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GOVERNING COUNCIL
88th session
Rome, 20-23 April 2009

UNIDROIT 2009
C.D. (88) 1 rev.
Original: English
March 2009

ANNOTATED DRAFT AGENDA

1. Adoption of the agenda (C.D. (88) 1 rev.)
2. Annual Report 2008 by the Secretary-General (C.D. (88) 2)
3. Report on the Uniform Law Foundation
4. Appointments
 - (a) First and Second Vice-Presidents of the Governing Council
 - (b) Members *ad honorem* of the Governing Council
 - (c) Members of the Permanent Committee
5. International Interests in Mobile Equipment
 - (a) Implementation and status of the Cape Town Convention, Aircraft Protocol and Luxembourg Protocol to the Cape Town Convention on Matters specific to Railway Rolling Stock (C.D. (88) 3(a))
 - (b) Preliminary draft Protocol on Matters specific to Space Assets (C.D. (88) 3(b))
 - (c) Preparation of a Protocol on Matters specific to agricultural, mining and construction equipment (C.D. (88) 3(c))
6. Draft Convention on Substantive Rules regarding Intermediated Securities (C.D. (88) 4)
7. Principles of International Commercial Contracts (C.D. (88) 5)
8. Model law on Leasing (C.D. (88) 6)
9. Triennial Work Programme of the Organisation (2009-2011) (C.D. (88) 7)
 - (a) Proposal for a Convention on the Netting of Financial Instruments (C.D. (88) 7 Add. 1)
 - (b) Study for an International Legislative Project on (Contractual) Counterparty Classification (C.D. (88) 7 Add. 2)
 - (c) Principles and Rules Capable of Enhancing Trading in Securities in Emerging Markets (C.D. (88) 7 Add. 3)
 - (d) Possible Future Work on Civil Liability for Satellite-based Services (C.D. (88) 7 Add. 4)
 - (e) Proposal for a Model Law on the Protection of Cultural Property (C.D. (88) 7 Add. 5)
 - (f) Possible Future Work in the Area of Private Law and Development (C.D. (88) 7 Add. 6)

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10. Preparation of the draft budget for the 2010 financial year and other institutional, financial and personnel matters (C.D. (88) 8)
 11. Strategic Plan (C.D. (88) 9)
 12. Implementation and promotion of UNIDROIT instruments other than Cape Town instruments (C.D. (88) 10)
 13. Legal co-operation programme (C.D. (88) 11)
 14. Correspondents (C.D. (88) 12)
 15. Library (C.D. (88) 13)
 16. Uniform Law Review/ *Revue de droit uniforme* and other publications (C.D. (88) 14)
 17. The UNIDROIT Web Site and Depository Libraries for UNIDROIT documentation (C.D. (88) 15)
 18. The Uniform Law Data Base (C.D. (88) 16)
 19. Date and venue of the 89th session of the Governing Council
 20. Any other business

ANNOTATIONS TO THE DRAFT AGENDA

Item No. 4(a) – Appointment of the First and Second Vice-Presidents of the Governing Council

1. Since 1977, the Governing Council has at its annual session elected a First and a Second Vice-President who, in accordance with Article 11 of the Regulations of the Institute, hold office until the following session. At present, the post of First Vice-President is occupied by the *doyen* of the Council and that of Second Vice-President by one of the most senior Council members, the latter on the basis of the criterion of rotation since 1994.

Item No. 4(b) – Appointment of the members *ad honorem* of the Governing Council

2. It is a well established tradition that, at the first Council session held after their membership has ceased, former members of the Governing Council are appointed members of the Governing Council *ad honorem* in recognition of their services to the Institute.

3. The Governing Council is invited to appoint the following as members *ad honorem*: Mr Martin Adensamer, Mr Tuğrul Arat, Mr Antonio Boggiano, Mr Nabil Elaraby, Mr Gerard Hogan, Mr Kiyoshi Hosokawa, Mr Anthony Inglese, Mr Alexander Komarov, Mr Bruno Sturlèse, Ms Anne-Marie Trahan, Mr Evelio Verdera y Tuells, Mr Pierre Widmer, Mr Zhang Yu Qing.

Item No. 4(c) – Appointment of the members of the Permanent Committee

4. According to Article 7(1) of the Statute, the Permanent Committee “shall consist of the President and five members appointed by the Governing Council from among its own members”. Pursuant to Article 7(2) of the Statute, the members of the Permanent Committee shall hold office for five years and shall be eligible for re-election. Various powers are conferred on the Permanent Committee by the Regulations of the Institute and in particular the drawing up of the agenda of the General Assembly (Article 1(2)), the ensuring of the continuity of the Institute's operation in accordance with the instructions of the Governing Council (Article 17(1)), the appointment, nomination and promotion of certain categories of the staff (Articles 40, 41 and 42) and the taking of disciplinary measures concerning staff members (Article 62).

5. At its 83rd session in 2004, the Governing Council appointed the following as members of the Permanent Committee: Mr A. Hartkamp, Mr Lyou B.-H., Mr B. Sen, Ms A.-M.Trahan, Mr I. Voulgaris.

Item No. 19 – Date and venue of the 89th session of the Governing Council

6. Following the tradition of holding Council sessions in April or May, starting on a Monday and avoiding weeks that include public holidays, the Governing Council may wish to consider holding its 89th session either in the week starting 12 April 2010, or in the week starting 10 May 2010.