

UNIDROIT 2000
A.G. (54) 6
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UNIDROIT

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW

GENERAL ASSEMBLY

54th session

(Rome, 30 November 2000)

MINUTES

(prepared by the Secretariat)

Rome, January 2001

The session was opened at 10.10 a.m. by the PRESIDENT of UNIDROIT, Mr Berardino LIBONATI, who welcomed the participants, the list of which is annexed hereto as APPENDIX II. He stated that, with a view to increasing the Institute's resources, he was negotiating the submission to the Italian Parliament of a proposal for the modification of the Italian Government's method of calculating its contribution by introducing the criteria of a fixed percentage. This would necessitate amending Article 16 of the UNIDROIT Statute.

He then briefly recalled the various activities underway in the Institute: the second part of the UNIDROIT Principles of International Commercial Contracts, the draft Convention on International Interests in Mobile Equipment, the Model Law on Franchising, and the work being carried out in collaboration with the American Law Institute on principles and rules of transnational civil procedure.

He then indicated that the draft Convention on International Interests in Mobile Equipment was expected to be adopted in 2001 at a diplomatic Conference to be held in South Africa. He thanked the Government of Mexico for having organised a seminar on UNIDROIT's work and informed the Assembly that a co-operation agreement between the *Centro de Derecho Uniforme* of the *Universidad Nacional Autónoma de México* and UNIDROIT had been signed on that occasion.

Lastly he proposed that His Excellency Mr Carlos BRUGNINI, Ambassador of Uruguay in Italy, chair the session of the General Assembly.

The General Assembly endorsed the proposal by acclamation.

The CHAIRMAN stated that it was an honour for him to preside over the 54th session of the General Assembly of UNIDROIT and recalled that his country had been a founding member of the Institute seventy-four years ago.

After noting that a quorum existed, he invited the Assembly to proceed to consideration of the draft agenda before it.

Item 1 – Adoption of the agenda (A.G. (54) 1 rev.)

The General Assembly adopted the provisional agenda as prepared by the Secretariat (see APPENDIX I).

Item 2 – Statement regarding the Institute's activity in 2000

The SECRETARY-GENERAL remarked that the Institute's current Work Programme was characterised by four to five items on the agenda.

The UNIDROIT Principles of International Commercial Contracts had been very successful and it was now possible to make a more precise report as to what has happened to them around the world. No less than sixty arbitral awards in major international arbitrations in which the UNIDROIT Principles were applied or referred to have been collected and published

by the Secretariat of the International Court of Arbitration of the International Chamber of Commerce. A joint UNIDROIT / ICC International Court of Arbitration seminar was to be held in April 2001 in Paris to discuss the use of the UNIDROIT Principles in international commercial arbitration. Another conference focussing on the UNIDROIT Principles and sponsored by the Canadian Bar Association and the University of Montreal was to be held in Montreal, Canada in April 2001. The UNIDROIT Principles were applied in a major arbitration conducted in New York in a dispute between the United Nations and a private service provider. The World Trade Center, an organisation jointly sponsored by UNCTAD and the WTO, has recommended that the UNIDROIT Principles be used in connection with a wide range of contracts for the sale of certain goods. Moreover the UNIDROIT Principles have served as a point of reference in domestic legislative reform in Argentina and Lithuania and are to be used in the current contract law reform in the Federal Republic of Germany.

Work was underway on Part II of the UNIDROIT Principles covering issues that had not yet been dealt with: agency, assignment, third party rights, limitation of actions, set-off and waiver. The Working Group on the preparation of Principles of International Commercial Contracts held its third session, on the invitation of the Arab Republic of Egypt, in Cairo in January 2000. It was followed by a seminar on the use of the UNIDROIT Principles co-sponsored by the Egyptian Government and the Cairo Regional Center for National and International Arbitration.

With a view to the preparation of a Model Law on Franchising the Study Group on Franchising met in December 1999 and was to meet again in December 2000 under the chairmanship of Mr Arthur HARTKAMP, Advocate General of the Dutch Supreme Court and member of the Governing Council.

Work was being carried out jointly by UNIDROIT and the American Law Institute on Principles and Rules of Transnational Civil Procedure aimed at filling the gaps in efficiency and fairness that occur when only one of the litigants in a proceeding is of the nationality of the forum. A joint ALI/ UNIDROIT Working Group composed of judges, practitioners and academics from different countries, under the chairmanship of Mr Ronald T. NHLAPO, member of the Governing Council, held its first session in June 2000. At its next session in June 2001 observers from several organisations would be present. Central and eastern European countries and the Court of Justice of the European Communities had shown great interest in this project.

Work on the draft Convention on International Interests in Mobile Equipment, an instrument expected to have considerable economic impact, was the main item on the UNIDROIT Work Programme and the one to which greatest resources were being devoted. The fact that this work was co-sponsored by UNIDROIT and the International Civil Aviation Organisation (ICAO) meant that the former had had to adapt its procedures to those of the latter. Two texts had been approved by the UNIDROIT Governing Council and subsequently by the ICAO Council for submission to a diplomatic Conference to be held in 2001 in South Africa: the base Convention and the Aircraft Protocol.

The origins of the capital markets project, the fifth item, were the gaps and insufficiencies encountered in the conflict of laws rules in this area. Domestic laws were insufficient to deal with international situations. With a view to establishing the main problem

areas in each country, a limited number of stock exchange experts, members of the investment banking community, the legal profession and government authorities regulating capital markets had been informally consulted. It emerged that the problem areas were: cross-border takeover bids outside the scope of application of the proposed EU-Directive and implementing legislation in member States; the financing of enterprises by a combination of equity and debt in situations where the laws applicable to shareholders' rights and bondholders' rights were not reconcilable with each other; the de-localisation of markets resulting from the use of new technologies and/or mergers of stock exchanges; assistance to emerging markets in finding the proper regulatory level to make them commercially viable and competitive vis-à-vis developed markets and in this connection confirmation of this had been received from markets in African and Latin American countries; standardised model features of the so-called global share, an instrument that can be traded on more than one or even on all capital markets; and cross-border clearing and settlement. One other emerging problem area was that of pension funds which were traditionally almost everywhere landlocked, i.e. invested in the country of origin. However higher yields make foreign capital markets attractive. De-nationalisation could not be achieved without internationally acceptable prudent investor standards. UNIDROIT would be the appropriate organisation to prepare such standards.

He pointed out that the General Assembly, at its last session, had approved the Secretariat's proposal to go forward at accelerated speed and that the Governing Council had decided to set up a Study Group. He requested the Assembly to approve this decision to carry on with this consultation process which could involve an increase in expenditure.

The SECRETARY-GENERAL moreover regretted having to mention certain problems that had an adverse affect on UNIDROIT's activities. The planned study of the relationship between the Institute's work on harmonisation at universal level and the work of organisations for regional economic integration such as NAFTA, MERCOSUR and the European Union had had to be abandoned as the Governing Council had considered such an activity too closely linked to individual States' and the regional Organisations' economic policies. Consequently, problems would have to be dealt with on a case by case basis as they arise and this would involve incalculable inefficiencies and therefore costs in the long run. Another project that had to be abandoned was the organisation of a congress to celebrate the 75th anniversary of the foundation of the Institute. The problem of the Institute's resources was an acute and, to the extent that Governments were referring to extra-budgetary or private sources, paradoxical one: would intergovernmental organisations' work have to be put up for sale or auctioned? Governments were reluctant to finance activities that had already been approved, but at the same time private donors were reluctant to commit themselves to projects designed to meet the needs of the public sector. This was the case of many foundations that had been approached with a view their participation in the Institute's uniform law database project.

Despite this very dismal general financial situation, member Governments supported the Institute in different ways. He very warmly thanked the Governments of China and the United Kingdom for their voluntary contributions, the Governments of Germany and Italy for their contribution for the acquisition of publications for the library, the Government of France which since 1995 has put at the disposal of UNIDROIT a young researcher who makes an important contribution to the Secretariat and which, together with the Governments of Finland

and the Republic of Korea, has contributed to the financing of the UNIDROIT Scholarships Programme.

As concerns the Legal Cooperation Programme Ms MESTRE of the Secretariat recalled that the library of the Institute welcomed researchers from all over the world and in order to permit visits by legal researchers from developing countries and countries in economic transition, a Scholarships Programme had been instituted in 1992 which in the seven years of its existence has brought more than seventy legal scholars to UNIDROIT for visits averaging two months each. The Governing Council at its last session had decided to develop this programme which was very useful to the beneficiaries of the scholarships, to the legal environment in their home countries and to the Institute. This programme ought therefore to be strengthened by obtaining commitments from donors to maintain and possibly to increase their voluntary contributions and by increasing the amount allocated in the UNIDROIT budget to this project.

At the institutional level the SECRETARY-GENERAL noted with satisfaction that Bolivia had resumed active participation in UNIDROIT and thanked the Ambassador of Bolivia for his personal efforts in this sense. He welcomed the relationships with legal circles that had been established or strengthened in several countries by seminars held during the year, in particular in Egypt, Portugal and Mexico, and thanked the Governments of those States for this form of support for the Organisation. A seminar had also been held in Jakarta and contacts with the competent authorities of the Government of Indonesia had unfortunately revealed the difficulties this country – and apparently many other prospective candidates for membership in UNIDROIT – has in joining an international organisation on account of the conditions set by international financing institutions. Prospects were however encouraging with respect to other countries with which negotiations were underway.

The CHAIRMAN thanked the Secretary-General for his report on the activities of the Institute in 2000 and invited the General Assembly to comment on it.

The representative of BOLIVIA congratulated the President of UNIDROIT and his collaborators on their work for the Organisation. He felt that UNIDROIT occupied a place of prime importance on account of the quality of its work and recalled that Bolivia maintained close relations with the Bretton Woods institutions which generally favoured participation in international organisations.

The representative of CANADA thanked the Secretary-General for the information he had provided on the activities of UNIDROIT and, referring to the question of extra-budgetary financing of UNIDROIT's activities, pointed out that the way in which the Secretary-General had illustrated the difficulties the Organisation has in obtaining resources was certainly an original one but it went without saying that UNIDROIT's activities should not be likened to those of a commercial enterprise. He encouraged the representatives of member States to propose to their Governments that they seek contributions from different interested organisations.

The representative of SOUTH AFRICA recalled that his Government accorded great importance to the work of UNIDROIT and noted with satisfaction that his country would host in

2001 the diplomatic Conference for the adoption of the draft Convention on International Interests in Mobile Equipment and the draft Protocol on Aircraft Equipment.

The representative of the REPUBLIC OF KOREA thanked the Secretary-General for his report on the activities of UNIDROIT and expressed his Government's hope that the draft Convention on International Interests in Mobile Equipment would be adopted by States next year in South Africa. He recalled the importance his Government attached to the UNIDROIT Scholarships Programme and announced that it intended to renew its voluntary contribution of US \$ 10,000 in 2001 and in 2002.

The representative of ITALY thanked the Secretary-General for his very interesting report. With respect to financing future work on capital markets he realised that harmonisation was necessary and indicated that interest in this work could not correspond to an auction sale.

The representative of the NETHERLANDS thanked the Secretary-General for his both interesting and exhaustive report and stated that her Government certainly regretted that UNIDROIT could not carry on with the project on universal legal harmonisation and the mechanisms of regional economic integration. With respect to the problem of financing the work on capital markets she stated that she would inform her Government of it.

The CHAIRMAN, on behalf of the Assembly as a whole, expressed his appreciation to the Secretary-General for his report on the activity of the Institute in 2000.

Item 3 – Final adjustments to the budget and approval of the accounts for the 1999 financial year (A.G. (54) 2 and Accounts 1999)

The DEPUTY SECRETARY-GENERAL stated that the budget for the 1999 financial year, approved by the General Assembly at its 52nd session in 1998 and modified by it in 1999, provided for expenditure of Lit. 3,323,000,000 to be met by receipts of Lit. 3,270,000,000 and an estimated surplus from 1998 of Lit. 53,000,000.

At its 53rd session the General Assembly, taking into account the surplus generated by special circumstances in the financial year 1998, had approved additional expenditure to increase

- (a) the working capital fund by Lit. 256,000,000;
- (b) the reserve fund for retirement allowance for categories B and C staff by Lit. 40,000,000;
- (c) the investment in office equipment by Lit. 25,000,000;
- (d) the acquisition of publications for the library by Lit. 9,576,767.

The Accounts for the 1999 financial year indicated that receipts, excluding the surplus generated in 1998, totalled Lit. 3,253,915,693 and expenditure amounted to Lit. 3,561,438,506, yielding an overall deficit for the year of Lit. 307,522,813. Since, at the close of the 1998 financial year there had been a surplus of Lit. 393,570,767 it had been possible to have, at the close of the 1999 financial year, a surplus of Lit. 86,047,954 (a sum greater than

the Secretariat's estimate of Lit. 63,000,000) which was added to the receipts of the 2000 financial year.

The CHAIRMAN having noted that there were no observations from delegations on this agenda item, the General Assembly approved the final modifications to the 1999 budget and the accounts for that financial year.

Item 4 – Adjustments to the budget for the 2000 financial year (A.G. (54) 3)

The DEPUTY SECRETARY-GENERAL pointed out that during the current financial year there had been no need to adjust the budget except for Chapter 1, Article 6 regarding the official journeys of representatives, members of staff and collaborators. Work on the preparation of the draft Convention on International Interests in Mobile Equipment and the relative Protocols had obliged officials to travel more frequently on official business and in some cases for periods longer than foreseen.

As the Institute had received in 2000 voluntary contributions from the Governments of China and the United Kingdom amounting to Lit. 20,205,000, the Secretariat had proposed to the Finance Committee at its October 2000 session to increase expenditure under Chapter 1, article 6 from Lite. 42,800,000 to Lit. 63,005,000 and under Chapter 3 (Extraordinary Receipts) by the same amount (Lit. 20,205,000). The Finance Committee had approved the Secretariat's proposal.

In the light of the foregoing the General Assembly approved the adjustments to the budget proposed by the Secretariat.

The representative of CANADA stated that the Canadian Government intended to make a voluntary contribution of CDN \$ 5,000 as a contribution towards financing work on the draft Convention on International Interests in Mobile Equipment and the Institute's Programme of Legal Co-operation.

The CHAIRMAN and the PRESIDENT of UNIDROIT thanked the representative of Canada for the Canadian Government's contribution.

Item 5 – Arrears in contributions of member States (A.G. (54) 4)

The DEPUTY SECRETARY-GENERAL stated that as at 29 November 2000 outstanding contributions for 2000 stood at Lit. 183,444,208 and for previous years at Lit. 168,224,801. Total arrears amounted therefore to Lit. 351,669,009.

He then thanked representatives for having ensured that their Governments had paid their contributions and expressed the hope that outstanding contributions would be paid before the close of the financial year. He then pointed out that three Latin American Governments had already paid part of their contributions for 2001: the Government of Colombia now having a credit of Lit. 6,630,472, the Government of Venezuela Lit. 4,747,431 and the Government of Mexico Lit. 778,050.

The representative of IRAN pointed out that his Government had paid its contribution for 2000 despite the economic difficulties caused by the drought his country had suffered. He informed the Assembly that his Government had submitted a bill concerning the settlement of arrears in contributions to international organisations, including UNIDROIT, to Parliament for approval.

The representative of TUNISIA stated that the Tunisian Government attached great importance to UNIDROIT's work and that a payment had been made at the beginning of November to settle part of its debt. The entire debt was expected to be settled in the near future.

The General Assembly took note with satisfaction of the current situation with respect to payments of contributions and arrears.

Item 6 - Approval of the draft budget for 2001 and fixing of the contributions of member States for that financial year (A.G. (54) 5)

In introducing this item on the agenda the DEPUTY SECRETARY-GENERAL recalled that, in conformity with Article 31 of the Regulations of the Institute, the Secretariat had prepared a first set of estimates of expenditure for the 2001 financial year for consideration by the Governing Council at its 79th session in April 2000. Subsequently the draft budget for 2001 had been submitted to the Sub-committee of the Finance Committee for consideration and then to the Finance Committee.

He stated that the first draft budget for 2001, as approved by the Governing Council, had made provision for increases in expenditure which involved an increase of about 9% in member States' contributions. The increases mainly concerned three chapters of the budget:

- for meetings of experts which were expected to be more numerous in 2001 than in 2000;
- for staff salaries, in particular to make it possible to hire a new research officer to conduct research on transactions on capital markets and to meet the obligations deriving from the normal evolution of salaries;
- for expansion of the Programme of Legal Co-operation in order for it better to satisfy the increasing number of applications for scholarships from scholars resident in developing countries and countries engaged in economic transition.

These proposals had been closely considered first by the Sub-committee of the Finance Committee in June 2000, then by the Finance Committee in October 2000. On those occasions some of the representatives of the member States had expressed the opinion that their Governments could not accept the draft budget prepared by the Secretariat and approved by the Governing Council.

As a result the increases originally proposed were reduced to a level that would involve a 3.5% increase in member States' contributions. This increase corresponded roughly to the rate of inflation in Italy which stood at about 3%.

Consequently some of the meetings of experts had been postponed to the following year in order to reduce the increase in expenditure from Lit. 30,100,000 to Lit. 10,100,000, bringing estimated expenditure proposed under this article from to Lit. 89,900,000 to Lit. 100,000,000. This sum was expected to cover the cost of meetings scheduled for 2001 as well as air fares which had increased on account of the evolution of oil prices.

With respect to salaries the Finance Committee had considered it premature to recruit another research officer on account of the impact this would have on the Institute's budget (a cost of about Lit. 84,000,000) and suggested reducing the proposed increase from Lit. 178,000,000 to Lit. 94,000,000 in order to meet the increases in salaries due to the increase in the cost of living and to increments linked to promotions for seniority.

The Finance Committee had rejected the proposed increase under the chapter concerning the Programme of Legal Co-operation but had suggested that the surplus carried over from previous financial years be allocated to the Programme up to a maximum limit of Lit. 30,000,000 subject to its prior approval.

These increases, partly compensated by a small reduction in expenditure and by profits on the sale of publications, necessitated a 3.5% increase in member States' contributions.

Moreover, the Institute would have to cover the travelling and living expenses of four or five of its officials in connection with the diplomatic Conference for the adoption of the draft Convention on International Interests in Mobile Equipment and the draft Protocol on Aircraft Equipment to be held in South Africa in 2001. However there were no allocations for this special event in the budget for 2001. The reason for this was that the Government of the United States of America had paid all of its arrears (about Lit 35,000,000) and it was the Secretariat's intention to carry this amount over to the 2001 financial year as a surplus to be used, together with part of the resources allocated under Chapter 1, article 6 (Official journeys), to cover expenses incurred in connection with this diplomatic Conference.

The representative of MEXICO expressed his Government's satisfaction with the Secretariat's proposal to adjust the increase in relation to meetings of experts and warned against maintaining a policy of zero nominal growth with respect to meetings as this would have serious repercussions on the Institute's activity. Moreover he reiterated the importance of keeping the amount allocated to legal co-operation as originally proposed.

The representative of GERMANY thanked the Secretariat for its work over the last year and for its future work. He regretted however that it had not been able to reach zero nominal growth, a principle his Government supported with respect to all international organisations and, although he well understood the problems a small Organisation with such a small budget has in carrying out such a heavy workload, requested that it heed the zero nominal growth principle.

The representative of BOLIVIA endorsed the Secretariat's proposals concerning the budget for 2001 and encouraged other representatives to do likewise.

The representative of ITALY, while supporting adherence to the zero nominal growth principle for international organisations, expressed the view that it was necessary to find a

compromise solution to take into account the specific needs of different organisations and a standard budgetary approach. Consequently he considered the Secretariat's budgetary proposals acceptable and hoped that the other representatives would consider them acceptable likewise.

The representative of CANADA agreed with the representative of Italy and stated that his Government supported a policy of zero nominal growth with respect to international organisations which it considered an objective. UNIDROIT's efforts in trimming its budget for 2001 from a proposed 9% to a 3.5% increase represented an enormous achievement and was accordingly instructed to support the budget as presented.

The representative of the UNITED STATES OF AMERICA recalled that her Government was a strong supporter of UNIDROIT which it felt made a significant contribution to facilitating international commercial transactions. She commended UNIDROIT on its efforts to reduce the level of increase from the 9% originally proposed to the current level of 3.5%. Her Government did however have a budgetary policy calling for zero nominal growth in the regular budgets of all international organisations in which it participates. Budgets were however reviewed on a case by case basis and her Government appreciated the constraints affecting a small organisation such as UNIDROIT. When budgets of international organisations were reviewed on a case by case basis increases were not in general accepted unless offset by savings elsewhere in the budget. She noted that reductions had been made under Chapters 4, 6 and 7 of the UNIDROIT budget. Concerning the increase under Chapter 1, article 6 (Official travel) the arrears payment of the United States of America was to be used to help defray the costs of the forthcoming diplomatic Conference, and her Government had assumed that this would include official travel. Concerning Chapter 5 (Printing costs) increases were acceptable to her Government only to the extent that they are offset by publication sales. Her Government supported the mandatory salary increases (Lit. 94,000,000) under Chapter 2, Article 1 and if these were the only increases, the Government of the United States of America could support a zero real growth budget of approximately 2.86% for Chapter 1 to 9, this on an extraordinary basis. However, since there was a slight increase over zero real growth for the reasons she had outlined the Government of the United States was not in a position to join consensus on this budget and disassociated itself from this consensus.

The representative of AUSTRIA stated that he did not want to hamper consensus on the approval of the budget, but that zero nominal growth was to remain an objective.

The representative of SWITZERLAND commended the Secretariat on its efforts to reduce the increase of member States' contributions from 9% to 3.5% and supported the Secretariat's proposals concerning the budget for 2001.

The CHAIRMAN having found that there were no other comments on this agenda item and having recorded the statements made by certain representatives, he inquired whether the General Assembly was prepared to adopt the budget for 2001 and the contributions chart for 2001 as set out in document A.G. (54) 5.

It was so decided.

Item 8 - Other business

In reply to a question made by the representative of AUSTRIA as to whether the next budget could be drawn up in euros instead of lire, the DEPUTY SECRETARY-GENERAL stated that the Accounts for 2001 and the budget for 2002 would be expressed in euros.

The representative of CANADA asked whether it would be possible to draw up a financial programme on a triennial basis as do many international organisations. This might permit better planning and reduce some of the workload associated with the budget process.

The DEPUTY SECRETARY-GENERAL recalled that the Secretariat had already attempted some years ago to prepare a financial programme on a triennial basis but inflation in Italy had been too high to carry on in that direction. He felt however that the idea of a triennial financial programme was a good one. If, as he hoped, the Italian Government was to calculate its contribution as a percentage of the Institute's expenses and consider it a compulsory contribution rather than a voluntary one, a triennial financial programme, possibly linked to the Italian Financial Law (*finanziaria*) which is approved every three years, could improve the Institute's financial stability. Moreover a financial programme prepared on a triennial basis could be approved at the same as the Work Programme.

The representative of ITALY proposed the appointment of the former President of UNIDROIT, Mr Luigi Ferrari Bravo, as Honorary President of UNIDROIT.

The PRESIDENT of UNIDROIT supported the proposal made by the representative of ITALY in recognition of Mr Ferrari Bravo's particular competence. He pointed out that Mr Ferrari Bravo knew the Institute very well and that he was a person of great capacity. It was without reservation that he supported his candidature.

The representative of BOLIVIA supported the Italian representative's proposal.

The representative of the UNITED STATES OF AMERICA wondered whether there were other Honorary Presidents and whether this would be a nomination to replace an existing Honorary President or whether it was a matter of a totally new function being created.

The SECRETARY-GENERAL replied that there was no provision in the Statute for the position of Honorary President but that Professor Ferrari Bravo's predecessor, the late Professor Monaco, had been appointed Honorary President. He saw the appointment of Professor Ferrari Bravo as Honorary President not as a replacement but as a mark of gratitude for his services to the Institute.

The representative of TUNISIA, recalling that there was no provision in the Statute for the function of "Honorary President", stated that, although he did not want to oppose the proposal made by the representative of Italy, practice should not precede the rules and that the Statute should first be amended.

The DEPUTY SECRETARY-GENERAL, referring to the case of the Governing Council, recalled that its members were elected by the General Assembly and, once they had

completed their mandate were appointed honorary members, even in the absence of a provision to this effect in the Statute.

The representative of TUNISIA, referring to Article 5 of the Statute, raised the objection that it was not the duty of the General Assembly to appoint an Honorary President.

The representative of ITALY, while understanding the point of view of the representative of Tunisia, pointed out that there was a precedent and encouraged him to join the consensus.

The representative of BOLIVIA endorsed the proposal of the representative of Italy and encouraged the other representatives to do likewise.

The representative of TUNISIA, while reminding the Assembly that custom should not take precedence over “the rules” and that one occasion does not constitute a custom, decided to join the consensus.

The CHAIRMAN noted the consensus of the General Assembly on the proposal made by the representative of Italy.

It was so decided.

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The CHAIRMAN declared the 54th session of the General Assembly closed at 12.30 p.m.

AGENDA

1. Adoption of the draft agenda (A.G. (54) 1 rev.)
2. Statement regarding the Institute's activities in 2000
3. Final adjustments to the budget and approval of the accounts for 1999 financial year (A.G. (54) 2 and Accounts 1999)
4. Adjustements to the budget for the 2000 financial year (A.G. (54) 3)
5. Arrears in contributions of member States (A.G. (54) 4)
6. Approval of the draft budget for 2001 and fixing of the contributions of member States for that financial year (A.G. (54) 5)
7. Other business
 - (a) Information on the Research Programme

APPENDIX II
ANNEXE II

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS

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| ARGENTINA/ <i>ARGENTINE</i> | Mr Claudio Javier ROZENCWAIG, Secretary Embassy of Argentina to Italy |
| AUSTRALIA/ <i>AUSTRALIE</i> | Ms Linda KEEVERS, Third Secretary Embassy of Australia to Italy |
| AUSTRIA/ <i>AUTRICHE</i> | Mr Klaus FAMIRA, Second Secretary Embassy of Austria to Italy |
| BELGIUM/ <i>BELGIQUE</i> | Mr Leo PETERS, Counsellor Embassy of Belgium to Italy |
| BOLIVIA/ <i>BOLIVIE</i> | His Excellency Mr David BLANCO Z., Ambassador of Bolivia to Italy |
| BRAZIL/ <i>BRESIL</i> | Mr Ricardo Luís Pires RIBEIRO DA SILVA, First Secretary, Embassy of Brazil to Italy |
| BULGARIA/ <i>BULGARIE</i> | Mr Atanas I. MLADWENOV, Counsellor Embassy of Bulgaria to Italy |
| CANADA | Mr Gilbert LAURIN, Counsellor Embassy of Canada to Italy |
| CHILE/ <i>CHILI</i> | Excused/ <i>excusé</i> |
| CHINA/ <i>CHINE</i> | Ms JIN Hong, Second Secretary Embassy of China to Italy |
| COLOMBIA/ <i>COLOMBIE</i> | Mr Juan Carlos ESPINOSA, First Secretary Embassy of Colombia to Italy |
| CROATIA/ <i>CROATIE</i> | Mr Branimir CECUK, First Secretary Embassy of Croatia to Italy |
| CUBA | Excused/ <i>excusé</i> |
| CYPRUS/ <i>CHYPRE</i> | Excused/ <i>excusé</i> |
| CZECH REPUBLIC/ <i>REPUBLIQUE TCHEQUE</i> | Excused/ <i>excusé</i> |
| DENMARK/ <i>DANEMARK</i> | excused/ <i>excusé</i> |

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|------------------------------|---|
| EGYPT/ <i>EGYPTE</i> | Mr Bassam RADY, Second Secretary Embassy of Egypt to Italy |
| FINLAND/ <i>FINLANDE</i> | Mr Seppo TUNTURI, First Secretary Embassy of Finland to Italy |
| FRANCE | Ms Claire LEMEE Embassy of France to Italy |
| GERMANY/ <i>ALLEMAGNE</i> | Mr Wolfgang GAERTE, Counsellor Embassy of Germany to Italy |
| GREECE/ <i>GRECE</i> | Mr Georges PAPODOPOULOS, First Secretary Embassy of Greece to Italy |
| HOLY SEE/ <i>SAINT SIEGE</i> | Don Giorgio CORBELLINI |
| HUNGARY/ <i>HONGRIE</i> | Mr Péter SZÖKE, Second Secretary Embassy of Hungary to Italy |
| INDIA/ <i>INDE</i> | Mr R. Thaddeus RAJA, First Secretary Embassy of India to Italy |
| IRAN | Mr Hamid NAZARI, Minister Counsellor Embassy of Islamic Republic of Iran to Italy |
| IRELAND/ <i>IRLANDE</i> | Ms Eoin DUGGAN, Third Secretary Embassy of Ireland to Italy |
| ISRAEL | Mr Ofer BAVLY, Second Secretary Embassy of Israel to Italy |
| ITALY/ <i>ITALIE</i> | Mr Francesco COTTAFVI, Counsellor “Contenzioso Diplomatico” Ministry of Foreign Affairs |
| JAPAN/ <i>JAPON</i> | Mr Shoichi NAKANO, First Secretary Embassy of Japan to Italy |
| LUXEMBOURG | His Excellency Mr Paul FABER Ambassador of Luxembourg to Italy |
| MALTA/ <i>MALTE</i> | Ms Joanne MERCIECA, First Secretary Embassy of Malta to Italy |
| MEXICO/ <i>MEXIQUE</i> | Mr José Luis ALVARADO, Counsellor Embassy of Mexico to Italy |
| NETHERLANDS/ <i>PAYS-BAS</i> | Ms Astrid DE VRIES, Second Secretary Embassy of the Netherlands to Italy |
| NICARAGUA | excused/ <i>excusé</i> |

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| NIGERIA | Mr Emmanuel O. ONWUKEME, Senior Counsellor, Embassy of Nigeria to Italy |
| NORWAY/ <i>NORVEGE</i> | Ms Aud Lise NORHEIM, Minister Counsellor Embassy of Norway to Italy |
| PAKISTAN | Mr Athan MAHMOOD, Minister Plenipotentiary Embassy of Pakistan to Italy |
| PARAGUAY | Excused/ <i>excusé</i> |
| POLAND/ <i>POLOGNE</i> | Ms Jolanda JANEK, First Secretary Embassy of Poland to Italy |
| PORTUGAL | Ms Claudia BOESCH, First Secretary Embassy of Portugal to Italy |
| REPUBLIC OF KOREA/ <i>REPUBLIQUE DE COREE</i> | Mr Dae Hyun KANG, Counsellor Embassy of the Republic of Korea to Italy |
| ROMANIA/ <i>ROUMANIE</i> | Mr Ramiro DONCIU, First Secretary Embassy of Romania to Italy |
| RUSSIAN FEDERATION/ <i>FEDERATION DE RUSSIE</i> | Mr Vitaly CHIZHIKOV, Legal Consultant Trade Representation of the Russian Federation to Italy |
| SAN MARINO/ <i>SAINT-MARIN</i> | Mr Victor CRESCENZI, Professor |
| SLOVAKIA/ <i>SLOVAQUIE</i> | Mr Lúbomir MICEK, Counsellor Embassy of Slovakia to Italy |
| SLOVENIA/ <i>SLOVENIE</i> | Ms Eliska KERSNIC, Third Secretary Embassy of Slovenia to Italy |
| SOUTH AFRICA/ <i>AFRIQUE DU SUD</i> | Mr Edward MAKAYA, Second Secretary Embassy of South Africa to Italy |
| SPAIN/ <i>ESPAGNE</i> | Mr Luis CUESTA, First Secretary Embassy of Spain to Italy |
| SWEDEN/ <i>SUEDE</i> | Ms Kristina CSIKI, First Secretary Embassy of Sweden to Italy |
| SWITZERLAND/ <i>SUISSE</i> | Mr Urs HAMMER, Minister Embassy of Switzerland to Italy |
| TUNISIA/ <i>TUNISIE</i> | Mr Tarek ELHRABI, Minister of Justice, Tunis Ms Fatma OMRANI, Counsellor Embassy of Tunisia to Italy |
| TURKEY/ <i>TURQUIE</i> | excused/ <i>excusé</i> |

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| UNITED KINGDOM/ <i>ROYAUME-UNI</i> | Ms Emma LOCKWOOD, Third Secretary Embassy of the United Kingdom to Italy |
| UNITED STATES OF AMERICA/ <i>ETATS-UNIS D'AMERIQUE</i> | Ms Lucy TAMLIN, Deputy Permanent Representative, United States Mission to the United Nations Agencies for Food and Agriculture |
| URUGUAY | Ms Adriana LISSIDINI, First Secretary Embassy of Uruguay to Italy |
| VENEZUELA | excused/ <i>excusé</i> |

OBSERVER/*OBSERVATEUR*

| | |
|---|---|
| SOVEREIGN MILITARY ORDER OF MALTA/ <i>ORDRE SOUVERAIN MILITAIRE DE MALTE</i> | His Excellency Marquis Aldo PEZZANA CAPRANICA DEL GRILLO, Ambassador |
|---|---|

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Mr Berardino LIBONATI, President/*Président*
Mr Herbert KRONKE, Secretary-General/*Secrétaire-Général*
Mr Walter RODINO', Deputy Secretary-General/*Secrétaire Général adjoint*
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