



EN

**GOVERNING COUNCIL
103rd session
Rome, 8-10 May 2024**

UNIDROIT 2024
C.D. (103) 1 rev.
Original: English
April 2024

ANNOTATED DRAFT AGENDA

1. Adoption of the annotated draft agenda (C.D. (103) 1 rev.)
2. Appointments (C.D. (103) 1 rev.)
 - (a) First and Second Vice-Presidents of the Governing Council
 - (b) Members *ad honorem* of the Governing Council
 - (c) Members of the Permanent Committee
3. Reports
 - (a) Annual Report 2023 (C.D. (103) 2)
 - (b) Report on the UNIDROIT Foundation (C.D. (103) 3)
4. Ongoing legislative activities carried over from the 2020-2022 Work Programme
 - (a) Best Practices for Effective Enforcement (C.D. (103) 4)
 - (b) Bank Insolvency (C.D. (103) 5)
 - (c) Collaborative Legal Structures for Agricultural Enterprises (C.D. (103) 6)
 - (d) Private Art Collections (C.D. (103) 7)
 - (e) Principles of Reinsurance Contracts (C.D. (103) 8)
5. Update on certain high-priority projects on the 2023-2025 Work Programme
 - (a) Model Laws and Guides to Enactment:
 - i. UNIDROIT Model Law on Factoring and Guide to Enactment (C.D. (103) 9.1)
 - ii. Proposed amendment to the Model Law on Factoring (C.D. (103) 9.1 bis)
 - iii. UNCITRAL/UNIDROIT Model Law on Warehouse Receipts and Guide to Enactment (C.D. (103) 9.2)
 - (b) UNIDROIT Principles of International Commercial Contracts and Investment Contracts (C.D. (103) 10)
 - (c) Legal nature of Voluntary Carbon Credits (C.D. (103) 11)
6. Update on other projects and exploratory work concerning the 2023-2025 Work Programme
 - (a) Development of a guidance document on Corporate Sustainability Due Diligence in Global Value Chains (C.D. (103) 12)

- (b) European Law Institute project proposal in the area of technology and global value chains (C.D. (103) 12 bis)
 - (c) Conclusion of the exploratory work conducted on the HCCH-UNIDROIT Project on Law Applicable to Cross-Border Holdings and Transfers of Digital Assets and Tokens (C.D. (103) 13)
7. International Interests in Mobile Equipment:
- (a) Implementation and status of the Cape Town Convention and the Aircraft Protocol (oral presentation)
 - (b) Implementation and status of the Luxembourg Rail Protocol (C.D. (103) 14)
 - (c) Implementation and status of the Space Protocol (C.D. (103) 15)
 - (d) Implementation and status of the Protocol on Matters specific to Mining, Agricultural and Construction Equipment (MAC Protocol) (C.D. (103) 16)
 - (e) The designation of UNIDROIT as Supervisory Authority for the MAC Protocol Registry (C.D. (103) 17)
8. International Protection of Cultural Property: Implementation and status of the 1995 Convention (C.D. (103) 18)
9. Promotion Strategy for other UNIDROIT Instruments (C.D. (103) 19)
10. UNIDROIT Correspondents (C.D. (103) 20)
11. UNIDROIT Academy (C.D. (103) 21)
- (a) UNIDROIT Academic Projects
 - (b) Academic Institutes and Law Centres
 - i. Queen Mary University London (QMUL) - UNIDROIT Institute of Transnational Commercial Law
 - ii. Roma Tre - UNIDROIT Centre for Transnational Commercial Law and International Arbitration
 - iii. Nordic Law Centre and dedicated Library Section
 - iv. UNIDROIT Asian Transnational Law Centre
 - (c) UNIDROIT International Programme for Law and Development
 - (d) UNIDROIT Chair Programmes and fellowships
 - (e) UNIDROIT Library
 - (f) UNIDROIT Scholarship, Internship and Research Programme
 - (g) Cooperation with academic institutions
 - (h) UNIDROIT Publications
12. Communications strategy and social media outreach (C.D. (103) 22)
13. Implementation strategy for newly adopted UNIDROIT Instruments
- (a) UNIDROIT Model Law on Factoring (C.D. (103) 23)
 - (b) UNIDROIT Principles on Digital Assets and Private Law (C.D. (103) 24)

14. Institutional and Administrative matters
 - (a) Report of the Special Committee to update the UNIDROIT Regulations (C.D. (103) 25)
 - (b) Preparation of the draft Budget for the 2025 financial year (C.D. (103) 26)
 - (c) Remote procedures for Governing Council (C.D. (103) 27)
 - (d) UNIDROIT future stable regional outreach strategy (C.D. (103) 28)
15. Preparation of the centenary of UNIDROIT (C.D. (103) 29)
16. Date and venue of the 104th session of the Governing Council (C.D. (103) 1 rev.)
17. Any other business

ANNOTATIONS

1. The 103rd session of the Governing Council will be held at the seat of UNIDROIT on Wednesday-Friday, 8-10 May 2024. In person participation is expected for Governing Council Members, although remote connection will exceptionally be made available where in person attendance is not possible. Remote participation for registered Observers is also possible. In order to accommodate participation across as many time zones as possible, meeting hours shall be from 9:30 a.m. to 6 p.m. CEST on the first two days and from 10 a.m. to 3 p.m. on the last day.

Item No. 2 – Appointments

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

2. At its annual sessions since 1977, the Governing Council has elected a First and a Second Vice-President who, in accordance with Article 11 of the Regulations of the Institute, will hold office until the following ordinary session, which is convened once a year. At present, the post of First Vice-President is occupied by the doyen of the Council and that of Second Vice-President by one of the most senior Council Members, the latter on the basis of the criterion of rotation since 1994.

(b) Members *ad honorem* of the Governing Council

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

4. The Governing Council is invited to appoint the following as Members *ad honorem* (listed in alphabetical order): Mr Hans-Georg Bollweg, Ms Baiba Broka, Ms Bénédicte Fauvarque-Cosson, Mr Henry D. Gabriel, Mr Arthur S. Hartkamp, Mr Patrick Kilgarrieff, Mr Alexander S. Komarov, Mr Ricardo L. Lorenzetti, Mr Luc Schuermans, Ms Shi Jingxia, Ms Carmen Tamara Ungureanu.

(c) Members of the Permanent Committee

5. According to Article 7(1) of the [Statute](#), the Permanent Committee “shall consist of the President and five members appointed by the Governing Council from among its own members”. Pursuant to Article 7(2) of the Statute, the “members of the Permanent Committee shall hold office for five years and shall be eligible for re-election” and “shall be convened at least once a year” (Article 7(3) of the Statute). Various powers are conferred on the Permanent Committee by the [Regulations](#) of the Institute, including the ensuring of the continuity of the Institute's operation in accordance with the instructions of the Governing Council (Article 17(1)), the appointment, nomination and promotion of certain categories of the staff (Articles 40, 41 and 42) and the taking of disciplinary measures concerning staff members (Article 62).

6. The current appointed members of the Permanent Committee are as follows: Mr Jorge A. Sánchez Cordero, Ms Kathryn Sabo, Mr Hans-Georg Bollweg, Mr Arthur Hartkamp, and Mr Henry Gabriel. The last three ceased their functions as Governing Council Members on 1 January 2024 and hence also ceased to be a member of the Permanent Committee.

7. Should the two remaining members of the Permanent Committee wish to continue serving in the Permanent Committee, the Governing Council would need to renew their mandate. Three new members must be appointed to fill in the current vacant positions, which would be, according to past practice, allocated following a principle of seniority on the Governing Council and geographical representation.

Item No. 14 – Date and venue of the 104th session of the Governing Council

8. The Governing Council may wish to consider holding its 104th session on either 7-9 May, 14-16 May, or 21-23 May 2025.