secretariat proposes to decrease the following lines of expenditure in Chapter 5: Article 1 (Electricity) by € 4,000 and Article 5 (Office equipment) by € 2,000. These savings are expected to result from, *inter alia*, recent improvements to UNIDROIT's facilities and equipment.

10 **Purpose of expenditure:** to cover the cost of acquisitions for the Library's stock of books and the maintenance of its subscriptions to law journals, binding of periodicals and subscriptions to electronic journals and databases.

No change is proposed for 2019.

Overall, the Secretariat proposes a total expenditure of € 2,289,370.00 for the 2019 Budget, which equals the expenditure authorised under the 2018 Budget, except with the addition of the annual payment from Aviareto (see Receipts, note 5).