



EN

GOVERNING COUNCIL
91st session
Rome, 7 - 9 May 2012

UNIDROIT 2012
C.D. (91) 1 rev.
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REVISED ANNOTATED DRAFT AGENDA

1. Adoption of the annotated draft agenda (C.D. (91) 1)
2. Appointment of the First and Second Vice-Presidents of the Governing Council (C.D. (91) 1)
3. Reports
 - (a) Annual Report 2011 by the Secretary-General (C.D. (91) 2)
 - (b) Report on the Uniform Law Foundation
4. Principles of International Commercial Contracts: publication and promotion of the 3rd edition ("UNIDROIT Principles 2010") (C.D. (91) 3)
5. International Interests in Mobile Equipment
 - (a) Report on the diplomatic Conference for the Adoption of a Protocol to the Cape Town Convention on Matters specific to Space Assets (C.D. (91) 4(a))
 - (b) Implementation and status of the Cape Town Convention, Aircraft Protocol and Luxembourg Protocol (C.D. (91) 4(b))
 - (c) Preparation of other Protocols to the Cape Town Convention, in particular on matters specific to agricultural, mining and construction equipment (C.D. (91) 4(c))
6. Transactions on Transnational and Connected Capital Markets
 - (a) Principles and Rules on the Netting of Financial Instruments (C.D. (91) 5 (a))
 - (b) UNIDROIT Convention on Substantive Rules for Intermediated Securities: Follow-up work and promotion (C.D. (91) 5(b))
 - (c) Principles and Rules Capable of Enhancing Trading in Securities in Emerging Markets (C.D. (91) 5(c))
7. Third Party Liability for Global Navigation Satellite System (GNSS) Services (C.D. (91) 6):
 - (a) Report on the informal meeting "Risk Management in GNSS Malfunctioning (Rome, 11 November 2011)"
 - (b) Possible future work in the area of third party liability for GNSS services
8. UNIDROIT Model Law on Leasing – Follow-up and promotion

9. International Protection of Cultural Property (C.D. (91) 7)
 - (a) UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects – implementation, status and promotion
 - (b) Publication and promotion of the UNESCO/UNIDROIT Model Legislative Provisions on State Ownership of Undiscovered Cultural Objects
10. Private Law and Development (C.D. (91) 8)
 - (a) Report on the Colloquium “Promoting Investment in Agricultural Production: Private Law Aspects” (Rome, 8-10 November 2011)
 - (b) Possible future work on private law aspects of agricultural financing
11. Legal Co-operation Programme
12. Correspondents (C.D. (91) 9)
13. Library (C.D. (91) 10)
14. UNIDROIT information resources and policy (C.D. (91) 11)
 - (a) Uniform Law Review/ *Revue de droit uniforme* and other publications
 - (b) The UNIDROIT Web Site and Depository Libraries for UNIDROIT documentation
 - (c) The Uniform Law Data Base (C.D. (91) 11 Add. – CMR))
15. Strategic Plan (C.D. (91) 12)
16. Preliminary discussion regarding the future Work Programme for the triennial period 2014 – 2016 (C.D. (91) 1)
17. Preparation of the draft budget for the 2013 financial year (C.D. (91) 13)
18. Appointment of the Deputy Secretary General (C.D. (91) 1)
19. Date and venue of the 92nd session of the Governing Council (C.D. (91) 1)
20. Any other business

ANNOTATIONS

Item No. 2 – 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. 16 – Preliminary discussion regarding the future Work Programme for the triennial period 2014 – 2016

2. Pursuant to Article 11(2) of the Statute of UNIDROIT, the Governing Council draws up the Work Programme of the Institute and makes a proposal to the General Assembly which is then called to approve it (Article 5(3) of the Statute). The Governing Council, which will be called to make such a proposal at its 92nd session in 2013, might wish to have a preliminary discussion this year on the current and future subjects to insert to the Work Programme for the triennial period 2014 - 2016. See the Work Programme 2011 – 2013 hereafter.

Item No. 18 – Appointment of the Deputy Secretary-General

3. At its 90th session, the Council agreed that, subject to the outcome of the then ongoing reclassification of member States in the Institute's contributions chart, the Secretariat should take the necessary steps to organise, later in the year, an open international competition for the selection of a Deputy Secretary-General under the guidance and responsibility of a Sub-committee of the Permanent Committee that would report back to the Council for final approval. The Secretariat deemed it prudent to await the approval of the budget for the year 2012 by the General Assembly before proceeding with the selection process. The budget for the year 2012, which contemplates full funding for one position of Deputy Secretary-General was approved on 1 December 2011. A vacancy announcement for that position was published on 19 December 2011. The deadline for submission of applications is 12 March 2012. At its 91st session, the Council will consider the report of the Sub-committee of the Permanent Committee on the selection process, for final approval.

Item No. 19 – Date and venue of the 92nd session of the Governing Council

4. 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 92nd session in the week starting 8 April 2013, in the week starting 15 April 2013, or in the week starting 29 April 2013. Alternatively, the Governing Council may wish to start the session on Tuesday, which would allow Council members to travel on Monday, rather than during the weekend.

UNIDROIT Work Programme for the triennial period 2011 – 2013
(adopted by the UNIDROIT General Assembly at its 67th session – 1 December 2010)

A. LEGISLATIVE ACTIVITIES

1. Principles of International Commercial Contracts (UPICC) – 3rd edition ***
2. Preliminary Draft Space Protocol to the Cape Town Convention ***
3. Transactions on Transnational and Connected Capital Markets
 - a) Preparation of an instrument on the Netting of Financial Instruments ***
 - b) Legislative Guide on Principles and Rules capable of enhancing trading in securities in emerging markets **/*
4. Preparation of other Protocols to the Cape Town Convention, in particular on matters specific to agricultural, mining and construction equipment **/*
5. Third Party Liability for Global Navigation Satellite System (GNSS) Services **/*
6. Model Provisions on the Protection of Cultural Property *
7. Private law and development
 - a) Private law aspects of agricultural financing *
 - b) Legal aspects of social business **/*

B. IMPLEMENTATION AND PROMOTION OF UNIDROIT INSTRUMENTS - LEGAL CO-OPERATION ***

1. Depository Functions
2. Promotion of UNIDROIT instruments
3. Legal co-operation

C. NON-LEGISLATIVE ACTIVITIES

1. UNIDROIT Library ***
2. Publications ***/**
3. Website and Depository Libraries **
4. UNILAW Database **

***	High priority
***/**	Medium/high priority
**/*	Medium/low priority
*	Low priority