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**Item No. 12 on the Agenda: Measures taken by the UNIDROIT Secretariat  
in relation to the COVID-19 Pandemic**

(prepared by the UNIDROIT Secretariat)

<i>Summary</i>	<i>Illustration of actions taken by the Secretariat during and the impact of COVID 19 on the activities of the Institute</i>
<i>Action to be taken</i>	<i>For the information of the General Assembly</i>
<i>Related documents</i>	<a href="#"><u>UNIDROIT F.C. (89) 3</u></a>

## **INTRODUCTION**

1. In the interest of the health and safety of all permanent, temporary and visiting staff, interns and scholars using the UNIDROIT Library, as well as other visitors and guests, and in light of the situation relating to the Declared National State of Emergency in Italy linked to the Novel Corona Virus (COVID-19), UNIDROIT has adopted the following preventive measures and emergency management policy.
2. Kindly note that UNIDROIT is following the situation closely and reassesses the measures taken as the circumstances require, and in any case on a weekly basis. Despite the uncertainties posed by the fluctuating conditions, the Institute has remained open and operational throughout the crisis.

### **I. PERSONNEL AND WORKING ARRANGEMENTS**

3. Office Instructions were first adopted during the month of February 2020 with precautionary measures and were subsequently updated to comply with the guidelines issued by the Ministry of Foreign Affairs and Italian Law.
4. The Secretary-General has also kept UNIDROIT staff and guests apprised of the situation as it has evolved with additional specific office instructions as necessary.
5. The Institute has been following the rules of social distancing and hygiene since the beginning of the crisis. The Secretariat has provided for full disinfection of the premises, and has the surface and office space to work with full staff in the building at distances well over the recommended limit, provided there are no visitors. However, health concerns for staff over the age of 60, and concerns regarding the safety of the means of transportation to the office for all members, resulted in a circular office instruction providing staff with the option for flexible or full remote work from home from 10 March 2020.

6. The Secretariat has purchased masks and gel for its employees, and separators have been placed between meeting participants, users and visitors in the library.

### **A. Basic Protective Measures Displayed in Public Areas**

7. In addition to the instructions above, the Secretariat has displayed information prepared by the World Health Organisation (WHO) on the basic protective measures in place on every floor and in the hallways to raise awareness about the importance of:

- washing hands frequently with soap for at least 20 seconds;
- using alcohol-based hand sanitizer (provided in the buildings);
- avoiding touching eyes, nose and face;
- avoiding close contact with people suffering from acute respiratory illnesses.

### **B. Access to the UNIDROIT Library**

8. Visitors who wanted to consult the Library's collection were initially kindly requested to apply by e-mail and applicants would need to abide by the safety rules applicable within the Institute, specifically concerning prior travel to high-risk areas and quarantine requirements.

9. Following intensification of Safety Measures and the spread of the virus in March, the Library was closed completely to the public and only UNIDROIT staff, interns and researchers were allowed to remain, with the appropriate social distancing and application of office instructions.

10. As the restrictions were lifted in mid-May, with the opening of Libraries across the country, UNIDROIT returned to its previous application policy for library users.

### **C. Internship and Scholarship Programme**

11. Interns and Scholars whose research period had already begun during the crisis were able to remain for the duration of their stay, thanks to the conditions of the Library, which allows for appropriate social distancing and hygiene for its guests.

12. Sadly, due to travel restrictions and the evolution of the pandemic across the globe, a number of internships and scholarships had to be postponed until the situation improved. While the situation regarding international travel remains uncertain and challenging, the Secretariat has nevertheless received a number of scholars, interns, and independent researchers during the months of September through December from Austria, Brazil, France, Greece, Iran, Italy, the People's Republic of China, Poland, Singapore, Togo, and the UK.

### **D. Missions**

13. Staff missions were initially approved on a case-by-case basis, and subsequently suspended in light of the expansion of the epidemic and related travel restrictions.

14. As international travel resumes, the Secretariat shall assess the costs and benefits of each mission on a case-by-case basis.

## **II. MEETINGS**

15. As mentioned above, the Institute has continued to fulfil its mission in compliance with global and local health and safety regulations since the beginning of this crisis.

16. As a result, one conference that could not be held remotely was postponed but all other scheduled meetings were held through a remote decision-making process and discussions were held via videoconference or in hybrid form. The Secretariat is in constant contact with all participants to keep them apprised of the situation and have developed the following innovative approaches to avoid unnecessary delays.

## **A. UNIDROIT Governing Bodies**

17. No meetings of the governing bodies of the Institute have been delayed, thus guaranteeing the fully functional governance of UNIDROIT.

### ***Finance Committee***

18. The 88<sup>th</sup> session of the Finance Committee was held with a remote written approval procedure, which was established beforehand with the Finance Committee via email.

19. A quorum was reached successfully and the documents were approved, as reflected in the Report ([UNIDROIT 2020-F.C.\(88\) 5](#)).

20. An extraordinary 89<sup>th</sup> session of the Finance Committee was called by the Chair on 25 June 2020 to discuss the impact of the outbreak of the COVID-19 on UNIDROIT's activities and on its finances. The members were provided with updates on current expenditure and on the preventative measures that had been implemented by the Secretariat, as reflected in the Report ([UNIDROIT 2020-F.C. \(89\) 4](#)).

21. The 90<sup>th</sup> session of the Finance Committee was held remotely on 22 October 2020, as reflected in the Report ([UNIDROIT 2020 – F.C. \(90\) 9](#)).

### ***Governing Council***

22. In light of the COVID-19 crisis, the Secretariat proposed that the first meeting of the 99<sup>th</sup> session of the Governing Council be held remotely via e-mail and – if required – videoconference to address the most urgent and pressing matters. The Secretariat drew up Rules of Procedure, which were submitted to the members of the Governing Council in advance and approved unanimously.

23. According to the abovementioned Rules of Procedure, all approvals provided, except for the documents included in Items No. 3 and 4 of the agenda ([C.D. \(99\) A.1](#)), were to be limited to the period between the remote session and the in-person meeting, which took place on 23-25 September 2020.

24. With the travel restrictions and quarantine measures applicable to extra EU, some EU and Schengen countries, in-person participation in the second meeting of the 99<sup>th</sup> session of the Governing Council in Rome was limited to two Governing Council members and several institutional and Member State observers. Appropriate social distancing measures were implemented (plexiglass separators in particular), and a high-end videoconferencing platform was deployed for those participating from abroad.

### ***General Assembly***

25. For the General Assembly, scheduled for 17 December 2020, it is anticipated that one delegate per Member State will be allowed to attend the meeting in person, in line with the maximum number of persons allowed under the applicable social distancing regulations. Given the hybrid format, it will also feature alternative means of participation along the lines of previous meetings of governing bodies.

## **B. UNIDROIT Project Meetings held during the application of COVID-19 restrictive measures**

26. The Secretariat has successfully been able to meet its objectives as far as the progress of its projects are concerned.

27. The final meeting of the drafting committee of the UNIDROIT/FAO/IFAD Legal Guide on Agricultural Land Investment Contracts was conducted with the remote participation of experts on 2-3 March 2020.

28. The Secretariat was able to participate in the 2<sup>nd</sup> Joint Workshop to develop a legal taxonomy of key emerging technologies and their applications (including Artificial Intelligence, Data transactions, Digital Assets, and Distributed Ledger Technology) at UNCITRAL Headquarters in Vienna on 10-11 March 2020.
29. An exploratory workshop organised jointly with UNCITRAL on Warehouse Receipts, which was initially planned on 26 March at the Seat of UNIDROIT in Rome, took place as planned in the form of a Webinar via Zoom.
30. The first session of the Preparatory Commission to Establish a Registry for the Protocol to the Cape Town Convention on matters specific to Mining, Agricultural and Construction Equipment (the MAC Protocol), took place via Zoom on 21-22 May 2020. Following this, two sub-groups to the MAC Preparatory Commission were established. The first to draft a set of regulations for the international registry for the MAC Protocol (Regulations Working Group); and the second to prepare a request for proposals to appoint a registrar (Registrar Working Group). The first meeting of the Regulations Working Group took place via Zoom on 14-15 September 2020, and the first meeting of the Registrar Working Group took place via Zoom on 4 November 2020.
31. The first meeting of the Working Group established to draft a model law on factoring also took place via Zoom, on 1-3 July 2020.
32. Following the mandate received from the Governing Council at its remote meeting in April/May, the informal core Exploratory Working Group on Digital Assets held five remote meetings via Zoom on 9 and 22 July 2020, on 10 and 24 August, and on 2 September, respectively.
33. The 9<sup>th</sup> Annual Cape Town Convention Academic Conference, which was previously scheduled to take place in Cambridge on 10-11 September 2020, was hosted in Rome at the seat of UNIDROIT with participation online via Zoom.
34. Following the informal core Exploratory Working Group on Digital Assets meetings held over the summer, a Workshop on Digital Assets took place online via Zoom on 17-18 September 2020.
35. A workshop concerning the Best Practices of Effective Enforcement project, the scope of which was discussed during the first meeting of the 99<sup>th</sup> session of the Governing Council, took place on 21 September 2020 in a hybrid format.
36. An international conference on the contribution of HCCH, UNCITRAL and UNIDROIT to the harmonisation of the law of international sales was held on the eve of the second meeting of the Governing Council on 22 September 2020 in hybrid format.
37. An international workshop on the ELI-UNIDROIT Model European Rules of Civil Procedure was held as the closing event of the 99<sup>th</sup> session of the Governing Council, in hybrid format.
38. An International Conference to celebrate the 25<sup>th</sup> anniversary of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects was held on 8-9 October 2020 in hybrid format.

### **C. UNIDROIT Project Meetings in the future**

39. The second session of the MAC Preparatory Commission is expected to take place on 10-11 December 2020. Additionally, the second session of the Regulations Working Group will take place on 24 November 2020.
40. A number of other project meetings will also be held before the end of the year, namely the first meeting of the Working Group on Digital Assets and Private Law on 17-18-19 November, the first meeting of the Working Group on Effective Enforcement on 30 Nov.-1-2 December, the first meeting of the Working Group on Warehouse Receipts on 2-3-4 December, as well as a second meeting of the Working Group established to draft a model law on Factoring on 14-15-16 December.

41. Such meetings will likely be held in a hybrid-format with some experts attending in-person and others remotely.

**D. UNIDROIT Foundation Events**

42. The 6<sup>th</sup> Workshop for the Economic Assessment of International Commercial Law Reform Project, as well as the 4<sup>th</sup> Workshop for the project on Best Practices in the Field of Electronic Registry Design and Operation were originally scheduled to take place between 30 March and 2 April in Rome. They instead took place on the 8<sup>th</sup> and 9<sup>th</sup> of September, respectively, before the 9<sup>th</sup> Annual Cape Town Convention Academic Conference (Rome, 10-11 September 2020), which was previously scheduled to take place in Cambridge.

**E. Other Events**

43. The International Conference co-organised by UNIDROIT and the University of Trento on “Trade, Development, and Global Value Chain Contracting”, originally planned to take place on 16-17 April 2020, has been postponed until further notice. It will likely be rescheduled for the autumn and the Secretariat will provide updates in this respect in due course.

44. The Annual Lecture traditionally coorganised with Roma Tre and hosted at the Secretariat every year was held as a Webinar on 25 September 2020.

45. The format of such events in the future shall likely be converted to Webinars, with in-person presence (if any) limited to speakers.