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GOVERNING COUNCIL
93rd session
Rome, 7-10 May 2014

UNIDROIT 2014
C.D. (93) Misc. 2
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SUMMARY OF THE CONCLUSIONS

Item 1 on the agenda: Adoption of the annotated draft agenda (C.D. (93) 1)

1. The Governing Council adopted the agenda as proposed in document (C.D. (93) 1).

Item 2 on the agenda: Appointments (C.D. (93) 1)

(a) First and Second Vice-Presidents of the Governing Council

2. The Governing Council renewed the appointment of Mr Arthur Hartkamp as First Vice-President of the Governing Council and appointed Mr Lyou Byung as Second Vice-President, both of whom will serve in this position until the 94th session of the Council.

(b) Members of Governing Council ad honorem

3. The Council decided to appoint the following former Council members as members of the Governing Council *ad honorem*: Chief Michael Kaase Aondoakaa, Mr Antonio Paulo Cachapuz de Medeiros, Mr Sergio Carbone, Mr Sergiu Deleanu, Mr Michael B. Elmer, Mr Ian Govey, Mr Attila Harmathy, Mr Ricardo Luis Lorenzetti, Mr Mo John Shijian, Mr Didier Opertti Badan, Ms Kathryn Sabo, Mr Biswanath Sen, Mr Stanislaw Soltysinski, Mr Itsuro Terada and Mr Ioannis Voulgaris.

(c) Members of the Permanent Committee

4. The Council appointed Mr Henry Gabriel to fill the vacancy left by the departure of Mr Ian Govey and re-appointed Mr Hans-Georg Bollweg, Mr Arthur Hartkamp, Mr Jorge Sánchez Cordero and Ms Rachel Sandby-Thomas as members of the Permanent Committee.

Item 3 on the agenda: Reports

(a) Annual Report 2013 (C.D. (93) 2)

5. The Governing Council took note of the Secretary-General's report on the activity of the Institute during 2013.

(b) Report on the Uniform Law Foundation

6. The Governing Council took note of the report by the President of the Uniform Law Foundation and was apprised of the proposed modifications to the Statute of the Foundation in compliance with Article 12(1) of the Statute of the Foundation.

Item 4 on the agenda: International Commercial Contracts - Long-term contracts (C.D. (93) 3)

7. The Governing Council instructed the Secretariat to set up a restricted Working Group for the purpose of formulating specific proposals for appropriate amendments and additions to the current black-letter rules and comments of the UNIDROIT Principles of International Commercial Contracts 2010.

8. The Council decided to recommend to the General Assembly that the level of priority of this project be increased to medium priority and instructed the Secretariat to prepare a document for the General Assembly containing this recommendation.

Item 5 on the agenda: International Interests in Mobile Equipment

(a) Implementation and status of the Luxembourg Rail Protocol and of the Space Protocol (C.D. (93) 4(a))

9. The Council expressed its appreciation for the progress made in the establishment of an International Registry for the Luxembourg Rail Protocol and for the negotiations conducted by the Space Preparatory Commission for the setting up of an International Registry for the Space Protocol.

(b) Possible preparation of other Protocols to the Cape Town Convention, in particular on agricultural, mining and construction equipment (C.D. (93) 4(b))

10. The Council instructed the Secretariat to set up a Study Group to work on the proposed fourth Protocol on agricultural, mining and construction equipment. *Mr Bollweg* was appointed Chairman of the Study Group. The Council recommended that two sessions of the Study Group be held before the next session of the Council.

Item 6 on the agenda: Transactions on Transnational and Connected Capital Markets - Principles and Rules Capable of Enhancing Trading in Securities in Emerging Markets (C.D. (93) 5)

11. The Council expressed its appreciation for the work conducted so far to develop a Legislative Guide on principles and rules capable of enhancing trading in securities in emerging markets notwithstanding staff shortage.

Item 7 on the agenda: Private Law and Agricultural Development - Preparation of a Legal Guide on Contract Farming (C.D. (93) 6)

12. The Council commended the Secretariat on the work conducted on the Legal Guide, which it expected could be finalised by its 94th session in 2015 and expressed its gratitude and

appreciation to the partners in the project, the Food and Agriculture Organization of the United Nations (FAO) and the International Fund for Agricultural Development (IFAD) for their contribution and constructive co-operation, as well as to the World Farmers' Organisation for its continued support.

Item 8 on the agenda: Transnational civil procedure - formulation of regional rules
(C.D. (93) 7)

13. The Council expressed its interest in furthering this project, which it saw as another example of a promising co-operation between organisations. The Council decided to recommend to the General Assembly that the level of priority of this project be increased at least to medium level of priority and instructed the Secretariat to prepare a document for the General Assembly containing this recommendation.

Item 9 on the agenda: Promotion of UNIDROIT instruments (C.D. (93) 8)

14. The Council noted the initiatives of the Secretariat to promote UNIDROIT instruments and stressed their importance.

Item 10 on the agenda: Correspondents (C.D. (93) 9)

15. The Council expressed appreciation for the work conducted by the sub-Committee of the Council on the network of correspondents of the Institute. It approved the conclusion of the sub-Committee to divide the correspondents into two categories, one being the active correspondents appointed for a three-year period, the other the *emeritus* correspondents, who had contributed greatly to the work of UNIDROIT in past years.

16. The Council requested information on the present members of the two categories and agreed to seek and propose new correspondents from geographical areas presently deprived of correspondents.

Item 11 on the agenda: Library and research activities (C.D. (93) 10)

17. The Council took note of developments in the library, its policies and acquisitions, and expressed its appreciation for its promotion of research through the Scholarships Programme.

Item 12 on the agenda: UNIDROIT information resources and policy (C.D. (93) 11)

18. The Council took note of developments in the information resources of the Institute (Uniform Law Review, other publications, website) and of the efforts underway to develop electronic alternatives.

Item 13 on the agenda: Work Programme for the triennial period 2014 - 2016
(C.D. (93) 12)

19. The Council considered the information provided in document C.D.(93) 12 and decided to request the Secretariat to prepare a document to submit to the General Assembly transmitting the

request and recommendation of the Governing Council that the priority assigned to the projects on Long-term contracts and Transnational civil procedure – formulation of regional rules, be raised.

Item 14 on the agenda: Preparation of the draft Budget for the 2015 financial year (C.D. (93) 13)

20. The Council took note of the draft Budget for the 2015 financial year.

Item 15 on the agenda: Date and venue of the 94th session of the Governing Council (C.D. (93) 1)

21. The Council agreed that the 94th session of the Governing Council should be held from 6 to 8 May 2015, at the seat of UNIDROIT in Rome.

Item 16 on the agenda: Any other business

22. No points were raised under this item on the agenda.

Item 17 on the agenda: International Colloquium "20 Years of UNIDROIT Principles of International Commercial Contracts: Experiences and Prospects" (9 and 10 May 2014)

23. The Council adjourned for the International Colloquium celebrating the twentieth anniversary of the adoption of the first edition of the UNIDROIT Principles of International Commercial Contracts (1994).