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Item No. 4 on the agenda: Organisation's activity in 2022

(memorandum prepared by the Secretariat)

<i>Summary</i>	<i>Review of the activities carried out by UNIDROIT in 2022 to implement the Work Programme adopted in 2019, as amended in 2020 and 2021, including staffing and funding implications</i>
<i>Action to be taken</i>	<i>To take note of the resources allocated to carry out the current Work Programme</i>
<i>Related documents</i>	<u>UNIDROIT 2022 – F.C. (94) 3</u> ; <u>UNIDROIT 2019 – A.G. (78) 3</u>

Introduction

1. The Work Programme of UNIDROIT for the 2020-2022 triennium covers a number of topics originally recommended by the Governing Council for inclusion in the Work Programme at its 98th session (Rome, 8-10 May 2019) and approved by the General Assembly at its 78th session (Rome, 12 December 2019) (see document [UNIDROIT 2019 – A.G. \(78\) 12, paras. 38-51](#)). The Work Programme was subsequently amended by the General Assembly at its 97th session (Rome, 17 December 2020) (see document [UNIDROIT 2020 – A.G. \(79\) 10, paras. 39-47](#), in conjunction with document [UNIDROIT 2020 – A.G. \(79\) 3](#)) as per the Governing Council's recommendation at its 99th session (see [UNIDROIT C.D. \(99\) A.8](#)), and again by the General Assembly at its 81st session (see document [UNIDROIT 2021 – A.G. \(80\) 10](#), paras. 41-46), as recommended by the Governing Council at its 100th session (B) (Rome, 22-24 September 2021) (see document [C.D. \(100\) B.24](#)).

2. The following criteria are applied to determine the level of priority assigned to the different activities in the Work Programme:

(a) *Priority for allocation of meeting costs:*

- (i) "high priority" – projects that should take precedence over others;
- (ii) "medium priority" – projects eligible for being initiated or advanced in the event that the costs of high priority projects turn out to be lower than anticipated (e.g. because the Secretariat obtains extra-budgetary funding), thus freeing resources under the regular budget; and
- (iii) "low priority" – projects that should only be advanced after completion of other projects or on the basis of full extra-budgetary funding.

(b) *Priority for allocation of human resources:*

- (i) "high priority" – at least 70% of the time of the responsible officers;
- (ii) "medium priority" – not more than 50% of the time of the responsible officers; and
- (iii) "low priority" – not more than 25% of the time of the responsible officers.

(c) *Indispensable functions:* Indispensable functions are those that are either imposed by the Statute of UNIDROIT (e.g. library, governance) or are otherwise necessary for its operation (e.g. management and administration). These functions are by their very nature "high priority", which is why they are supported by a dedicated pool of human and financial resources.

3. The Work Programme for the 2020-2022 triennium currently includes the following activities with the priorities assigned by the General Assembly at its 78th and 79th sessions (Rome, 12 December 2019, and Rome, 17 December 2020, respectively):

A. Legislative activities

1. Secured transactions

- (a) Implementation of Rail and Space Protocols: high priority
- (b) Implementation of Protocol on Matters Specific to Mining, Agricultural and Construction Equipment: high priority
- (c) Preparation of other Protocols to the Cape Town Convention
 - (i) Ships and maritime transport equipment: low priority
 - (ii) Renewable energy equipment: low priority
- (d) Model Law on Warehouse Receipts: high priority

2. Private law and agricultural development – Legal structure of agricultural enterprises: high priority
3. Transnational civil procedure
 - (a) Best practices for effective enforcement: high priority
 - (b) International civil procedure in Latin America: low priority
4. International commercial contracts – Principles of reinsurance contracts: low priority
5. Cultural property – Private art collections: low priority
6. Leasing and Factoring
 - (a) Model Law on Factoring: high priority
 - (b) Guide for enactment of the UNIDROIT Model Law on Leasing: low priority
7. Bank Insolvency: high priority
8. Digital assets and private law: high priority

B. Implementation and promotion of UNIDROIT instruments

1. Depository functions: high priority
2. Promotion of UNIDROIT instruments: high priority
 - (a) Cape Town Convention
 - (b) UNIDROIT Principles of International Commercial Contracts
 - (c) UNIDROIT/FAO/IFAD Legal Guide on Contract Farming
 - (d) UNIDROIT/IFAD Legal Guide on Land Investment Contracts
 - (e) ELI-UNIDROIT Model Rules of European Civil Procedure
 - (f) UNIDROIT instruments on international protection of cultural property
3. Launch of the International Summer School

C. Non-legislative activities

1. UNIDROIT Library and Depository Libraries: high priority
2. Information resources and policy: high priority
3. Internships and scholarships: high priority

4. This document offers a summary indication of action taken in 2022 to implement the legislative and non-legislative activities that appear on UNIDROIT's Work Programme. More detailed information will be provided in the Annual Report 2022 to be published in 2023.

5. Annex I includes information, in monetary terms, on the allocation of resources to the various projects and activities of the Institute in the financial year 2022, on the basis of the Budget approved by the General Assembly at its 79th session (Rome, 17 December 2020). The Secretariat would invite the General Assembly to note the enormous amount of work carried out with very limited resources and the high efficiency displayed. This is in part due to the substantial increase of remote meetings, the enhanced generosity of experts from around the world whose time and effort have greatly contributed to develop the Institute's mandate, and to the hard work of the members of the Secretariat, who have carried forward the most ambitious work programme in the history of the organisation.

6. Annex II, in turn, provides information on extra-budgetary contributions available to the Secretariat and their allocation to various activities in the year 2022.

A. Legislative activities

1. Secured transactions

(a) Implementation of Rail and Space Protocols to the Cape Town Convention ***

Luxembourg Rail Protocol

7. Since the publication of the Statement of Activities for the 80th session of the General Assembly, the 10th Session of the Preparatory Commission regarding the establishment of the International Registry for railway rolling stock according to the Luxembourg Rail Protocol ("Rail Preparatory Commission") was jointly convened by UNIDROIT and the Intergovernmental Organisation for International Carriage by Rail (OTIF) via e-mail confirmation procedure by Note Verbale addressed to Member States on 2 July 2021 (N.V. DC10/771). Preparatory Commission Members were requested to confer a mandate to a Negotiating Team in order to conduct negotiations in relation to a proposed change of ownership or control of the Registrar-designate Regulis S.A., in accordance with Art. 17 of the Contract for the Establishment and the Operation of the International Registry for Railway Rolling Stock. The Negotiating Team is composed of representatives from UNIDROIT, OTIF and the Rail Working Group (RWG), and the Co-Chairs of the Preparatory Commission.

8. Pursuant to the conferral of the mandate by the Rail Preparatory Commission, the UNIDROIT Secretariat has participated in several remote plenary meetings of the Negotiating Team. Further, the Secretariat has participated in several in-person and remote workshops organised to advance the work of the Negotiating Team, with a view to agreeing on the necessary adjustments to the existing Registry Agreements.

9. The 11th session of the Preparatory Commission has been convened on 29-30 November 2022 to approve the change of ownership or control, the assignment of the contractual positions as well as the proposed adjustments to the Registry Agreements. In relation to subsequent steps towards the setting up of the Registry and the Supervisory Authority, it is envisaged that the 12th, and last, Preparatory Commission session could be convened back-to-back with the first Supervisory Authority session upon reception of the fourth ratification instrument and the issuance of the certification regarding the functioning of the international Registry in 2023.

10. In 2022, the UNIDROIT Secretariat continued to participate in the Group of Experts on the Unique Rail Vehicle Identification System created by the Luxembourg Rail Protocol (URVIS), set up by the UN Economic Commission for Europe (UN ECE) Inland Transport Committee, virtually taking part in the fifth session (4-6 May), in an informal Drafting Group session (1-3 June) and in the sixth session of the Expert Group (29-30 August), which finalised the Model Rules for the application of the URVIS number.

11. Furthermore, the UNIDROIT Secretariat participated in several remote and in person events to promote the Cape Town Convention treaty, including the Luxembourg Rail Protocol; in particular: the Asian Infrastructure Investment Bank (AIIB) Legal Information Series (10 January); the International Summer School co-organised with the Italian Ministry of Foreign Affairs, where the Protocol was discussed as a tool for sustainable economic development for Africa (11 July); the 60th Annual Session of the Asian-African Legal Consultative Organisation (AALCO – 27 September); the International Academy of Comparative Law (IACL)-UNIDROIT Workshop on finance instruments within the framework of the IACL XXI Congress in Asunción, Paraguay (25 October); and the Asia-Pacific Private International Law Summit on Facilitating Access to Credit in the context of the Hong

Kong 2022 Legal Week (7 November). In addition, the Rail Working Group continued its activity to promote the Protocol, including participation to an event hosted by the Luxembourg Ambassador in Berlin in October 2022. More details will be provided in the UNIDROIT Annual Report 2022.

Space Protocol

12. Pursuant to Resolution 1 of the Diplomatic conference for the adoption of a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets adopted on 9 March 2012, a Preparatory Commission was set up to act as Provisional Supervisory Authority for the establishment of the International Registry for Space Assets. In 2017, the Commission's Members agreed to constitute a Sub-Group to reassess industry participation for the promotion and development of the Space Protocol. Since the publication of the Statement of Activities for the 80th session of the General Assembly, the Secretariat, in coordination with the Sub-Group, has continued to promote the Space Protocol and further develop the community of support for the instrument.

13. In terms of promotional activities, the Space Protocol was presented by the UNIDROIT Secretariat at various international conferences, seminars, webinars, and universities over the past 12 months. A presentation was delivered on the Space Protocol at the Seventh International Conference on Aerospace Science and Engineering (ICASE 2021) which took place in Islamabad, Pakistan from December 14-16, 2021. This conference was organised by the National Center of GIS and Space Applications of Pakistan in partnership with the Institute of Space Technology with the theme of "Emerging Technologies in Aerospace Engineering and Geographic Information Science".

14. Additionally, several academic lectures were delivered on the Space Protocol at Sofia University St. Kliment Ohridsk (5 January 2022), the Gennadiy Zhukov International Space Law Centre of the Peoples' Friendship University of Russia (18 February 2022), the International Institute for Air and Space Law at Leiden University (14 May 2022), the Institute of Space Technology in Islamabad (22 June 2022), the UNIDROIT Summer School (16 July 2022), the National University of Singapore (24 August 2022), and Aston University (6 December 2022). Furthermore, the Space Protocol was also the subject of presentations at the International Astronautical Congress in Paris between 18-22 September 2022, a presentation as part of the Asian Infrastructure Investment Bank Legal Information Series (10 January 2022), and a training session delivered to all the judges of the Dubai International Financial Centre Courts (24 February 2022).

15. In terms of engagement with the United Nations, an update on the Space Protocol was delivered at the 61st Session of the United Nations Office for Outer Space Affairs (UNOOSA) Committee on the Peaceful Uses of Outer Space (COPUOS) Legal Subcommittee which took place between 29 March and 8 April 2022. The Space Protocol was also highlighted as part of UNIDROIT's statement at the 65th Session of the UNOOSA General Assembly in Vienna between 1 and 10 June 2022. Additionally, a presentation on the Space Protocol was delivered at the United Nations/Chile Conference on Space Law and Policy: Governance and Legal Perspectives on Space Activities in Earth Orbit and Beyond, which took place online between 10 and 12 May 2022.

16. Finally, on 14 June 2022, UNIDROIT signed a Memorandum of Understanding with the Space Court Foundation, as part of its work to further promote the Space Protocol and spread awareness of the use of asset-based financing in the space sector. The Secretariat will continue to monitor the developments in relation to the space sector and to promote the Space Protocol pursuant to its mandate.

(b) **Implementation of the Protocol on Matters Specific to Mining, Agricultural and Construction Equipment *****

17. The fourth Protocol to the Cape Town Convention on Matters Specific to Mining, Agricultural and Construction Equipment (the 'MAC Protocol') was adopted at a Diplomatic Conference in Pretoria, South Africa on 22 November 2019. As consistent with the implementation of the other Cape Town Convention Protocols and Resolution 1 of the Diplomatic Conference Final Act, a Preparatory Commission was established to act as Provisional Supervisory Authority until the Protocol enters into force. The Preparatory Commission operates under the guidance of the Governing Council and General Assembly of UNIDROIT.

18. The Preparatory Commission met twice in 2022. The Commission's fourth session took place as a hybrid event between 17 and 18 January 2022. The fourth session was attended by 41 participants from 11 Member States of the Commission, one observing State, one observing Regional Economic Integration Organisation, one observing organisation, ex officio observers from the Diplomatic Conference and members of the UNIDROIT Secretariat. The fifth session is scheduled to take place on 22 – 23 November 2022.

19. Throughout 2022, the Preparatory Commission continued to make progress regarding its three key responsibilities: (i) appointment of a Supervisory Authority; (ii) selection of a Registrar to operate the MAC Protocol International Registry; and (iii) preparation of a first edition of the International Registry Regulations. Regarding the appointment of the Supervisory Authority, at its 101st session in June 2022, the Governing Council decided to establish an ad hoc Committee to consider the public international law issues associated with either (a) UNIDROIT undertaking the role of Supervisory Authority, or (b) the creation of a new international entity to undertake the role, with UNIDROIT as its Secretariat. The ad hoc Committee began its work in November 2022 and will report back to the Governing Council at its 102nd session in May 2023. Regarding the selection of a Registrar, the Request for Proposals for the establishment of the future International Registry for MAC Equipment was published on 21 March and closed on 1 September 2022. An Evaluation Committee assessed the bids that were submitted and will report back to the Preparatory Commission at its fifth session. Regarding the preparation of the first edition of the International Registry Regulations, a first draft of the Regulations was provided as part of the Request for Proposals published in June 2022.

20. As of November 2022, five States (the Republic of Congo, the Republic of Gambia, the Republic of Paraguay, the Federal Republic of Nigeria, and the United States of America) and one Regional Economic Integration Organisation (the European Union) have signed the treaty. The European Union signed the MAC Protocol on 20 September 2022.

21. In 2022, UNIDROIT has undertaken the following initiatives to promote and implement the MAC Protocol:

- i. Presentation on how the Cape Town Convention and the MAC Protocol could support the Asian Infrastructure and Investment Bank's (AIIB) core work to the AIIB Legal Department (virtual, January 2022).
- ii. Presentation on the MAC Protocol's benefits for the European Union to the European Union Working Party on Civil Law Matters (Brussels, January 2022).
- iii. Presentation of the MAC Protocol at an APEC Workshop on Modernising Secured Transaction Legal Regimes in APEC Economies (Japan, May 2022).
- iv. Presentation on the MAC Protocol as a tool for economic development in Africa to a group of African legal experts as part of the UNIDROIT Summer School (Rome, June 2022).

- v. Discussion of the MAC Protocol at the Cape Town Convention Academic Conference (Cambridge, September 2022).
- vi. Discussion regarding coordinating implementation of the MAC Protocol at the 5th Secured Transactions Coordination Conference (Rome, October 2022).
- vii. Presentation of the MAC Protocol at the Asia Pacific Private International Law Summit (Hong Kong, November 2022).
- viii. Presentation on how the Cape Town Convention and the MAC Protocol could support the core work of the Asian Development Bank (ADB) during a Bank-wide conference (Manila, November 2022).
- ix. Bilateral assistance to States working on implementation of the MAC Protocol (Cameroon, India, Indonesia, Malaysia, Mauritius, Kazakhstan, Kenya, Pakistan, Philippines, Spain, Ukraine and Uzbekistan).
- x. Quarterly virtual meetings with the MAC Working Group (virtual).

(c) Preparation of other Protocols to the Cape Town Convention

*(i) Ships and maritime transport equipment **

22. Consistent with the low priority assigned to the project in the Institute's Work Programme for the 2020-2022 triennium, the Secretariat has continued to conduct research on the viability of a future Protocol on ships and maritime transport equipment.

23. As part of the Economic Assessment on International Commercial Law Reform (EAICLR) project undertaken under the auspices of the Cape Town Convention Academic Conference, a preliminary *ex ante* economic assessment was undertaken on the Maritime Protocol. The primary purpose of the assessment was to test the EAICLR Economic Assessment framework being developed as part of the project. The economic assessment of the Maritime Protocol was discussed at the EAICLR 8th Workshop (Cambridge, 15 September 2022). It was agreed that the project should further develop a case study on the economic benefits of the Maritime Protocol, using the EAICLR Framework.

*(ii) Renewable energy equipment **

24. Consistent with the low priority assigned to the project in the Institute's Work Programme for the 2020-2022 triennium, the Secretariat has continued to conduct research on the viability of a future Protocol on renewable energy equipment. UNIDROIT has signed an agreement with an Australian law firm (AuxLaw) to provide pro bono advice on the Renewable Energy Equipment Protocol. AuxLaw is assisting UNIDROIT in the organisation of private sector consultations regarding the possible future Protocol, including the preparation of a questionnaire.

(d) Model Law on Warehouse Receipts ***

25. The General Assembly approved the inclusion of the joint UNCITRAL/UNIDROIT Model Law on Warehouse Receipt Project at its 79th session in December 2020 as a new item with high priority in the 2020-2022 Work Programme (see document [A.G. \(79\) 10, paras. 40-47](#)). The dedicated [project page](#) sets out all background documentation concerning the project.

26. Following project approval, and consistent with the Institute's working methodology, the UNIDROIT Working Group on a Model Law on Warehouse Receipts was established. While the preliminary [Work Plan 2020-2022](#) for the project provided that the Working Group submit a comprehensive draft Model Law text to the Governing Council by May 2022, at its 100th session in September 2021, the Governing Council authorised the extension of the project duration for one

calendar year (see document [C.D. \(100\) B Misc. 2](#)). Hence a full Model Law text shall be submitted to the Governing Council for its consideration and approval at its 102nd session in May 2023.

27. As planned, the Working Group held three sessions during the 2020-2021 period. In preparation of the fourth Working Group session, the Secretariat organised a Special Workshop on Electronic Warehouse Receipts on 26 January 2022, which took place in remote format with participation of a limited number of experts. The aim of the workshop was to consider and discuss the options and possible limitations in addressing technology-related aspects in the Model Law. More precisely, it aimed to identify what provisions the Model Law could constitute an enabling legal framework for electronic warehouse receipts and ensure that such provisions reflect current practices, align with approaches adopted in relevant existing and forthcoming international legal instruments, and, at the same time, foster future developments in terms of practice, business models, or technology. The participants also identified a range of issues that should be elaborated in a Guide to Enactment or other accompanying text, rather than in the Model Law text itself. The discussion paper prepared for this Workshop and the summary report are contained in [Study LXXXIII – W.G.4 – Doc. 4](#).

28. The fourth session of the Working Group took place in hybrid format on 28 February-2 March 2022. The Working Group considered the draft chapters that had been revised by the Drafting Committee based on the discussions of the previous Working Group meeting: Chapter I “Scope and general provisions”, which included definitions of key concepts; Chapter II “Issue of a warehouse receipt”, which also contained draft provisions on the form and content requirements for a warehouse receipt; and Chapter III “Transfer of warehouse receipts. Protected holders and other transferees. Warranties. Miscellaneous provisions regarding transfer”. Furthermore, the Group considered drafting options on electronic warehouse receipts for the Model Law, which had been prepared based on the abovementioned Special Workshop on Electronic Warehouse Receipts to inform the Group’s discussion on how electronic warehouse receipts ought to be incorporated in the current text. In addition, the Working Group considered to what extent the Model Law should cover security rights in warehouse receipts. The report of the fourth session is contained in [Study LXXXIII – W.G.4 – Doc. 6](#).

29. The latter Working Group session was followed by the first in-person meeting of the Drafting Committee on 3-4 March 2022. During the meeting, the Committee revised the draft Model Law chapters according to the decisions taken by the Working Group. The Committee focussed on revising the draft provisions to ensure that they applied to both paper-based and electronic warehouse receipts equally – in line with technology-neutrality as the conceptual approach for the Model Law agreed upon by the Working Group. New provisions specifically on electronic receipts were added where paper-based and electronic receipts could not be addressed in joint provisions, and where electronic receipts required additional provisions to provide an enabling legal framework for their issuance and transfer. Subsequently, the Committee started preparing drafting suggestions for the remaining three chapters required to complete the Model Law, namely Chapter IV “Rights and obligations of warehouse operators”, which should be limited to the extent required by the instrument itself; Chapter V “Conflict of laws”; and Chapter VI “Implementation of the law”, including transitional rules. The Committee held four further remote meetings between April and October 2022.

30. The fifth session of the Working Group on a Model Law on Warehouse Receipts is scheduled to take place on 5-7 December 2022 and will be followed by a Drafting Committee meeting on 8-9 December. The dates for the sixth Working Group meeting are confirmed for 1-3 March 2023, at the end of which the draft Model Law text shall be adopted for submission to the Governing Council at its 102nd session in May 2023.

31. With a view to promoting the project’s visibility, since the last meeting of the General Assembly on 9 December 2021, the Secretariat presented the Model Law on Warehouse Receipts

Project in a number of events. The project was presented and discussed at the Virtual Seminar “UNIDROIT’s Projects and Technology” organised by the International Training Centre of the International Labour Organization (ITC-ILO) on 10 December 2021; the Asian Development Bank (ADB) expert talk on “Innovative Agri-Finance Products to Help Address Food Insecurity in ADB Developing Member Countries”, held remotely on 21 September 2022; at the 5th International Coordination of Secured Transactions Reform Conference organised at the Institute on 5 October 2022; and as part of the ITC-ILO LLM Programme in International Trade Law on 29 March 2022.

2. Private law and agricultural development – Legal structure of agricultural enterprises ***

32. At its 80th session, the General Assembly approved to upgrade the project on Legal Structure of Agricultural Enterprises (LSAE), jointly developed with the United Nations Food and Agriculture Organization (FAO) and the International Fund for Agriculture Development (IFAD) ([A.G. \(80\) 10](#), paras. 43, 46), to high priority. Subsequently, a Working Group was established for the LSAE project, composed of nine expert members selected for their legal expertise in the field of contract, corporate, commercial, property, and agricultural law, as well as for their experience in economics, finance, digitalisation and sustainability. The Working Group is chaired by the Governing Council Member Justice Ricardo Lorenzetti and coordinated by Professor Fabrizio Cafaggi (Judge at the Council of State Italy and Professor at the University of Trento and LUISS). The Working Group also counts on a significant number of observers, representing international and regional intergovernmental organisations, farmers associations, non-governmental organisations, and the private sector. All background documentation concerning the LSAE project is available at its dedicated page on [UNIDROIT’s website](#).

33. The first session of the LSAE project Working Group took place in Rome at the seat of UNIDROIT and via videoconference from 23-25 February 2022, and was attended by 40 participants. Following thorough consideration, the Working Group decided that the LSAE project would start by focusing on transformations of the agri-food supply chain and the effect of such changes on the choice of legal forms for efficient commercial collaboration among agricultural enterprises, including both horizontal and vertical collaborative ventures.

34. The Working Group also considered that, at least at this stage of development, the main focus of the project would be on collaborative legal structures that support small producers and agri-MSMEs in doing business with one another, access markets and improve integration with different agri-food chain actors. The Working Group indicated that a conceptual framework could be used to distinguish both the endogenous and exogenous factors that affect the choice between three categories of instruments: (i) contracts, with a special focus on bundles of contracts and multiparty contracts; (ii) companies with or without legal personality; and (iii) cooperatives.

35. Other matters examined during the first session included the impact of market structure on agricultural enterprises, the role of midstream agri-MSMEs in contributing to rural transformations, the contractual arrangements for collaboration in agri-food supply chains, and the impact of technology, sustainability, green finance and insurance on the structure of agricultural enterprises.

36. At its 101st session (8-10 June 2022), the Governing Council was notified of the progress made by the Working Group in terms of clarifying the scope and content of the prospective LSAE guidance document ([G.C. \(101\) 10](#)). The Governing Council recommended that the high priority level of the LSAE project be maintained for the 2023-2025 Work Programme ([G.C. \(101\) 21](#)).

37. After the Governing Council session, three intersessional meetings were held via videoconference. The first was held on 16 June 2022, with the primary purpose of: (i) collecting

empirical evidence on the use of the three categories of collaborative legal forms; (ii) analysing the legal differences between the three categories of collaborative forms; and (iii) discussing the definition of key terms (i.e. agricultural enterprise, agricultural markets, family enterprise, community-based enterprise). At the second intersessional meeting, held virtually on 22 September 2022, the Working Group examined the differences and main challenges stemming from the legal structure of agricultural cooperatives composed of only farmers, and those including other participants (e.g., input providers, processors, retailers). In addition, the meeting aimed to collect empirical evidence to understand the role of agricultural cooperatives in the promotion of collaboration in agri-food supply chains versus other legal forms, such as multiparty contracts and corporations. The third intersessional meeting was held virtually on 30 September 2022. The Working Group discussed how corporations operate as instruments of collaboration among producers and other actors along the agri-food supply chain. Further, invited experts presented the relevance and impacts of digitisation and digitalisation on agricultural enterprises. Additionally, invited experts and Working Group members and observers discussed the factors that limit and that may improve access to credit and finance for agricultural enterprises, particularly for agri-MSMEs.

38. The second session of the Working Group took place in Rome at the seat of UNIDROIT and via videoconference from 2-4 November 2022. The primary purpose of the Second Working Group Session was to discuss the [Revised Issues Paper](#) and devise the work plan for the next triennium. It is expected that the LSAE project be developed over five Working Group sessions until May 2024, followed by a period of consultations before submitting the complete draft for adoption by UNIDROIT, FAO and IFAD.

3. Transnational civil procedure

(a) [Best practices for effective enforcement](#) ***

39. The project on Best Practices of Effective Enforcement was included in the 2020-2022 Work Programme at the 78th session of the General Assembly (A.G. (78) 12, paras. 41 and 51, and A.G. (78) 3), confirming the recommendation of the 98th session of the Governing Council (C.D. (98) 17, para. 245). At the second meeting of its 99th session, held in a hybrid format on 23-25 September 2020, the Governing Council approved the proposed scope of the project, confirmed its high priority status, and authorised the establishment of a Working Group, chaired by Governing Council Member Ms Kathryn Sabo (C.D. (99) B.3 and C.D. (99) B.21, paras 57-58).

40. Over the course of 2022, the Secretariat organised two Workshops to discuss issues related to the interaction between technology and enforcement: on 19 January 2022, an internal Workshop on Enforcement on Digital Assets, discussing two papers prepared by members of the Working Group; on 8 March 2022, a virtual Workshop on "Technology in Enforcement: recent developments and opportunities", with participation of experts from different jurisdictions (UAE, Latvia, Colombia) as well as the UIHJ. More information on these events can be found in the relevant Governing Council document (see [UNIDROIT 2022 C.D. \(101\) 6](#)).

41. The [fourth session of the Working Group](#) was held in hybrid format on 26-28 April 2022. During this session, the Working Group discussed a first set of draft best practices regarding enforcement by way of authority, a position paper on enforcement on digital assets, based on research conducted in cooperation with the Digital Assets and Private Law WG, a document regarding best practices on on-line auctions, and substantive and practical issues regarding the way forward for the activities of the subgroups and the Working Group in general. The discussions were guided by papers that were prepared intersessionally by the three subgroups (general

enforcement; enforcement of security rights; technology and enforcement) as well as the Secretariat.

42. In the intersessional period, the chairs of the Digital Assets and Private Law and the Best Practices for Effective Enforcement Working Groups took the initiative of a joint Workshop, with participation of experts from the two Groups as well as additional experts, which was held on the last day of the Governing Council session and shed light on various issues linked to enforcement on digital assets (10 June 2022).

43. The fifth session of the Working Group will be held in Rome and remotely on 12-14 December 2022. In addition, joint drafting work on best practices regarding digital assets with DA Drafting Committee members is planned for 15-16 December 2022.

44. Since the last session of the General Assembly, the project on Best Practices for Effective Enforcement was the object of a number of presentations by the Secretariat, including in a Webinar on “UNIDROIT’s Projects and Technology”, co-sponsored by UNIDROIT together with the University of Turin and the International Training Centre of the International Labour Organization (ITC-ILO) on 10 December 2021; during the International Summer School co-sponsored with the Italian Ministry of Foreign Affairs and Cooperation (16 July 2022); and at the Workshop on ASEAN Online Dispute Resolution held on 9 November 2022 as part of the 2022 Hong Kong Legal Week. More information will be available in the Annual Report 2022.

(b) International civil procedure in Latin America *

45. Upon recommendation of the Governing Council, the General Assembly included at its 98th session the possibility of future work on the topic in the Institute’s Work Programme for the 2020-2022 triennium, subject to further consultation with the Organization of American States (OAS), a feasibility analysis and availability of resources.

46. Consistent with the low level of priority assigned to the project, throughout 2021 and 2022 the Secretariat has merely undertaken preliminary contacts with potentially interested parties on this topic. These contacts have been recently intensified in light of the new Work Programme for 2023-2025.

4. International commercial contracts – Principles of reinsurance contracts *

47. The project for the development of Principles of Reinsurance Contract Law (PRICL Project), led by the Universities of Zurich, Frankfurt and Vienna and with participation of academics and practitioners from different jurisdictions, is aimed at the formulation of a “restatement” of existing global reinsurance law. As the PRICL presupposed the existence of adequate rules of general contract law, UNIDROIT was invited to participate in the project, wholly funded by research institutions, to provide expertise on the UNIDROIT Principles of International Commercial Contracts. The first part of the project, covering a General Part and four additional Chapters on Duties, Remedies, Aggregation, and Allocation, was published on line in December 2019 and can be found on the [dedicated website](#) of the project, together with translations in various languages and additional materials.

48. The UNIDROIT General Assembly, at its 78th session in December 2019, upon recommendation of the Governing Council, adopted the continuation of the project for the Work Programme 2020-2022 at the same conditions as before, in order to complete coverage of all relevant topics.

49. UNIDROIT attended the 9th Working Group meeting, which was held on 13-15 July 2022 in Bad Homburg (Germany) to address the final draft on the period of reinsurance contracts, as well as a draft of the back-to-back clause, and the proposed joint Note on PRICL and COVID-19. The meeting also discussed the way forward of the project and marketing.

50. The 10th Working Group meeting will be held Rome at UNIDROIT Headquarters on 25-27 January 2023, in conjunction with a public panel to be held on the first day. In relation to future consultation and dissemination activities, the Working Group is planning to hold industry and other stakeholders' consultations in the second half of 2023, in order to raise awareness on the practical relevance and usefulness of the instrument and contribute to its finalisation.

5. Cultural property – Private art collections*

51. Since the inclusion of the topic in the 2017-2019 Work Programme as a low priority activity, UNIDROIT has gathered information and conducted research on the subject to better understand how the Institute might lend its expertise on the topic. Various studies have been conducted and UNIDROIT has also organised or hosted conferences in cooperation with partners of the 1995 UNIDROIT Convention Academic Project (UCAP), including most recently a conference on 'Due diligence, Digital Databases and Cultural Property Law and Policy' by the Harry Radzyner Law School of Reichman University in Herzliya in March 2022, and a conference on 'Culture and Law' organised by the International Academy of Comparative Law and the Centro Mexicano de Derecho Uniforme, in April 2022 in Mexico City.

6. Leasing and Factoring

(a) [Model Law on Factoring](#) ***

52. The Model Law on Factoring (MLF) Project was approved by the UNIDROIT General Assembly at its 78th session in December 2019 as a high priority project for the 2020-2022 Triennial Work Programme. As consistent with the Institute's established working methodology, a Working Group was established to develop the MLF. The Working Group is composed of nine international legal experts representing different legal systems and geographical regions and is chaired by UNIDROIT Governing Council Member Professor Henry Gabriel. A number of international, regional and intergovernmental organisations, industry associations and academics attend the Working Group sessions as observers.

53. The fifth session of the Working Group to prepare a Model Law on Factoring took place in hybrid format between 16 and 18 May 2022. The Working Group was attended by 37 participants, comprised of (i) 10 Working Group Members, (ii) 17 observers from 6 international, regional and intergovernmental organisations, 4 industry associations and academia and (iii) 10 members of the UNIDROIT Secretariat.

54. At the close of its fifth session, the Working Group decided that the draft MLF (consisting of 54 Articles and 25 Registry Clauses) was sufficiently developed to undertake public consultations and referred the draft instrument to the Governing Council for consideration. At its 101st session (Rome, June 2022), the Governing Council approved the draft MLF for the purposes of launching a public consultation on the draft instrument, and mandated the Secretariat to facilitate such consultation.

55. UNIDROIT conducted a three-month consultation on the draft MLF between July and October 2022. The public consultation had three aspects:

- i. The launch of a dedicated webpage on the UNIDROIT website that allows interested parties to access the draft Model Law on Factoring and facilitate the submission of comments (<https://www.unidroit.org/instruments/factoring/model-law-onlineconsultation/>).
- ii. The circulation of the draft Model Law on Factoring directly to interested parties, including UNIDROIT stakeholders, project stakeholders and industry stakeholders.
- iii. The organisation of one or more consultation events to discuss the content of the draft instrument with stakeholders.

56. As part of the public consultation, on 12 October 2022 UNIDROIT held a virtual Question and Answer session on the MLF. Approximately 50 stakeholders from the factoring industry, government and academia participated in the virtual event. The event recording is available on the Institute's YouTube channel.¹ The draft MLF was also considered at a series of events organised by Factors Chain International (FCI) for stakeholders in Africa, Europe and Latin America.

57. Over 30 sets of comments on the draft MLF were submitted by stakeholders during the consultation window. The sixth session of the MLF Working Group will take place between 28 and 30 November 2022, during which the Working Group will discuss the submissions.

58. It is anticipated that the Model Law on Factoring will be finalised and published in 2023.

(b) Guide for enactment of the UNIDROIT Model Law on Leasing *

59. Consistent with the low priority assigned to the project in the Institute's Work Programme for the 2020-2022 triennium and UNIDROIT's other ongoing projects in the field of access to credit, the Secretariat did not begin substantive work on a Guide to Enactment for the UNIDROIT Model Law on Leasing in 2022.

7. Bank Insolvency ***

60. The Bank Insolvency project is undertaken in cooperation and with the support of the Bank for International Settlements' (BIS) Financial Stability Institute (FSI) and aims to develop international guidance covering the key aspects of insolvency proceedings for banks, with a focus on small and medium-sized banks. The future guidance is anticipated to take the form of a Legislative Guide and will complement the existing international legal architecture in the area of bank crisis management.

61. The project on Bank Insolvency was included in the Institute's 2020-2022 Work Programme in December 2019. Following an Exploratory Workshop in June 2021 and a feasibility study conducted by the Secretariat, the project was assigned high priority status in December 2021 ([C.D. \(100\) B Misc 2, Item 4](#); [A.G. \(80\) 10, Item 5](#)). Accordingly, a Working Group was established. The Working Group on Bank Insolvency is chaired by UNIDROIT Governing Council Member Professor Stefania Bariatti and composed of ten members selected for their expertise in the fields of insolvency law, bank crisis management, resolution and deposit insurance. In addition, the Working Group benefits from the participation of 37 institutional observers, including eight international and

¹ https://www.youtube.com/watch?v=9uian_qiWig&ab_channel=UNIDROIT.

regional organisations (among which the IMF, the World Bank, the International Insolvency Institute or the European Commission), eight deposit insurers, and 23 central banks, banking supervisors and bank resolution authorities from all over the world. Overall, the Working Group consists of participants from twenty-five jurisdictions from across 5 continents, representing a variety of legal systems and traditions.

62. The first session of the Working Group on Bank Insolvency was held in Rome and remotely on 13-14 December 2021. The discussions were guided by an Issues Paper prepared by the Secretariat in collaboration with the FSI. The Working Group focused, for the most part, on the scope of the project, the objectives of a bank insolvency regime and the grounds for opening insolvency proceedings for banks. Other matters examined during the first session include preparatory actions, institutional arrangements, the ranking of claims, and procedural aspects such as whether individual creditors should have legal standing to file for the insolvency of a bank. At this first session, the Working Group established three Subgroups to advance the work during the intersessional period. Between January and March 2022, nearly all Working Group participants were involved in an intense working schedule established by the Co-Chairs of the Subgroups and supported by the Secretariat. Six Subgroup meetings were held and the Co-Chairs of the three Subgroups met three times to discuss progress and coordinate the intersessional work. This intersessional work resulted in three comprehensive reports, one for each Subgroup.

63. The second session of the Working Group took place in hybrid format on 11-13 April 2022. The deliberations focused on the three Subgroup Reports, accompanied by a Revised Issues Paper with questions to guide the discussion. In addition to the matters examined during the first session, the Working Group discussed the toolkit of the person in charge of the bank insolvency process – focusing on the benefits of transferring (large parts of) the failing bank's assets and liabilities to another entity – and the role of the deposit insurer in facilitating such transfer or paying out depositors. Other aspects discussed during the second session included how to treat banking groups in the insolvency process, arguments for and against the enforceability of close-out netting provisions, and cross-border issues such as recognition, support and cross-border coordination.

64. During the second intersessional period (May-September 2022), the Subgroups continued their work via virtual meetings and the drafting of documents. The Secretariat organised six Subgroup meetings, four meetings of drafting teams, and one coordination meeting among the Co-Chairs of the three Subgroups. The work during the second intersessional period resulted in three revised Subgroup Reports, which were the main object of the deliberations at the third Working Group session. In addition, a stock-taking exercise was conducted within the Working Group to gather information and data on (experiences with) bank liquidation regimes across jurisdictions.

65. The third session of the Working Group was hosted by the Single Resolution Board (Brussels, Belgium) on 17-19 October 2022. On this occasion, in addition to analysing substantive matters, the Working Group decided to establish a Drafting Committee to prepare a first draft of the instrument based on the discussions and input collected so far. At least two more Working Group sessions are expected to be organised in 2023.

8. [Digital assets and private law](#) ***

66. Pursuant to the mandate given by the Governing Council at its 99th session (B) (Rome, 23-25 September 2020), the Secretariat has been facilitating the activities of the Working Group on Digital Assets and Private Law, as well as the Steering Committee to the Project on Digital Assets and Private Law in their work towards developing a set of Principles and Commentary on private

law related issues involving digital assets. Work on this project, as well as promotion has continued since the publication of the Statement of Activities for the 80th session of the General Assembly.

67. The fifth session of the Working Group took place in Rome and on Zoom between 7-9 March 2022. The meeting was dedicated to a discussion of the results of the intersessional work carried out by the Drafting Committee and attended by 70 participants which included Members of the Working Group, various intergovernmental organisations, international development banks, and other invited Observers. The sixth meeting of the Working Group took place in Rome and on Zoom between 31 August-2 September 2022 and was dedicated to reviewing an updated draft of the Principles, as well as examining comments submitted by the Steering Committee. The session was attended by more than 50 participants which included Members of the Working Group, various intergovernmental organisations, international development banks, and other invited Observers. Between sessions of the Working Group, a Drafting Committee has met 12 times over the course of the past 12 months. Additionally, the Working Group also organised a special workshop on 10 June 2022, as a side-event to the UNIDROIT Governing Council between the Working Group and the UNIDROIT Best Practices for Effective Enforcement project.

68. In addition to the Working Group, the Steering Committee to the Project on Digital Assets and Private Law was also requested to provide feedback on the draft Principles between April-June 2022. As part of this process, the Secretariat received responses from 24 experts from 14 countries and one Regional Economic Integration Organisation. This feedback was incorporated into the Principles, to the extent practicable, by the Drafting Committee and then by the Working Group at its sixth session. The Steering has been called for a second round of consultations in November 2022.

69. Regarding promotional activities in 2022, the Secretariat presented the Digital Assets and Private Law Project as part of several international conferences and at various universities. On 17 March 2022, the project was presented at the Law Schools Global League's Research Group on Law and Technology. The project was furthermore presented at the CODIFI Conference organised by the Hague Conference on Private International Law (12-16 September 2022), at the at the 5th international SOLAIR Conference (Society, Law, Artificial Intelligence and Robotics) organised by the Institute of State and Law of the Czech Academy of Sciences in cooperation with support from the Czech Ministry of Industry and Trade (3 November 2022), the Asia-Pacific Private International Law Summit as part of Hong Kong Legal Week 2022 (7 November 2022), and at Metaverse Safety Week (10-15 December 2022). The project was taught as part of academic programmes including the ITC-ILO LLM Programme in International Trade Law (30 March 2022), Aston University (7 December 2022), and the University of Nottingham (9 December 2022).

70. The 7th session of the Working Group will take place from 19-22 December 2022, with an industry consultation expected to take place between January-February 2023, the 8th session of the Working Group between 6-8 March 2023, and the final publication of the instrument as part of the 102nd Session of the UNIDROIT Governing Council in May 2023.

B. Implementation and promotion of UNIDROIT instruments

1. Depositary functions ***

71. UNIDROIT is the Depositary for the Cape Town Convention and its Protocols and for the Geneva Securities Convention. Its functions include, inter alia: providing assistance to States that contemplate becoming Parties to the Conventions and Protocols (e.g. on the procedure to follow and by drafting documents such as model instruments of ratification, declarations memorandum); informing all Contracting States of each new signature or deposit of an instrument of ratification;

and acceptance, approval or accession, of each declaration made in accordance with the Convention and Protocols, of the withdrawal or amendment of any such declaration and of the notification of any denunciation. Such functions also involve providing the Supervisory Authority and the Registrar with a copy of each instrument, declaration or withdrawal or amendment of a declaration, and of each notification of denunciation. UNIDROIT also maintains a specific Depository section on its website for the relevant instruments.

72. In 2022, UNIDROIT assisted several States on the procedure to become a Party to the Cape Town Convention and its Protocols, and processed the deposit of subsequent declarations to the Cape Town Convention and its Aircraft Protocol by Kuwait on 10 March 2022. On 17 November 2022, the Republic of Niger deposited its instruments of accession to both the Cape Town Convention and the Aircraft Protocol, bringing the number of Contracting Parties to 84 for the Convention, and 81 for the Protocol.

73. On 22 March 2022, South Africa signed the Luxembourg Rail Protocol to the Cape Town Convention, adopted in Luxembourg in 2007. The Protocol is not yet in force.

74. On 20 September 2022, the European Union, represented by H.E. Hana Hubáčková, Ambassador of the Czech Republic to Italy, Presidency-in Office of the Council of the European Union, and H.E. Antonio Parenti, Head of the European Commission Representation in Italy, signed the MAC Protocol to the Cape Town Convention, adopted in Pretoria in 2019. Such signature is an important signal of political commitment to proceed in due time with the ratification, as Member States are now allowed to sign themselves the Protocol. The Protocol is not yet in force.

2. Promotion of UNIDROIT instruments ***

75. At its 98th session (Rome, 8-10 May 2019), the Governing Council recalled the importance of promoting the instruments of the Institute and hence to maintain the high priority of promotion activities in the UNIDROIT Work Programme for the 2020-2022 triennium. The General Assembly approved this recommendation at its 78th session (Rome, 12 December 2019).

76. While travel restrictions still present for some parts of the world continued to have a impact on the way promotion of UNIDROIT's instruments is conducted, this has not prevented the Secretariat from holding, or taking part in, a considerable number of events. Naturally, due to the circumstances created by the COVID-19 Pandemic, the dissemination of UNIDROIT's work has still been undertaken mostly in remote mode, while in-person promotional activities could be resumed to some extent.

(a) Cape Town Convention

77. The Cape Town Convention and its Protocols were presented as part of a Legal Information and Management Series event organised by the Legal Department of the Asian Infrastructure Development Bank (AIIB) on 10 January 2022, as well as during a visit of a delegation from Mongolia to UNIDROIT on 2 May 2022, attended by the Ambassador of Mongolia in Italy, members of Parliament and the Vice Minister of Justice and Home Affairs. The Cape Town Convention was also promoted at the 11th Annual Cape Town Convention Academic Project Conference that took place at Robinson College, University of Cambridge on 13-14 September 2022. Presentations on the Cape Town Convention and its Protocols were further held at the XXI Congress of the International Academy of Comparative Law in Asunción (Paraguay, 25 October 2022); at the Asia-Pacific Private International Law Summit on Facilitating Access to Credit in the context of the Hong Kong 2022 Legal Week (7 November 2022); and at a Workshop organised at the headquarters of the Asian

Development Bank in Manila on 16 November 2022. More information will be provided in the Annual Report 2022.

(b) UNIDROIT Principles on International Commercial Contracts (UPICC)

78. The UPICC were presented on a number of occasions in 2022. They were the main object of a lecture on “UNIDROIT & the UNIDROIT Principles of International Commercial Contracts” to postgraduate students of the International Training Centre of the International Labour Organization (ITC-ILO) in Turin on 28-29 March 2022. They were also presented on the occasion of the visit of the abovementioned Mongolian delegation as well as at a conference co-organised with the ICC and ICC Italy and hosted by UNIDROIT, on Force Majeure and Hardship on 14 October 2022. Furthermore, they prominently featured at the XXI Congress of the International Academy of Comparative Law in Asunción (Paraguay), particularly in one of the opening sessions of the Congress addressing investment contracts and the proposed ICC Institute-UNIDROIT project on this topic, and in a dedicated panel co-organised by UNIDROIT on 26 October 2022. They were further presented at the Workshop on ASEAN Online Dispute Resolution held on 9 November 2022, as part of UNIDROIT’s instruments strengthening contractual enforcement, in the context of the 2022 Hong Kong Legal Week. More information will be provided in the Annual Report 2022.

(c) UNIDROIT/FAO/IFAD Legal Guide on Contract Farming

79. The UNIDROIT/FAO/IFAD Legal Guide on Contract Farming (LGCF), published in 2015, was promoted in a number of conferences and events during 2022. On 25 February 2022, it was presented at a workshop on contract farming organised by the International Institute for Sustainable Development (IISD), the Liberia Ministry of Agriculture, the MAP Liberia Land Platform, and the William N. Tolbert College of Agriculture and Forestry of the University of Liberia. On 24 June 2022, the LGCF was presented at a conference entitled “Making the Supply Chain Work – Drafting Effective International Contracts”, organised by the International Association of Lawyers with the support of the Vienna Bar Council and the Austrian Bar Association. The LGCF was also discussed during the UNIDROIT Summer School co-sponsored with the Italian Ministry of Foreign Affairs and Cooperation and held in July 2022, for the benefit of a selected number of experts coming from various African countries. On 26 October 2022, the LGCF was further presented at a dedicated panel co-organised by the International Academy of Comparative Law (IACL) and UNIDROIT during the XXI IACL Congress, where participants discussed the role of uniform law for sustainable development.

80. More information on promotional activities regarding the Legal Guide will be available in the 2022 Annual Report.

(d) UNIDROIT/IFAD Legal Guide on Agricultural Land Investment Contracts

81. The UNIDROIT/IFAD [Legal Guide on Agricultural Land Investment Contracts](#) (ALIC Legal Guide), released in September 2021, was presented in various events over the course of 2022, such as at the International Bar Association (IBA) Agricultural Law Section’s capacity development webinar for lawyers on responsible investments in agriculture on 18 May 2022 and at IBA’s Annual Conference on 4 November 2022. The Guide was also presented during a breakout session entitled “Showcasing best practices on promoting responsible land-based investments” organised in the context of the Global Land Forum on 23 May 2022 and at the International Academy of Comparative Law Conference on 26 October 2022.

82. The translation and editing of the French version of the ALIC Legal Guide is expected to be finalised by the end of November 2022 and the launch event will be planned to take place in the first months of 2023.

(e) ELI-UNIDROIT Model Rules of European Civil Procedure

83. The ELI-UNIDROIT Model Rules of European Civil Procedure were promoted on several occasions throughout 2022, including a presentation of the Spanish translation of the Model Rules that was held in Madrid (IE University) on 30 June 2022, as well as on 16 July 2022 during the International Summer School.

(f) UNIDROIT instruments on international protection of cultural property

84. The 1995 UNIDROIT Convention was presented on a number of occasions during 2022 both at meetings organised by partner organisations or academic institutions. The UNIDROIT instruments on cultural property were in particular presented at regional online consultations on Cultural Policies for the Africa Region on 31 January, and for Latin America and the Caribbean on 14 February, in preparation of the MONDIACULT 2022 Conference organised by UNESCO in September 2022. They were also presented during a visit of a delegation from Mongolia to UNIDROIT on 2 May 2022, attended by the Vice Minister of Justice and Home Affairs, the Ambassador of Mongolia in Italy, a representative of the National Legal Institute of Mongolia and members of Parliament, as well as at the National consultation on the prevention of crimes and violations against cultural heritage on 10 and 11 November 2022, as Mongolia decided to join the 1995 Convention.

85. The 1995 UNIDROIT Convention was also discussed on 9 May 2022 at an online course organised by ICCROM Sharjah and the Ministry of Culture of Saudi Arabia for 52 high level Saudi participants invited from the Gulf Cooperation Council (GCC) (Yemen, Oman, Qatar, and UAE); on 25 May 2022 at a training course for Afghanistan organised by the Institut National du Patrimoine and Expertise France; on 21 June 2022 for officials and managers of the Ministries of Culture of various African Union States organised by the Italian Carabinieri; and on 6 July to the 11th International Symposium on the Theft of and Illicit Traffic in Works of Art organised by INTERPOL. Furthermore, the instruments on the international protection of cultural property were discussed at the first UNIDROIT International Summer School on 13 July 2022, and at the International Conference on Cultural Property Protection: The Prevention of the Illicit Trafficking of Cultural Properties – An ASEAN Perspective, organised in September 2022 by the Ministry of Culture and Fine Arts of the Kingdom of Cambodia as the Chair of ASEAN in 2022, in cooperation with the Antiquities Coalition in Siem Reap.

86. As to academic institutions, UNIDROIT contributed to the third edition of the Master in Cultural Property Protection in Crisis Response with a presentation in Turin (Italy) on 16 February 2022; the Culture and Law Conference organised in April 2022 in Mexico City by the International Academy of Comparative Law and the Centro Mexicano de Derecho Uniforme; and a conference entitled “The Italian Law of Cultural Heritage: a Dialogue with the United States”, held in June 2022 in Florence (Italy) and organised by the School of Law of the University of Florence and the Superintendence of Florence, Pistoia and Prato.

87. Further details on the numerous other promotional events and activities concerning UNIDROIT instruments undertaken over the course of 2022 will be reported in the forthcoming 2022 Annual Report.

3. Launch of the International Summer School

88. At the 100th session of the Governing Council, the Secretariat proposed to provide a unified approach to UNIDROIT's academic network and to organise the first edition of the UNIDROIT International Summer School in 2022. (C.D. (100) B.22).

89. The International Summer School received full funding from the Italian Government on 9 July 2021 for the total amount of € 98,550. Mr Marco Nicoli (UNIDROIT Foundation) was appointed Director of the Summer School to lead and manage the entire initiative, in coordination with the Secretariat staff.

90. The 1st edition of the International Summer School was held in a hybrid format from 20 June to 22 July 2022. The first part of the school took place online, with classes being held via Zoom from 20 June to 1 July, and the second part at UNIDROIT headquarters with in-person classes from 4 to 22 July.

91. A total of 26 participants from 17 African countries (Algeria, Cameroon, DRC, Egypt, Ethiopia, Ghana, Kenya, Liberia, Malawi, Mauritania, Mauritius, Morocco, Nigeria, South Africa, Tanzania, Tunisia and Zambia) of which 13 females and 13 males, were admitted after a strict selection process. A dedicated section on the [Institute's website](#) was developed to provide detailed information and for dissemination purposes.

92. The [programme](#) included an introduction to the role of transnational law and unification and a presentation of many UNIDROIT's instruments in different fields (international commercial contracts; private Law and sustainable agriculture; access to finance - Cape Town Convention and relevant Protocols, Warehouse Receipts Financing, Factoring; international protection of cultural property; procedural law and enforcement; law and technology), with lectures delivered by world-renowned experts in each field, who often participated in the elaboration of the instruments presented. In addition to reading material and the in-person presentations, participants benefitted from seminars addressing case studies presented by legal practitioners based on real cases, as well as from other events to facilitate networking among participants, lecturers and legal experts.

C. Non-legislative activities

1. UNIDROIT Library and Depository Libraries***

(a) UNIDROIT Library

93. In 2022, special attention was paid to the digitisation of the historical "Gorla" collection and to the Chiomenti collection in order to preserve some of the Library's rarest and most valuable historical collections.

94. Work progressed on the digitisation project of the Library. The Library's electronic collection was enriched by a total of 525 digitised titles, comprising of 115 of the Chiomenti Collection and the addition of 410 monographs, regarding, in particular, the Scialoja collection. Furthermore, the Library started with the cataloguing and digitising of the very precious collection of about 700 publications, mostly in the form of pamphlets, excerpts from various Italian reviews, in particular law reviews, and by collective works, between the last decades of the nineteenth century and the thirties of the twentieth century, which was donated to the Library in June 2021 by Professor Achille de Nitto. The publications belonged to the Vittorio Scialoja library at the Institute of Roman law. Many copies contain an autographed dedication to Professor Scialoja by the author. Other publications, in less substantial quantities, are dedicated or directed to Pietro Francisci. The names

of Vittorio Scialoja, as well as Francisci, have been linked to UNIDROIT since its foundation, and the titles of the collection of comparative law and unification of laws. Thanks to a fruitful collaboration programme with the association “Help”, two interns have digitised library materials under the supervision of the staff of the Library.

95. As in previous years, the Library has received donations in kind from the Max Planck Institute for Comparative and International Private Law (Hamburg, Germany).

(b) Depository Libraries

96. Traditionally, UNIDROIT has asked Member States to appoint specific libraries or other official institutions to act as Depository Libraries for UNIDROIT documentation. The list of Member States on the website also indicates the Depository Libraries.

2. Information resources and policy ***

(a) Paper-based Publications

97. In addition to monographs directly linked to the Work Programme of the Institute and the instruments it has adopted, UNIDROIT publishes the Uniform Law Review with Oxford University Press (OUP). The Review publishes articles on international uniform law and comparative law, often linked to UNIDROIT projects, acts of international conferences of interest to the organisation, and the texts of international instruments of relevance to the sphere of activity of the Institute. The data provided by OUP confirm the great importance of the Review as a vehicle for the dissemination of information on the Institute and its activities.

98. The fifth edition of the Official Commentary on the Convention on International Interests in Mobile Equipment and Protocol Thereto on Matters Specific to Aircraft Equipment, prepared by Professor Sir Roy Goode, was published in May 2022. An electronic version, with internal and external links, prepared for the use of subscribers to the International Registry is being prepared following an agreement between the Institute and Aviareto, the Registrar of the Cape Town Convention and the Aircraft Protocol.

99. The French version of the ELI/UNIDROIT Model European Rules of Civil Procedure, the English version of which was published by Oxford University Press in August 2021, has been finalised and is due to be published before the end of 2022. The French version of the Legal Guide on Agricultural Land Investment Contracts has also been finalised and is being prepared for publication.

(b) Communication Strategy and Outreach

Website

100. UNIDROIT revamped its website and launched the current version during the 100th session of the UNIDROIT Governing Council, in September 2021.

101. During the course of its first year, the website has been subject to a thorough review. A member of the General Services staff within the Secretariat has been designated to aid and support the IT administrator in his tasks, to ensure continuity in his absence. So far, 20 out of the 30 hours of dedicated training from UNIDROIT’s web developers have been delivered, and the two administrators have been in constant contact with the web designing company to identify and

troubleshoot any issues that have emerged in the website's use and transfer of information from the old website.

102. The website's new functionalities have allowed the Secretariat to work on its projects in more convenient and efficient ways. This has included using tools such as password protected pages on the website, draft pages, integrations with online events, as well as better video and media integration.

103. New sections of the Website have been added, such as the UNIDROIT Academy page, which provides an overview of the pillars that constitute the Academy, with its own thematic channel, and acts as focal point of the Institute's academic activities by including individual links to the relevant projects, where detailed information on each academic project can be found. New features and pictures have also being added to provide better introductions to members of staff.

Social media

104. The purpose of UNIDROIT's social media presence is to:

- a. Raise UNIDROIT's public profile and online awareness of its current projects;
- b. Promote upcoming events and encourage participation from relevant stakeholders;
- c. Allow researchers, visiting professionals, interns, and other stakeholders to connect with each other and maintain a connection with UNIDROIT;
- d. Serve as a dynamic channel to communicate with the global community interested in UNIDROIT's work; and
- e. Allow UNIDROIT to widely advertise vacancies, internship and scholarship opportunities.

105. UNIDROIT currently maintains accounts on [LinkedIn](#) (2016), [Facebook](#) (2016), [Twitter](#) (2018) and [YouTube](#) (relaunched in 2019). UNIDROIT's presence on YouTube was relaunched in 2019 to promote videos of expert presentations made at the Institute by international legal experts and visiting scholars, as well as to share promotional videos about UNIDROIT instruments and events.

106. Pursuant to a regularly updated internal social media strategy, the Secretariat shares the following types of content through its various social media channels:

- a. Updates relating to projects;
- b. Notable anniversaries of signatures, ratifications, accessions and entry into force of UNIDROIT instruments in States, under the #UNIDROITanniversaries hashtag;
- c. UNIDROIT events (past and upcoming);
- d. External events relevant to UNIDROIT work (e.g. International moots utilising UNIDROIT instruments);
- e. UNIDROIT attendance at other international meetings;
- f. Profiles of scholars and interns;
- g. Internship and scholarship opportunities;
- h. Library news;
- i. Webinars;
- j. History of the Institute;
- k. Announcements of partnerships with other organisations;
- l. Sharing relevant content from the social media accounts of partner organisations;
- m. Monthly themes to promote certain projects.

107. Additionally, the Secretariat actively works with universities, affiliated international organisations, and individuals involved in UNIDROIT’s work in order to cross-mention each other in social media posts, in order to further promote these activities and increase the Institute’s digital engagement and “reach”. All content posted generally includes images/videos either taken at UNIDROIT or copyright-free images. Additionally, content posted also channels the audience back onto the UNIDROIT website, thereby increasing the number of visitors on the website.

108. Over the years, the Secretariat has benefitted from attending the “Social Media Roundtable” organised every 6 months by the United States Mission to the UN Agencies in Rome. These meetings bring together social media managers from international organisations based in Rome (FAO, IFAD, WFP, IDLO, UNIDROIT, ICCROM etc.) to discuss best practices in social media management, effective strategies, and to improve social media coordination. This forum has allowed the Institute to benefit from the professional social media expertise of larger organisations to improve its own social media practices.

Performance indicators

109. As of 10 November 2022, UNIDROIT had 24,085 (up from 18,202 in 2021) followers on LinkedIn, 5,300 (up from 4,845 in 2021) followers on Facebook, 1,941 (up from 1,463 in 2021) followers on Twitter, and 419 (up from 268 in 2021) subscribers on YouTube. UNIDROIT operates a verified Twitter account and the UNIDROIT social media channels continue to be the largest source of referrals to the UNIDROIT website, after direct clicks and search engines. In 2022, posts made by UNIDROIT on all its channels collectively were delivered to people’s feeds over 1 million times.

3. Internships and scholarships ***

110. The UNIDROIT Scholarship, Internship and Research Programme is an important tool to promote UNIDROIT’s work and related research in the field of international and comparative law.² UNIDROIT’s Scholarship, Internship and Research Programme welcomes law students and academics from around the world to work with the Secretariat on the Institute’s Work Programme or undertake complementary legal research in the UNIDROIT Library.

111. Since 2014, these Programmes have been entirely funded by voluntary contributions, relying on the benevolence and generosity of its sponsors, which include, amongst others, the Ministry of Commerce of the People’s Republic of China (MOFCOM), the UNIDROIT Foundation, Members of the Governing Council, the UNIDROIT Alumni Association, the Madruga law firm and the Transnational Law and Business University (TLBU).

112. UNIDROIT received 144 internship applications and 63 scholarship applications for the annual 2022 intake. During 2022, the Institute welcomed 46 interns and 18 scholars from 28 countries. Of the 46 interns, 11 were granted modest stipends for the duration of their internships. Of the 18 scholars, 6 were granted stipends for the period of their research. Additionally, 48 independent researchers from 18 countries undertook their research in the UNIDROIT Library.

113. The Secretariat continued to cooperate with universities, other research centres, and institutions under existing Memorandums of Understanding (MoUs). UNIDROIT signed six MoUs with the following new partners in 2022: the Space Court Foundation (US); Supreme Court of Justice

² For a full presentation of the Scholarship, Internship and Research Programme, including a list of current and former guests see: <https://unidroit.org/research-and-internships>.

(Paraguay); International Academy of Comparative Law (France); Instituto de Empresa (Spain); Central Bank of Paraguay; and the Hong Kong Special Administrative Region (SAR) of the People's Republic of China. Furthermore, taking advantage of the presence of distinguished guests at UNIDROIT, the Secretariat revived its scholar presentation series on topics related to the guest's areas of research in the summer, with four presentations delivered by researchers since July. These presentations were attended by members of the UNIDROIT Secretariat and current guests in the Library.

ANNEXE I

**Expenditure in Implementation of Work Programme
(estimate by 31 December 2022)**

		Priority level	<i>Regular budget</i>
Secured transactions			
(a) Implementation of Rail and Space Protocols		***	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		43,649.14
	General services (Ch. 2.1, 3.1)		19,423.99
	Official journeys (Ch. 1.5)		0.00
Conference costs	Interpretation/technical services/representation (Ch. 1.5)		3,350.00
Total			66,423.13
(b) Implementation of MAC Protocol		***	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		95,478.43
	General services (Ch. 2.1, 3.1)		25,728.00
Conference costs	Official journeys (Ch. 1.5)		0.00
	Interpretation/technical services/representation (Ch. 1.5)		3,350.00
Total			124,556.43
(c) Preparation of other Protocols to the Cape Town Convention		*	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		15,652.82
	General services (Ch. 2.1, 3.1)		0.00
			0.00
	Experts (Ch. 1.4)		0.00
Total			15,652.82
(d) Warehouse Receipts		***	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		13,327.48
	General services (Ch. 2.1, 3.1)		1,339.98
Meeting costs	Experts (Ch. 1.4)		4,222.57
Total			18,890.03
Private law and development			
(a) Agricultural Land Investment Contracts		***	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		63,384.88
	General services (Ch. 2.1, 3.1)		4,014.22
Total			67,399.09
(b) Legal Structure of Agricultural Enterprises		**	
Staffing costs	Professional staff (Ch. 2.1, 3.1)		58,630.12
	General services (Ch. 2.1, 3.1)		4,014.22
Meeting costs	Experts (Ch. 1.4)		6,916.70
Total			69,561.04

Transnational civil procedure		
(a) Formulation of regional rules		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	11,155.06
	General services (Ch. 2.1, 3.1)	0.00
Total		11,155.06
(b) Principles of effective enforcement		**
Staffing costs	Professional staff (Ch. 2.1, 3.1)	58,795.14
	General services (Ch. 2.1, 3.1)	12,137.24
	Experts (Ch. 1.4)	10,500.00
Total		81,432.38
(c) International Civil Procedure in Latin America		*
Staffing costs	Professional staff (Ch. 2.1, 3.1)	0.00
	General services (Ch. 2.1, 3.1)	0.00
Total		0.00
International Sales Law		
Guidance Document on Existing texts in the area of international sales law		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	0.00
	General services (Ch. 2.1, 3.1)	0.00
Total		0.00
International Commercial Contracts		
Formulation of Principles of reinsurance contracts		*
Staffing costs	Professional staff (Ch. 2.1, 3.1)	1,909.44
	General services (Ch. 2.1, 3.1)	3,349.95
Total		5,259.39
International Protection of Cultural Property		
Private art collections		*
Staffing costs	Professional staff (Ch. 2.1, 3.1)	3,794.00
	General services (Ch. 2.1, 3.1)	0.00
	Official journeys (Ch. 1.5)	0.00
Total		3,794.00
Leasing and Factoring		
Model Law on Factoring		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	40,802.91
	General services (Ch. 2.1, 3.1)	10,291.20
	Experts (Ch. 1.4)	23,033.00
Total		74,127.11
Guide for Enactment of Model Law on Leasing		*
Staffing costs	Professional staff (Ch. 2.1, 3.1)	0.00
	Consultant fees (Ch. 2.1, 3.1)	0.00
Total		0.00

Insolvency Law		

Harmonisation of Insolvency Law		
Staffing costs	Professional staff (Ch. 2.1, 3.1)	52,493.88
	General services (Ch. 2.1, 3.1)	6,699.90
Consultation / promotion	Experts (Ch. 1.4)	12,009.91
Total		71,203.69
Law and Technology		

Digital Assets		
Staffing costs	Professional staff (Ch. 2.1, 3.1)	23,800.78
	General services (Ch. 2.1, 3.1)	8,028.43
Consultation / promotion	Official journeys (Ch. 1.5)	0.00
	Experts (Ch 1.4)	13,878.16
Total		45,707.37
Implementation and promotion		
(1) Depository Functions		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	43,166.79
	General services (Ch. 2.1, 3.1)	10,742.04
Total		53,908.84
(2) Promotion of UNIDROIT Instruments		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	163,396.09
	General services (Ch. 2.1, 3.1)	3,349.95
Consultation/promotion	Official journeys (Ch. 1.5)	32,670.19
Conference costs	Official journeys of experts (Ch. 1.5)	0.00
	Consultant fees (Ch. 2.1, 3.1)	6,202.86
Postage (Ch.4.3)	Postage (Ch. 4.3)	7,000.00
Total		212,619.09
Non-legislative activities		
(1) UNIDROIT Library and Depository Libraries		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	0.00
	General services (Ch. 2.1, 3.1)	154,754.61
Acquisitions	Purchase of books, legal journals, binding, software (Ch.6)	128,967.00
Total		283,721.61
(2) Publications		***
Staffing costs	Professional staff (Ch. 2.1, 3.1)	37,770.35
	General services (Ch. 2.1, 3.1)	115,281.40
Total		153,051.75
(3) Internships and scholarships		***
Staffing costs	Professional staff (Ch. 2.1, 3.2)	30,996.47
	General services (Ch. 2.1, 3.1)	50,125.11
Total		81,121.58

Membership, institutional cooperation and governance		
Staffing costs	Secretary-General and Professional staff (Ch. 2. 1, 3.1)	124,307.87
	General services (Ch. 2.1, 3.1)	232,008.55
Conference costs	Interpretation/technical services (Ch. 1.5)	10,000.00
	GA, FC, GC and PC (Ch. 1.1)	43,000.00
Consultation / promotion	Official journeys (Ch. 1.5)	4,000.00
	Experts (Ch. 1.5)	7,406.62
	Representation (Ch. 1.7)	8,000.00
Total		428,723.04
Administration, support services and building management		
Staffing costs	Secretary-General and Professional staff (Ch. 2. 1, 3.1)	30,404.36
	General services (Ch. 2.1, 2.2, 3.1)	232,008.55
	Auditor (Ch1.4)	5,000.00
	Consultant fees (Ch. 2.1, 3.1)	15,740.00
	Experts (Ch. 1.5)	26,170.54
	Utilities Maintenance costs, Labour costs (Ch. 5)	11,599.59
	Compensation for retired members of staff (Ch. 3.3)	930.86
	Accident insurance (Ch. 3.2)	8,786.43
	Administration costs (Ch. 4.1, 4.2, 4.3,4.4.,4,5)	34,067.16
Total		364,707.49
Total		2,233,014.93

ANNEXE II**UNIDROIT Information on Extrabudgetary Contributions in 2022**

Principles on Netting of Financial Instruments	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor Association of German Banks		281.39			281.39
Expenditure					
Total	€	281.39	0.00	0.00	281.39
UROLA - Prize	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor United Rule of Law Appeal - Prize		8,799.56			8,799.56
Total	€	8,799.56	0.00	0.00	8,799.56
Promotion of UNIDROIT Instruments	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor Uniform Law Foundation		15,002.60		6,619.02	8,383.58
Expenditure					
Total	€	15,002.60		6,619.02	8,383.58
Cape Town Convention Academic Project	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor CTCAP		42,609.81	84,175.15	61,998.22	64,786.74
Total	€	42,609.81	84,175.15	61,998.22	64,786.74
Research Scholarship Programme	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor Scholarship General Fund		20,431.80	5,216.36	20,398.85	5,249.31
Sir Roy Goode Scholarship		29,393.88	0.00	3,999.96	25,393.92
People's Republic of China		72,294.34		2,001.29	70,293.05
Summer School		98,550.00		87,742.98	10,807.02
Expenditure					
Total	€	220,670.02	5,216.36	114,143.08	111,743.30

UNIDROIT Library	€	Initial Balance	Receipts*	Expenditure **	Balance ***
Receipts					
Donor Various Italian Law Firms		10,113.99			10,113.99
Expenditure					
Purchase of books and journals					
Total		10,113.99	0.00	0.00	10,113.99
MAECI					
EC FUND Private Law and Agriculture		100,000.00		1,121.54	98,878.46
PALAZZO ALDOBRANDINI WORKS		735,600.00			735,600.00
GRAND TOTAL	€	1,133,077.37	89,391.51	183,881.86	1,038,587.02

* Estimated total receipts as at 30 September 2022 including any amounts carried over from 2021

** Estimated expenditure as of 30 September 2022

*** Estimated balance as of 30 September 2022