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Item No. 4 on the Agenda: Implementation of the Strategic Plan

(memorandum prepared by the UNIDROIT Secretariat)

Summary:	<i>Implementation of the Strategic Plan since the 83rd session of the Governing Council</i>
Action to be taken:	<i>None</i>
Related document:	<i>C.D.(84) 19 rev. 2</i>

I. INTRODUCTION

1. The General Assembly, at its 57th session, held in Rome on 28 November 2003, took note of the Secretariat's document "Strategic Plan – Horizon 2016", an outline of the Organisation's achievements, shortcomings, long and medium term objectives as well as its resources, both presently at its disposal and needed if the objectives are to be reached.
2. The Governing Council, at its 83rd session, held in Rome from 19 to 21 April 2004, discussed both the broader policy implications of the Strategic Plan and a fair number of detailed assumptions regarding the development of staffing, outreach resources, IT equipment, document management etc. While acknowledging the limits to what this kind of planning was capable of achieving as long as the financial bases for the Institute's work were not significantly improved, it was agreed that the mere availability of a comprehensive analysis of the status quo and an indication as to which were the Organisation's principal objectives were a prerequisite for mapping out the way forward.
3. The Council underscored the need to bring the Strategic Plan, future triennial Work Programmes and the annual budget in a common perspective and to carefully and continuously monitor whether progress towards achieving various objectives had been made and to what extent adjustments were necessary.

II. OUTREACH RESOURCES AND COMMUNICATION

4. The most visible progress has been much with respect to the further development of the Institute's outreach resources (Strategic Objective N°2). Details regarding the data bases, the *Uniform Law Review's* shift to accessibility on line as well as the library's significant progress in

moving the catalogue on line and in having it integrated in a network of leading law libraries' on line catalogues are subject of documents specifically devoted to the respective activities.

5. By contrast, the scholarship programme and parts of the legal co-operation programme are, due to lack of financing, not evolving as dynamically as the Secretariat would have hoped. The law reform seminar for the member States of the Southern African Development Community (SADC), planned in co-operation with the Hague Conference on Private International Law and UNCITRAL, had to be postponed. A response to the request by the Permanent Secretariat of the *Organisation pour l'Harmonisation en Afrique du Droit des Affaires* (OHADA) for UNIDROIT to co-ordinate the elaboration of another uniform act is still conditional on the identification of funds needed.

6. With respect to the improvement and facilitation of communication between Secretariat and member States' Governments as well as among Governments and in particular Strategic Objective N°5 (an electronic "Governments' Forum") informal consultations have led to the conclusion that Governments would tend to prefer a slightly different set up consisting of, firstly, a restricted Government area for non-public documents and, secondly, ad-hoc platforms serving, for example, as virtual task forces, working groups, etc. An example for the latter is the Space Registry Task Force hosted, as agreed at the session of a Committee of Government Experts on the International Telecommunications Union's website. The restricted area for Governments will shortly be operational.

III. MEMBER STATES

7. Notwithstanding significant investment in terms of time and – necessarily more modest – money the efforts to broaden the membership in particular in Asia, the Middle East and Africa (Strategic Objective N°7) have not borne fruit so far. In all three regions the perspective to become involved in law making is apparently not sufficiently attractive. Unless the Organisation is able to offer sustained physical presence and assistance in loco, chances of success continue to be slim. In the case of Middle East countries non-availability of key documents in Arabic would appear to be an additional obstacle. Progress has been made in revitalising certain dormant member States in Latin America.

IV. OFFICE ORGANISATION AND DOCUMENT MANAGEMENT

8. Due to lack of funding, exceedingly modest progress has been made regarding the upgrade of IT equipment, in house IT expertise as well as the introduction of new document management procedures (Strategic Objectives N° 9 and N°10).

V. STAFF

9. The prospects and objectives set forth in paras 75 to 81 of the Strategic Plan suffered a blow when the Finance Committee felt unable to make commitments necessary for opening a competition for the position of a full time Deputy Secretary-General. If the budget for 2006 does not finally provide the urgently needed certainty in this regard any further improvement along the lines indicated in paras 78 and 79 would become unrealistic. On the other hand, the arrival of an additional officer funded from extra-budgetary contributions and assigned to the depositary functions under the Cape Town Convention as well as a one-year secondment of a senior officer by the Government of the United Kingdom, together with the longstanding secondment by the French Government, under its "volontaires internationaux" programme, of young lawyers for renewable 12-month periods, are signs of member Governments' affection for the Organisation's work. The Secretariat is preparing to systematically approach other Governments with a view to securing additional staff resources for the years to come.

[[Documents 84th session Governing Council \(2005\): Main page](#)]