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**Item No. 10 on the Agenda: Approval of the Draft Budget for 2021
and observations submitted by Member States**

(prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Explanation of the proposed expenditure and receipts under the 2021 draft Budget and observations submitted by Member States</i>
<i>Action to be taken</i>	<i>Approval of the draft Budget for 2021</i>
<i>Related documents</i>	UNIDROIT 2019 – A.G. (78) 7 ; UNIDROIT 2019 – F.C. (87) 6 ; UNIDROIT 2020 – F.C. (88) 2 ; UNIDROIT C.D. (99) A.6 ;

INTRODUCTION

1. The first estimates of receipts and expenditure for the 2021 financial year prepared by the Secretariat ([F.C. \(88\) 2](#)) were examined by the Finance Committee at its 88th session (Remote session – March 2020), in accordance with Article 31 of the Regulations. Those first estimates were then submitted to the Governing Council, which established at its 99th session (Remote session (A) April/May 2020) the draft Budget for 2021 ([C.D. \(99\) A.6](#)), 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 was submitted to the Governments of UNIDROIT Member States with a view to their formulation of such observations as they might wish to make by 31 August 2020. The governments of Brazil and of Argentina were the only countries to submit comments (see Appendix II). Overall, the Secretariat proposes a total expenditure of € 2,345,060.00 for the year 2021. This total reflects an increase compared to the expenditure authorised under the 2020 Budget of € 2,342,500.00, which is solely attributable to the estimated increase in receipts from contributions of Member States (€ 5,060), resulting from the process of reclassification of Member States in the UNIDROIT Contributions Chart.
3. The Secretariat also submitted some adjustments to the Expenditure in the 2020 Budget (see [UNIDROIT F.C. \(90\) 3](#)) which it deemed applicable to 2021 to the Finance Committee at its 90th session (Rome, 22 October 2020).
4. The Finance Committee expressed itself in favour of the draft Budget for the 2021 financial year and recommended that the General Assembly, at its 79th session (Rome, 17 December 2020), adopt the draft Budget for the 2021 financial year (UNIDROIT 2020 – F.C. (90) 9, para. 48).
5. *In light of the foregoing, the General Assembly, at its 79th session, may wish to adopt the draft Budget for 2021 as set forth in Appendix I to this document.*

APPENDIX I

**DRAFT BUDGET FOR THE 2021
FINANCIAL YEAR**

RECEIPTS (in Euro)

	Budget 2020¹	Budget 2021
Chapter 1: Contributions of Member States		
Contributions of Member States	2,277,000.00	2,282,060.00 ²
Chapter 2: Other receipts:		
Art. 1 (Interest) ³	1,000.00	0.00
Art. 2 (Contributions to overhead expenses) ⁴	15,000.00	15,000.00
Art. 3 (Sale of publications) ⁵	17,000.00	17,000.00
Art. 4 (Aviareto) ⁶	17,500.00	23,000.00
Chapter 3: Various receipts		
Tax reimbursement credit ⁷	15,000.00	8,000.00
Total of receipts	2,342,500.00	2,345,060.00

EXPLANATORY NOTES TO THE DRAFT BUDGET – RECEIPTS

1 The numbers given in this column correspond to the official budget for 2020 approved by the Finance Committee at its 87th session in Rome on 10 October 2019 (see [UNIDROIT 2019 – F.C. \(87\) 6](#)), and subsequently approved by the General Assembly at its 78th session in Rome on 12 December 2019 (see [UNIDROIT 2019 – A.G. \(78\) 7](#)). It is noted that these are not the same numbers which will be given by the Secretariat at the 88th session of the Finance Committee in the document on the readjustment of the 2020 Budget based on the outcome of the 78th session of the General Assembly (Rome, 12 December 2019).

2 The Secretariat has made this calculation on the basis of a unit of contribution amounting to € 2,530. The expected amount of contributions of Member States correspond to the new UNIDROIT Contributions Chart recently adopted by the General Assembly at its 78th session (Rome, 12 December 2019) (see [UNIDROIT 2019 – A.G. \(78\) 12](#), and [A.G. \(78\) 11 rev.](#)). The amount of Contributions for 2021 includes the expected ordinary contributions for the said year plus the payment of arrears of 2017 by Belgium, as per express confirmation that the settlement, originally due to an administrative error, will take place during 2021.

3 In light of the current ultra low interest rate environment, the Secretariat estimates the interest earned on deposits in checking accounts to be zero.

4 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.

5 The Secretariat estimates the income earned from the sale of publications to be approximately the same as in previous years. It is noted that should either the MAC Protocol or the Rail Protocol come into force, this amount may need to be adjusted in future in order to reflect any attendant increase in sales.

6 UNIDROIT is to receive in 2021 a payment of USD 25,000 from Aviareto, the International Registry under the Aircraft Protocol to the Cape Town Convention, in accordance with a renewed licencing agreement by which UNIDROIT is to provide an electronic version of the fourth edition of the Aircraft Protocol Official Commentary by Sir Roy Goode to Aviareto to make available to users of the International Registry.

7 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)

	2020¹	2021
Chapter 1 – Meeting and travel costs²		
Art. 1 (Governing Council and Permanent Committee)	50,000.00	50,000.00
Art. 2 (Auditor)	5,000.00	5,000.00
Art. 3 (Administrative tribunal)	-	-
Art. 4 (Committees of Experts)	127,000.00	108,383.50
Art. 5 (Official journeys and promotion of activities)	60,130.00	45,383.50
Art. 6 (Interpreters)	37,000.00	35,000.00
Art. 7 (Representation)	8,000.00	8,000.00
Subtotal	287,130.00	251,767.00
Chapter 2 – Salaries and allowances³		
Art. 1 (Salaries of Categories D, P and GS staff and consultant)	1,189,293.00	1,220,293.00
Art. 2 (Remuneration for occasional collaborators)	32,500.00	30,000.00
Art. 3 (Tax reimbursement) ⁴	15,000.00	0.00
Subtotal	1,236,793.00	1,250,293.00
Chapter 3 – Social security charges		
Art. 1 (Insurance against disablement, old age and sickness) ⁵	454,327.00	488,750.00
Art. 2 (Accidents' insurance) ⁶	9,000.00	9,000.00
Art. 3 (Compensation retired members of staff) ⁷	2,250.00	2,250.00
Subtotal	465,577.00	500,000.00
Chapter 4 – Administrative expenses⁸		
Art. 1 (Stationery)	15,000.00	12,000.00
Art. 2 (Telephone, fax and Internet)	18,000.00	21,000.00
Art. 3 (Postage)	10,000.00	10,000.00
Art. 4 (Miscellaneous)	5,000.00	5,000.00
Art. 5 (Printing of publications)	15,000.00	15,000.00
Subtotal	63,000.00	63,000.00
Chapter 5 – Maintenance costs⁹		
Art. 1 (Electricity)	16,000.00	16,000.00
Art. 2 (Heating)	25,000.00	25,000.00
Art. 3 (Water)	9,000.00	9,000.00
Art. 4 (Insurance of premises)	12,000.00	12,000.00
Art. 5 (Office equipment)	24,000.00	29,000.00
Art. 6 (Upkeep of building, public services)	30,000.00	35,000.00
Art. 7 (Labour costs)	45,000.00	25,000.00
Subtotal	161,000.00	151,000.00
Chapter 6 – Library¹⁰		
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	2,342,500.00	2,345,060.00

EXPLANATORY NOTES TO THE DRAFT BUDGET - EXPENDITURE

1 The numbers given in this column correspond to the official budget for 2020 approved by the Finance Committee at its 87th session in Rome on 10 October 2019 (see [UNIDROIT 2019 – F.C. \(87\) 6](#)), and subsequently approved by the General Assembly at its 78th session in Rome on 12 December 2019 (see [UNIDROIT 2019 – A.G. \(78\) 7](#)). It is noted that these are not the same numbers which will be given by the Secretariat at the 90th session of the Finance Committee in the document on the readjustment of the 2020 Budget.

2 **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 deems it prudent to forecast a decrease of € 18,616.50 for this line of expenditure to reflect the fact that while 2021 will be a year in which a number of projects under the new Work Programme (2020-2022) will be fully underway – usually accompanied by an expected increase in the number of meetings contemplated for that year – the uncertainties related to the ongoing pandemic would seem to warrant a cautious approach as regards the possibilities of continued restrictions on international travel.

With respect to Article 5 (Official journey and promotion of activities), the Secretariat has forecast a decrease of € 14,746.50 for this line of expenditure.

Both Article 4 and 5 may be subject to further amendments depending on the evolution of the COVID 19 pandemic. Should travel and in person expert meetings return to normal conditions, warranting an increase in expenditure, the Secretariat intends offset the difference with surplus from previous years if necessary.

3 **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.

With respect to Article 1 (Salaries of Categories A, B and C staff and consultant), the Secretariat deems it prudent to forecast an increase of € 31,000.00 for this line of expenditure in order to reflect higher staffing levels in 2021.

With respect to Article 2 (Remuneration for occasional collaborators), the Secretariat foresees a lesser need to rely on occasional collaborators, which would lower costs in this regard, and for which reason the Secretariat proposes reducing the amount of expenditure for this line by € 2,500.00.

4 **Purpose of expenditure:** to cover the cost of federal, state and municipal taxes payable by a US citizen who was 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. Given that the US citizen left the employment of the Secretariat in 2019, it is not foreseen that there will be any need for reimbursement in 2021. The Secretariat therefore foresees a reduction of € 15,000.00 for the year 2021.

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

With respect to Article 1 (Insurance against disablement, old age and sickness) the Secretariat has increased the amount so that it is in line with the increases that have been reported for 2020 (see explanatory note 5 to expenditure [UNIDROIT F.C. \(90\) 3](#)) slightly due to anticipated staffing changes. The Secretariat thus proposes an increase of € 34,432 for the year 2021.

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 2021.

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 2021.

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

With respect to Article 1 (Stationery), the Secretariat proposes reducing the amount of expenditure for this line by € 3,000.00.

With respect to Article 2 (Telephone, fax and Internet), the Secretariat proposes increasing the amount of expenditure for this line by € 3,000.00.

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 increase Article 5 (Office equipment) by € 5,000 to budget for expected increases in expenditures relating to the replacement of computer equipment and other office furniture, as well as an increase to Article 6 (Upkeep of building, public services) by € 5,000 in order to anticipate increases in upkeep costs. The Secretariat proposes a reduction to Article 7 (Labour costs) by € 20,000 for 2021 to reflect the fact that extraordinary works were required in 2020 which are not foreseen to be needed in 2021.

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 2021.

N° 01

The Embassy of the Federative Republic of Brazil in Rome presents its compliments to the International Institute for the Unification of Private Law (UNIDROIT) and, with reference to the Note Verbale 17, of 16 January 2020, in conformity with Article 16 of the Statute of UNIDROIT, has the honor to convey comments regarding the reclassification of Brazil in the UNIDROIT contributions chart.

2. Taking into account, above all, the worldwide economic crisis brought by the pandemic of covid-19, which is having a severe impact on Brazil's GDP in the current year, it is impracticable to accept any increase in our financial contribution to the UNIDROIT Budget in the next exercise.

3. Therefore, Brazil wishes to request the extension of the suspension of the reclassification agreed upon in the 78th Session of the General Assembly, at least until the next revision of the chart, as previously occurred in the recent practice of the Institute.

4. In case UNIDROIT does not take into account the aforementioned request, Brazil will be forced to,

unfortunately, reconsider its participation in the organization.

The Embassy of the Federative Republic of Brazil in Rome avails itself of this opportunity to renew to the International Institute for the Unification of Private Law (UNIDROIT) the assurances of its highest consideration.

Rome, 03 September 2020



*Embajada
de la
República Argentina
en Italia*

"2020 - AÑO DEL GENERAL MANUEL BELGRANO".

Referencia: AE 73/2020

La Embajada de la República Argentina en Italia saluda atentamente al Instituto Internacional para la Unificación del Derecho Privado (UNIDROIT) - Comité de Finanzas- y tiene el honor de referirse a la contribución financiera de los Estados Miembros al presupuesto de UNIDROIT.

Teniendo en cuenta la crisis económica mundial provocada por la pandemia Covid-19, que este año está teniendo un fuerte impacto en el producto interno bruto (PIB) de la Argentina, y el hecho de que nuestro país aún se encuentra en proceso de renegociación de su deuda con el Fondo Monetario Internacional (FMI), es poco probable que nuestro país pueda hacer frente a un aumento en su contribución financiera al presupuesto de UNIDROIT en el próximo año.

Por tanto, la República Argentina desea solicitar la prórroga de la suspensión de la aplicación de la nueva Carta de Contribuciones, como ocurrió anteriormente en la práctica reciente de UNIDROIT y como fuera acordado en el 78° período de sesiones de la Asamblea General, en diciembre de 2019.

La Embajada de la República Argentina en Italia aprovecha la ocasión para renovar al Instituto Internacional para la Unificación del Derecho Privado (UNIDROIT) -Comité de Finanzas- el testimonio de su más alta estima.

Roma, 24 de septiembre de 2020

