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Item No. 14 on the agenda: Legal Co-operation Programme

(prepared by the Secretariat)

<i>Summary</i>	<i>Report on the implementation of the Scholarships Programme in 2012 and proposals for future action</i>
<i>Action to be taken</i>	<i>The Council is invited to approve the proposals submitted by the Secretariat</i>
<i>Related documents</i>	<i>UNIDROIT 2013 – Study LXV – Scholarships: Impl. 24</i>

1. The “Legal Co-operation Programme” has featured on the Work Programme since 1978.¹ Lack of resources delayed its development until 1990, when it was decided to part-finance the scheme from the UNIDROIT documentation funds, with the remaining funding put up by outside sponsors. With a view to getting the programme started and extending the Secretariat’s involvement to any other form of co-operation that might be envisaged, it was decided to create an item in the UNIDROIT general budget (Chapter 11) with a suggested allocation amounting to 1% of the total statutory contributions of UNIDROIT member States other than Italy.²

2. The Legal Co-operation Programme has, in practice, tended to concentrate on the implementation of the Scholarships Programme. Leaving aside the institutional co-operation project between UNIDROIT and the Organisation for the Harmonisation of Business Law in Africa (OHADA) aimed at drafting a Uniform Contract Law for that Organisation (2002-2008), the focus of other projects has been on matters as diverse as the promotion of institutional relations with non-member States, the promotion of UNIDROIT instruments or the dissemination of the Institute’s publications.

¹ First entitled “Legal Assistance for African Countries”, the programme was eventually extended to cover all “developing countries”.

² The proposal to set up a scholarships scheme was first submitted to the Governing Council by Professor Pierre Widmer, Swiss member of the Council and at the time Director of the Swiss Institute for Comparative Law. It was presented to the 42nd session of the UNIDROIT General Assembly in 1989. The Scholarships Programme took off in 1992.

3. The Research Scholarships Programme has, in the more than twenty years of its existence, grown into an important tool for promoting research in the field of international and comparative law. It is primarily aimed at citizens from developing countries or countries in economic transition, and has proved its mettle in particular in publicising the Institute's work. For a report on the implementation of the Programme in 2012, see document UNIDROIT 2013 – Stud LXV – Scholarships: Impl. 24.

4. The Secretariat is now proposing to abolish the Chapter 11 budget line for the Legal Co-operation Programme, with a view to funding the scholarships entirely from voluntary contributions, while at the same time expanding the programme's capacity where possible. To this end, scholarships and opportunities for research or secondment are now shown as a general item in the draft Work Programme for 2014-2016 under the heading "Non-legislative Activities" (see document UNIDROIT 2013 – C.D. (92) 13, paras. 69 and 70). Under these circumstances, the Secretariat suggests that there is no longer any need for a separate audit by a Scholarships Sub-committee.

5. *The Secretariat invites the Council to take note of (i) the Report on the Implementation of the Scholarships Programme in 2012, (ii) the removal both of the item "Legal Co-operation Programme" from the Work Programme and of the corresponding item from the budget (Chapter 11), and the fact that the convening, in the framework of the Governing Council, of a Scholarships Sub-committee accordingly serves no further purpose.*