



GOVERNING COUNCIL
87th session
Rome, 21-23 April 2008

UNIDROIT 20078
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Item No. 19 on the Agenda: Proposals for the appointment of correspondents

(submitted by the Secretariat)

<i>Summary</i>	<i>Proposals for the appointment of new correspondents</i>
<i>Action to be taken</i>	<i>Make appointments</i>
<i>Related documents</i>	<i>Implementation of the Strategic Plan (C.D. (87) 6, p. 18; C.D. (87)18</i>

1. In keeping with the Council's policy to handle appointments of new correspondents with utmost caution and to make such appointments only if the candidate has substantially and/or consistently contributed to the Institute's work and if there are good reasons to believe that the candidate will continue to do so in the future, only two carefully selected proposals are submitted for appointment at this session.

2. **Professor Sibidi Emmanuel Darankoum**, Professor of law at the *Université de Montréal*, participated actively in various conferences devoted to UNIDROIT work in Canada and abroad. Most recently and most importantly, he was one of the lead speakers at the joint UNIDROIT-OHADA conference in Ouagadougou (Burkina Faso) and he will continue to be a key promoter of the project of a uniform act on contract law in West Africa. Mme le Juge Trahan proposes and the President and the Secretary-General second the proposal. Attached, copy of the academic part of the candidate's CV. His list of publications is available on file.

3. The global **law firm of Fresfields Bruckhaus Deringer** has been involved in and contributed to UNIDROIT work over two decades. Partners from both its London and other offices (e.g. Frankfurt, Hong Kong, Beijing) are currently acting in key positions for the completion and implementation of the Cape Town Convention and its protocols as well as the draft Convention on Internmediated Securities. Moreover, the firm is regularly organising workshops and conferences on the Institute's work and acts as *pro bono* adviser to the UK Foundation for International Uniform Law. Professor Sir Roy Goode CBE QC FBA proposes and the President and the Secretary-General second the proposal. A letter from Sir Roy to the President is attached.

**APPENDIX
ANNEXE****Sibidi Emmanuel DARANKOUM****(Burkina Faso)****Diplômes****Universités Canadiennes**

- Doctorat en droit (LL. D.)
Faculté de droit, Université de Montréal, 2006
- Diplôme d'Études en Common Law
École de droit, Université de Moncton, 1997

Université française

- Diplôme d'Études Approfondies (D. E. A.) de droit privé
Faculté de droit, Université Robert - Schuman, 1993
- Diplôme de Droit Comparé (D.D.C.), 1^{er} cycle
Faculté Internationale de Droit Comparé, Strasbourg, 1994
- Diplôme de Droit Comparé (D.D.C.), 2^{ième} cycle
Faculté Internationale de Droit Comparé, Strasbourg, 1995

Université africaine

- Maîtrise en Droit des Affaires (M.D.A.)
Faculté de droit, Université Burkina Faso, 1992
- Licence en Droit (L.D.)
Faculté de droit, Université Burkina Faso, 1991

Carrière à l'Université de Montréal

- Engagement au 1^{er} mars 2001
Professeur adjoint, Université de Montréal, Faculté de droit
- Renouvellement d'engagement en 2005
- Professeur agrégé en 2007
- Membre et chercheur principal au Centre du Droit des Affaires et du Commerce International (CDACI) depuis 2001
- Chargé de cours aux Hautes Études Commerciales (HEC) depuis 1999
- Membre du Conseil d'administration du Centre pour la Gouvernance Démocratique en Afrique (CGD) depuis 2005

**APPENDIX
ANNEXE**

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Professor Bernardino Libonati
President, UNIDROIT,
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25th March 2008.

Dear President,

I am writing to give strong support to the proposal to appoint Freshfields Bruckhaus Deringer as a corporate correspondent of UNIDROIT.

This international law firm, with offices in some 15 countries, has given its unstinting support to the work of UNIDROIT for well over 20 years. Stephen McGairl, a former partner who is now retired, was actively involved in work on what became the 1988 UNIDROIT Convention on International Financial Leasing. Subsequently he devoted a great deal of time and effort over a number of years in the preparation of the Aircraft Protocol to the 2001 Cape Town Convention on international interests in mobile equipment and its associated Aircraft Protocol, and we benefited very much from his expertise and his generous commitment to this work. Stephen is also a trustee/director and member of the Development Committee of the UK Foundation for international uniform law, which has raised funds to provide an annual scholarship of £5,000 as well as funding the post of research assistant to Martin Stanford in connection with work on the Space Protocol. He was of immense help in securing the UK Charity Commission's ultimate agreement to register the Foundation as a tax-exempt charity, while under his direction the firm incorporated the charitable company and drew up the relevant constitutive instruments. Stephen himself set up and attended a number of fund-raising meetings with London law firms.

The firm's joint senior partner, Guy Morton, has been a key figure in the preparation of the draft Convention on intermediated securities, which is due to come before a Diplomatic Conference in Switzerland in September. He has been involved in this project almost from the beginning and has continued to provide his expertise despite his heavy duties on assuming his present role in the firm. He too is a member of the Development Committee of the UK Foundation. Apart from his work for UNIDROIT Guy played an important role in work

leading to the Hague Convention on the law applicable to certain rights in respect of intermediated securities, and as a key member of the UK delegation and of the Drafting Committee at the Diplomatic Conference he was very influential in bringing about the successful conclusion of the work.

Partners of the firm's Frankfurt office contributed significantly to the Luxembourg Protocol, particularly in relation to complex questions concerning the public service exemption.

Finally, through its London office Freshfields Bruckhaus Deringer has acted as honorary solicitors to the UK Foundation from the time of its incorporation and in that capacity has provided advice and prepared, filed documents and attended meetings, all entirely *pro bono*.

So appointment of this international law firm as corporate correspondents by the Governing Council would be an appropriate recognition of all the work the firm and its partners have done for UNIDROIT and others over more than two decades, and I am sure they will continue to do everything they can to support UNIDROIT in the future.

Yours sincerely

(Roy Goode)