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**Item No. 9 on the agenda: Triennial Work Programme 2009-2011**

(submitted by the Secretariat)

<i>Summary</i>	<i>Consideration of the Work Programme for the 2011-2013 triennium</i>
<i>Action to be taken</i>	<i>To take note of the proposed allocation of resources to carry out the current Work Programme and to make recommendations for the future work programme, including the relative priority to be assigned to each activity</i>
<i>Related documents</i>	<i>UNIDROIT 2009 – C.D. (88) 7 and C.D. (88) 17; UNIDROIT 2009 – A.G. (65) 10</i>

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## I. Introduction

1. Article 5(3) of the Statute mandates the Council to prepare the ground for the adoption of the new triennial Work Programme by the General Assembly later this year by analysing proposals submitted by member Governments, international Organisations, industry and the Institute's correspondents with a view to formulating recommendations.

2. In determining the criteria for future UNIDROIT Work Programmes, the Council and the General Assembly have established the following guidelines (for details, see UNIDROIT 2005 C.D. (84) 19; A.G. (59)4):

(a) *clear evidence of potential benefits*, to be assessed against Governments', relevant international Organisations' and the concerned industry's request that UNIDROIT undertake work;

(b) *persuasive arguments* that UNIDROIT is better placed than other Organisations to carry out work on a specific project;

(c) *no risk of duplication or harmful overlap* with work underway in other Organisations as well as safeguards for proper co-ordination among Organisations;

(d) ensure that, at any point in time, at least one of the items featuring on the Programme be clearly *aimed at the needs of developing countries*;

(e) *realistic and predictable timelines* for completion;

(f) *adequate funding* under the regular budget or by earmarked extra-statutory or private sector contributions.

3. This document provides information on the current Work Programme, as approved in part by the General Assembly at its 63<sup>rd</sup> session (Rome, 11 December 2008), as well as on various topics proposed for inclusion in the triennial Work Programme (see, in particular, UNIDROIT 2009 – C.D.(88) 7 Addenda 1-6).

4. The present document includes information, in monetary terms, on the proposed allocation of resources to the various projects and activities of the Institute for the financial year 2010, on the basis of the Work Programme and the budget approved by the General Assembly at its 65<sup>th</sup> session (Rome, 2 December 2009). The Secretariat intends to submit to the General Assembly, at its 67<sup>th</sup> session, a progress report showing the actual expenditure by that time.

5. This memorandum further provides cost estimates in respect of projects that already appear in the current Work Programme and in respect of various projects that have been suggested for possible future work during the coming triennium, most of which were already considered by the Governing Council at its 88<sup>th</sup> session. Background information on the substantive aspects of the proposals for future work is contained in the addenda to this memorandum. Where appropriate, this memorandum provides estimates of the possible need for supplementary funding or the impact on allocation of existing resources to other projects.

## II. Earlier recommendations by the Council and General Assembly decision

6. At its 88<sup>th</sup> session (Rome, 20-23 April 2009), the Governing Council

(a) Confirmed its recommendation concerning the level of priority to be assigned to the finalisation of the following projects:

- (i) The draft Convention on intermediated securities;
- (ii) The additional Chapters of the UNIDROIT Principles of International Commercial Contracts; and
- (iii) The preliminary draft Space Protocol to the Cape Town Convention.

(b) Recommended to the General Assembly that work on a Legislative Guide on principles and rules capable of enhancing trading in securities in emerging markets should be included in the Institute's Work Programme;

(c) Took note of the depositary functions, promotion efforts and non-legislative activities carried out by the Secretariat and confirmed their position in the Institute's Work Programme;

(d) Mandated the Secretariat to do preliminary research, and, as appropriate, consult with member States' governments, interested international organisations, and industry to ascertain the level of potential interest for, and the feasibility of, a number of possible additional topics, and to lay the results of those consultations and preliminary conclusions before the Governing Council at its 89<sup>th</sup> session in 2010. Those topics are:

- (i) Preparation of an additional protocol on matters specific to agricultural, mining and construction equipment;
- (ii) Proposal for a convention on the netting of financial instruments;
- (iii) Possible future work on third party liability for Global Navigation Satellite System (GNSS) services;
- (iv) Proposal for a model law on the protection of cultural property; and
- (v) Possible future work in the area of private law and development.

7. In transmitting the recommendations of the Governing Council to the General Assembly, the Secretariat requested the Assembly:

(a) To extend the Work Programme originally adopted for the triennium 2006-2009 for another year in respect of all current activities mentioned in paragraph 6(a) to (c) above, assigning the highest priority to the items mentioned in paragraph 6(a)(i) to (iii);

(b) To authorise the Secretariat to carry out initial research and conduct the necessary consultations with a view to providing to the Governing Council the information it needs in order to make proposals for a new Work Programme for the triennium 2011-2013, in particular as regards the possible inclusion of any of the items mentioned in paragraph 9(d)(i) to (v) above.

8. The General Assembly approved those recommendations (see UNIDROIT 2009 – A.G. (65) 10, paras. 26 and 27).

### III. Current Work Programme: legislative activities <sup>1</sup>

9. For a number of years now the Governing Council regularly classifies the various activities of the organisation, as being of "low", "medium" or "high" priority. This ranking seems to reflect essentially the Council's opinion on the relative importance of the activity, rather than the level of resources to be allocated to the various activities. It has thus happened that all activities under the current Work Programme are ranked as "high" priority.

<sup>1</sup> Priority accorded by the Governing Council: high \* \* \* – medium \* \* – low \*. The figures given in this document correspond to the 2010 Budget allocations.

10. The Secretariat submits that proper planning for the use of its scarce resources requires more rigour in the establishment of priorities. The Governing Council may, therefore, wish to apply the following criteria in determining the relative level of priority of various activities:

(a) *Priority for allocation of meeting costs.* The pattern of meeting costs varies according to the methodology adopted for each project. Generally, however, one could distinguish between projects requiring the convening of larger working groups for which the Secretariat assumes travel and daily subsistence costs for all participants (as is typically the case for the preparation of additional chapters to the UNIDROIT Principles of International Commercial Contracts), or projects that follow the pattern study group/committee of governmental experts. In Work Programme cycles during which at a Working Group meeting is anticipated, no more than € 20,000 can be allocated each year to other meetings. In Work Programme cycles during which no Working Group meetings are anticipated (as will be the case as of 2011) a total of up to € 65,000 may be available for project-related meetings. Assuming a project progress pattern involving only study group meetings at the first year and a combination of study groups and committees of governmental experts for the following years, it would seem to be generally prudent not to place more than two (at the most three) projects in the active Work Programme at any given time. Where more than two projects are under consideration, the Governing Council is urged to decide:

(i) which projects (never more than two, at the most three at any given time) should take precedence (*“high priority”*);

(ii) which projects could be advanced in the event that the costs of high priority projects turn out to be lower than anticipated (e.g. because extra-budgetary funding is obtained), thus freeing resources under the regular budget (*“medium priority”*); or

(iii) which projects should only be advanced after completion of other projects or on the basis of full extra-budgetary funding (*“low priority”*);

(b) *Priority for allocation of human resources.* Considering the need, in an organisation as small as UNIDROIT, for the staff involved in project delivery, to be available for overhead and general support functions (e.g. translations, correspondence, public enquiries, promotion of instruments), it is not prudent to reckon with more than 75% of the time of the responsible officers to be available for any given project. Thus, priority parameters could be allocated along the following lines:

(i) *“high priority”* – at least 70%;

(ii) *“medium priority”* – not more than 50%;

(iii) *“low priority”*- not more than 25%;

(c) *Indispensable functions.* Indispensable functions are those that are either imposed by the Statute of UNIDROIT (e.g. library, governance) or 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 an especially dedicated pool of human and financial resources.

#### **A. Principles of International Commercial Contracts (UPICC) – 3<sup>rd</sup> edition**

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11. Information on this project, the progress made since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D. (89) 3).

12. The project is expected to be finalised in the first quarter of 2011, with the publication of the 3<sup>rd</sup> edition. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€	65,650
Conference costs	Meetings in 2010 (Ch. 1.5)		45,000
	Technical services (Ch. 6.5)		4,000
	Official journeys for drafting sessions (Ch. 1.6)		5,000
Consultation / promotion			
Documentation / translation			35,350
<b>Total</b>		€	<b>155,000</b>

### **B. Preliminary Draft Space Protocol**

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13. Information on this project, the progress made since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 4(b)).

14. The project is expected to be substantially finalised in 2010 and, subject to approval by the Governing Council, adopted at a diplomatic Conference to be convened in the second quarter of 2011. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€	118,305
	General services (Ch. 2.1, 3.1)		24,250
	<i>Since February 2008, 1 associate officer funded by UK Foundation (€ 4,000/month)</i>		
Conference costs	CGE: FAO premises (Ch. 1.5)		10,000
	Interpreters (Ch. 6.5)		7,500
Consultation/Promotion	Official journeys (Ch. 1.6)		3,000
Documentation / translation	Professional staff (Ch. 2.1, 3.1)		14,980
	Postage (Ch. 6.3)		3,000
<b>Total</b>		€	<b>181,035</b>

### **C. Geneva Securities Convention**

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15. Information on this project, the progress made since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see document UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 5 (a)).

16. The project is expected to be finalised in 2011, with the publication of the revised version of the Official Commentary to the Convention. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)		15,000
	(Consultancy services)		
	General services (Ch. 2.1, 3.1)		16,700
Meetings			4,000
Consultation / promotion	Official journeys (Ch. 1.6)		5,000
Documentation / translation	Professional staff for translations (Ch. 2.1, 3.1)		40,800
<b>Total</b>		€	<b>81,500</b>

**D. Principles and Rules capable of enhancing trading in securities in emerging markets \***

17. Information on this project and issues to be considered by the Council at its present session is provided elsewhere (see document UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 5 (b)).

18. The project is expected to start immediately after the 89<sup>th</sup> session of the Governing Council. For the year 2010 the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1) (Consultancy services)	15,000
Meetings		5,500
<b>Total</b>		€ <b>20,500</b>

**IV. Depositary Functions under the Cape Town Convention** \*\*\*

19. Information on the Secretariat's depositary functions, the progress made since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 4 a).

20. These functions are of an on-going nature. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€ 63,900
Consultation / promotion	<i>During 2010 the Secretariat is expected to participate in a number of consultation activities intended to promote ratification of the Cape Town Convention. The cost of these activities will be nearly entirely covered by grants from the US Uniform Law Foundation.</i>	
<b>Total</b>		€ <b>63,900</b>

**V. Promotion, implementation of adopted UNIDROIT instruments (or based on UNIDROIT drafts) and legal co-operation** \*\*\*

**A. Promotion and implementation**

21. Information on the Secretariat's promotion activities, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010– C.D. (89) 2 and C.D.(89) 8).

22. These activities are of an on-going nature. A precise break-down of promotion activities is not feasible. For the year 2010, the Secretariat envisages the following allocation of resources for its promotion activities:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€ 77,160
	General services (Ch. 2.1, 3.1)	6,500
Conference costs	Interpreters / Technical services (Ch. 6.5)	2,000
Consultation / promotion	Consultation (1.6)	6,000

\* Priority level to be determined by the Governing Council.

Documentation / translation	Professional staff (Ch. 2.1, 3.1)	20,340
	External translations (into languages other than English and French) (Ch. 10)	5,000
<b>Total</b>		<b>€ 117,000</b>

### **B. Legal co-operation**

23. Information on the Secretariat's legal co-operation activities, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 9).

24. These activities are of an on-going nature. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€ 14,950
<b>Total</b>		<b>€ 14,950</b>

## **VI. Non-legislative activities**

### **A. Research Scholarship Programme / Internship Programme**

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25. Information on the Secretariat's activities in this field, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 9).

26. These activities are of an on-going nature. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€ 17,100
	General services (Ch. 2.1, 3.1)	14,450
Other	Scholarships (Ch. 11.0) <i>A number of scholarships are funded by Governments of member States and by private donations</i>	10,000
<b>Total</b>		<b>€ 41,550</b>

### **B. UNIDROIT Library**

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27. Information on the Secretariat's activities in this field, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 11).

28. The Library is a permanent part of the Institute. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€ 2,100
	General services (Ch. 2.1, 3.1)	206,400
Purchase of books, legal journals, binding, software	Ch. 9	113,000
<b>Total</b>		<b>€ 321,500</b>



**C. Publications**

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29. Information on the Secretariat's publication activities, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(89) 12).

30. These activities are of an on-going nature. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€	45,000
	General services (Ch. 2.1, 3.1)		65,500
Conference costs			
Consultation / promotion			
Documentation	Postage (Ch. 6.3)		12,000
	Printing costs (Ch. 5)		31,500
<b>Total</b>		€	<b>154,000</b>

**D. Website and depository libraries**

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31. Information on the Secretariat's activities in this field, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D. (89) 2 and C.D.(88) 13).

32. These activities are of an on-going nature. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.1)	€	14,100
Conference costs			
Consultation / promotion			
Documentation			
<b>Total</b>		€	<b>14,100</b>

**E. UNILAW database**

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33. Information on the Secretariat's activities in this field, the action taken since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D.(89) 2 et C.D.(89) 14).

34. UNILAW is an on-going activity. For the year 2010, the Secretariat envisages the following allocation of resources:

Staffing costs	Professional staff (Ch. 2.1, 3.2)	€	73,100
	<i>A part-time assistant is funded by the Uniform Law Foundation</i>		
Conference costs			0
Consultation / promotion			0
Documentation	<i>website: € 4,000 (funded by the Uniform Law Foundation)</i>		0
<b>Total</b>		€	<b>73,100</b>

## VII. Membership, institutional cooperation and governance

35. The governance chapter of the Institute's Work Programme relates essentially to the functioning of the General Assembly, the Governing Council and the Finance Committee and the Secretariat's activities in support thereof.

36. As an initial step to stimulate a higher level of co-ordination between the governing bodies of the Institute and encourage consistency in their decisions, in 2009 the Secretariat convened a special meeting of the General Assembly on 18 June 2009 for the purpose of appraising the General Assembly of the results of the Governing Council's 88<sup>th</sup> session, in particular the recommendations for the triennial Work Programme. The level of interest shown by member States for that session encourages the Secretariat to repeat that positive experience in 2010, probably again within two months of the Governing Council's 89<sup>th</sup> session. For the same reason, the 111<sup>th</sup> meeting of the Permanent Committee is being held partly in conjunction with the 67<sup>th</sup> session of the Finance Committee, on 25 March 2010.

Staffing costs	Secretary-General and Professional staff (Ch. 2. 1, 3.1)	€	176,745
Conference costs	Interpreters / technical services (Ch. 6.5)		10,000
	GC and PC (Ch. 1.1)		50,000
Consultation / promotion	Official journeys (Ch. 1.6)		9,000
	Auditor (Ch. 1.4)		3,500
	Representation (Ch. 6.4)		4,650
Documentation / translation	Postage (Ch. 6.3)		5,000
	Professional staff (Ch. 2. 1, 3.1)		81,465
	General services (Ch. 2. 1, 3.1)		76,950
<b>Total</b>		€	<b>417,310</b>

## VIII. Administration, support services and building management

37. In 2009 the Secretariat successfully linked the computers used by all officers through a network supported by a server. Some new hardware and additional software licences were purchased within existing resources. The Secretariat has collected and placed into a central electronic archive a large number of institutional documents and research papers that thus far had been stored in individual computers. This will permit easier access and safe storage through systematic daily backup. The Secretariat now disposes of the technical conditions to implement an integrated electronic system for registration, tracking and archiving of correspondence and documents, which has already been designed.

38. An annual institutional work plan has been introduced indicating as appropriate the output expected from the staff members during the work plan cycle (from Governing council session to Governing Council session). Individual evaluation meetings with the professional staff will take place at the 111<sup>th</sup> session of the Permanent Committee. Performance evaluation for the staff in Categories B and C will take place after the next Governing Council session. The Secretary-General believes that, at least for the moment, a more formal performance evaluation system is not needed. The scope and details of a *staff development plan* contemplating a streamline in staff structure and the introduction of standard hiring procedures, and up-to-date human resources management tools, is being considered by the Permanent Committee.

39. With a view to reducing the workload of the French native speakers among the professional staff, thus increasing their availability for substantive project-related activities, in 2009 the Secretariat has started to make use of Category B staff with the required language capability both for drafting and translating documents, where a particular legal expertise was not indispensable for

that purpose (e.g. General Assembly and Governing Council session reports, sections of the Annual Report).

Staffing costs	Secretary-General and Professional staff (including part of the salary of the Deputy Secretary-General in charge of the administration) (Ch. 2. 1, 3.1)	€ 137,310
	General services (including treasurer, IT technician, administrative assistants, clerical staff) (Ch. 2. 1, 3.1)	258,770
Conference costs		
Consultation / promotion	Consultation with OECD (Ch. 1.5)	4,500
Documentation	Postage (Ch. 6.3)	5,000
Miscellaneous	Maintenance costs (electricity, heating, water, insurance of premises, office equipment, upkeep of building, labour costs) (Ch. 7)	120,000
	Compensation for retired members of staff (Ch. 4)	2,500
	Accident insurance (Ch. 3.2)	8,500
	Remuneration of occasional collaborators (Ch. 2.2)	20,000
	Stationery, telephone, fax and Internet (Ch. 6.1, 6.2)	49,000
	Miscellaneous (Ch. 6.6)	6,700
<b>Total</b>		€ <b>612,280<sup>1</sup></b>
<p><sup>1</sup> The above expenditure corresponds to overhead expenses that have to be allocated <i>pro quota</i> to the different projects and activities.</p>		

## IX. Possible future work

40. The following paragraphs provide cost estimates in respect of each of the proposals for future work mentioned in paragraph 6(d) (i) to (v) above, on the basis of an assessment by the Secretariat of the work that might be involved and the resources that might be needed during the entire triennium, including both existing and supplementary resources.

41. It should be noted that, at this stage, the estimates provided below can only be tentative. Experience shows that the evolution of project costs is incremental, typically rising as projects approach completion, not least because of the need for intergovernmental meetings once the internal preparatory work of the Secretariat has matured. The frequency of such meetings, as well as the number of participants, is not easy to predict before a project is actually launched.

42. The estimates provided below assume two years of preparatory work including work at a study group level and one year of negotiations at the intergovernmental level. It should be noted, however, that the triennial pattern of the UNIDROIT Work Programme does not necessarily allow for an accurate cost estimate for the entire lifecycle of legislative projects, which are in most cases longer. Given the current stage of the ongoing legislative projects of the Institute (Principles of International Commercial Contracts (UPICC), 3<sup>rd</sup> edition, and draft Space Protocol) and the preliminary stage of the work on the legislative guide to enhance trading in securities in emerging markets, save for the availability of extra-budgetary contributions, the Secretariat does not expect to be able to manage more study groups on more than three topics at the same time and to move into the second third-year stage of progress of any future project before the year 2013.

43. The estimate cost for steering committee and study group meetings assume that UNIDROIT would cover the travel cost for experts participating in the meetings. The staffing cost related to projects has been calculated as a variable cost range depending on the relative level of priority accorded by the Governing Council on the basis of the average gross cost of the professional staff of the Institute. The overall cost of possible future projects, at this stage, is based on a standard anticipated cost pattern and is therefore essentially the same for all projects.

**A. Preparation of other Protocols to the Cape Town Convention, in particular on matters specific to agricultural, mining and construction equipment**

44. Information on this project, the progress made since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see documents UNIDROIT 2010 – C.D.(89) 2 and C.D.(89) 4 (c)).

45. If recommended by the Council for inclusion in the Work Programme, the project would start in 2010 and would be expected to move to an intergovernmental phase in 2013.

	Budget (in euro)	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	Entire period
Staffing costs** 70% - high priority 50% - medium priority 25% - low priority	Ch. 2.1/3.1	100,000 72,000 36,000	100,000 72,000 36,000	100,000 72,000 36,000	<b>300,000</b> <b>216,000</b> <b>108,000</b>
Consultation (2 intra-Europe trips, 2 intercontinental trips)	Ch. 1.6	7,220	7,220	7,220	<b>21,660</b>
2 meetings of a Steering Committee (4 experts, 3 days per meeting, without interpretation)	Ch. 1.5	22,320	0	0	<b>22,320</b>
2 meetings of a Study Group (10 experts, 3 days per meeting, with interpretation)	Ch. 1.5	0	46,000	0	<b>46,000</b>
	Ch. 6.5	0	7,380	0	<b>7,380</b>
2 meetings of a Committee of Governmental Experts (5 days per meeting, with interpretation)	Ch. 1.5	0	0	15,400	<b>15,400</b>
	Ch. 6.5	0	0	12,300	<b>12,300</b>
Documentation / translation (including publication of an Official Commentary / Explanatory Report in English and French)	Ch. 2.1/3.1	0	13,500	13,500	<b>27,000</b>
	Ch. 5	0	0	8,000	<b>8,000</b>
<b>Total (excluding staffing costs)</b>		<b>29,540</b>	<b>74,100</b>	<b>56,420</b>	<b>160,060</b>
<b>Total including staffing costs</b> (max. and min., depending on the priority accorded to the project)		<b>129,540/ 65,000</b>	<b>174,100/ 110,100</b>	<b>156,420/ 92,420</b>	<b>460,060/ 267,520</b>
<b>+ overhead expenses</b>					
**the staffing cost is calculated based on average officers costs					

**B. Possible Future Work on Liability for Satellite-based Services**

46. Information on this project, action taken by the Secretariat since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see C.D.(89) 7 Add. 1).

47. If recommended by the Council for inclusion in the Work Programme, the project would start in 2010 and would be expected to move to an intergovernmental phase in 2013.

	Budget (in euro)	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	Entire period
Staffing costs** 70% - high priority 50% - medium priority 25% - low priority	Ch. 2.1/3.1	100,000 72,000 36,000	100,000 72,000 36,000	100,000 72,000 36,000	<b>300,000</b> <b>216,000</b> <b>108,000</b>
Consultation (2 intra-Europe trips, 2 intercontinental trips)	Ch. 1.6	7,220	7,220	7,220	<b>21,660</b>
2 meetings of a Steering Committee (4 experts, 3 days per meeting, without interpretation)	Ch. 1.5	22,320	0	0	<b>22,320</b>
2 meetings of a Study Group (10 experts, 3 days per meeting, with interpretation)	Ch. 1.5	0	46,000	0	<b>46,000</b>
	Ch. 6.5	0	7,380	0	<b>7,380</b>
2 meetings of a Committee of Governmental Experts (5 days per meeting, with interpretation)	Ch. 1.5	0	0	15,400	<b>15,400</b>
	Ch. 6.5	0	0	12,300	<b>12,300</b>
Documentation / translation (including publication of an Official Commentary / Explanatory Report in English and French)	Ch. 2.1/3.1	0	13,500	13,500	<b>27,000</b>
	Ch. 5	0	0	8,000	<b>8,000</b>
<b>Total (excluding staffing costs)</b>		<b>29,540</b>	<b>74,100</b>	<b>56,420</b>	<b>160,060</b>
<b>Total including staffing costs</b> (max. and min., depending on the priority accorded to the project)		<b>129,540/ 65,000</b>	<b>174,100/ 110,100</b>	<b>156,420/ 92,420</b>	<b>460,060/ 267,520</b>
<b>+ overhead expenses</b>					
**the staffing cost is calculated based on average officers costs					

### C. Proposal for an instrument on the Netting of Financial Instruments

48. Information on this project, action taken by the Secretariat since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see C.D.(89) 7 Add. 2).

49. If recommended by the Council for inclusion in the Work Programme, the project would start in 2010 and would be expected to move to an intergovernmental phase in 2013.

	Budget (in euro)	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	Entire period
Staffing costs** 70% - high priority 50% - medium priority 25% - low priority	Ch. 2.1/3.1	100,000 72,000 36,000	100,000 72,000 36,000	100,000 72,000 36,000	<b>300,000</b> <b>216,000</b> <b>108,000</b>

Consultation (2 <i>intra-Europe</i> trips, 2 <i>intercontinental</i> trips)	Ch. 1.6	7,220	7,220	7,220	<b>21,660</b>
2 meetings of a Steering Committee (4 <i>experts</i> , 3 days per meeting, <i>without interpretation</i> )	Ch. 1.5	22,320	0	0	<b>22,320</b>
2 meetings of a Study Group (10 <i>experts</i> , 3 days per meeting, <i>with interpretation</i> )	Ch. 1.5	0	46,000	0	<b>46,000</b>
	Ch. 6.5	0	7,380	0	<b>7,380</b>
2 meetings of a Committee of Governmental Experts (5 days per meeting, <i>with interpretation</i> )	Ch. 1.5	0	0	15,400	<b>15,400</b>
	Ch. 6.5	0	0	12,300	<b>12,300</b>
Documentation / translation (including publication of an <i>Official Commentary</i> / <i>Explanatory Report in English</i> <i>and French</i> )	Ch. 2.1/3.1	0	13,500	13,500	<b>27,000</b>
	Ch. 5	0	0	8,000	<b>8,000</b>
<b>Total (excluding staffing costs)</b>		<b>29,540</b>	<b>74,100</b>	<b>56,420</b>	<b>160,060</b>
<b>Total including staffing costs</b> ( <i>max. and min., depending on</i> <i>the priority accorded to the</i> <i>project</i> )		<b>129,540/ 65,000</b>	<b>174,100/ 110,100</b>	<b>156,420/ 92,420</b>	<b>460,060/ 267,520</b>
<b>+ overhead expenses</b>					
** the staffing cost is calculated based on average officers costs					

#### **D. Possible future work in the area of private law and development**

##### **(i) Private law aspects of agricultural financing**

50. Information on this project, action taken by the Secretariat since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see C.D.(89) 7 Add. 4).

51. If recommended by the Council for inclusion in the Work Programme, the project would start in 2010 and would be expected to move to an intergovernmental phase in 2013.

	Budget (in euro)	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	Entire period
Staffing costs** 70% - <i>high priority</i> 50% - <i>medium priority</i> 25% - <i>low priority</i>	Ch. 2.1/3.1	100,000 72,000 36,000	100,000 72,000 36,000	100,000 72,000 36,000	<b>300,000</b> <b>216,000</b> <b>108,000</b>
Consultation (2 <i>intra-Europe</i> trips, 2 <i>intercontinental</i> trips)	Ch. 1.6	7,220	7,220	7,220	<b>21,660</b>
2 meetings of a Steering Committee (4 <i>experts</i> , 3 days per meeting, <i>without interpretation</i> )	Ch. 1.5	22,320	0	0	<b>22,320</b>

2 meetings of a Study Group (10 experts, 3 days per meeting, with interpretation)	Ch. 1.5	0	46,000	0	<b>46,000</b>
	Ch. 6.5	0	7,380	0	<b>7,380</b>
2 meetings of a Committee of Governmental Experts (5 days per meeting, with interpretation)	Ch. 1.5	0	0	15,400	<b>15,400</b>
	Ch. 6.5	0	0	12,300	<b>12,300</b>
Documentation / translation (including publication of an Official Commentary / Explanatory Report in English and French)	Ch. 2.1/3.1	0	13,500	13,500	<b>27,000</b>
	Ch. 5	0	0	8,000	<b>8,000</b>
<b>Total (excluding staffing costs)</b>		<b>29,540</b>	<b>74,100</b>	<b>56,420</b>	<b>160,060</b>
<b>Total including staffing costs</b> (max. and min., depending on the priority accorded to the project)		<b>129,540/ 65,000</b>	<b>174,100/ 110,100</b>	<b>156,420/ 92,420</b>	<b>460,060/ 267,520</b>
<b>+ overhead expenses</b>					
** the staffing cost is calculated based on average officers costs					

**(ii) Legal aspects of social business**

52. Information on this project, action taken by the Secretariat since the Council's 88<sup>th</sup> session and issues to be considered by the Council at its present session is provided elsewhere (see C.D.(89) 7 Add. 5).

53. If recommended by the Council for inclusion in the Work Programme, the project would start in 2010 and would be expected to move to an intergovernmental phase in 2013.

	Budget (in euro)	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	Entire period
Staffing costs** 70% - high priority 50% - medium priority 25% - low priority	Ch. 2.1/3.1	100,000 72,000 36,000	100,000 72,000 36,000	100,000 72,000 36,000	<b>300,000</b> <b>216,000</b> <b>108,000</b>
Consultation (2 intra-Europe trips, 2 intercontinental trips)	Ch. 1.6	8,700	8,700	8,700	<b>26,100</b>
2 meetings of a Steering Committee (4 experts, 3 days per meeting, without interpretation)	Ch. 1.5	30,280	0	0	<b>30,280</b>
2 meetings of a Study Group (10 experts, 3 days per meeting, with interpretation)	Ch. 1.5	0	58,560	0	<b>58,560</b>
	Ch. 6.5	0	7,380	0	<b>7,380</b>
2 meetings of a Committee of Governmental Experts	Ch. 1.5	0	0	24,620	<b>24,620</b>

<i>(3 days per meeting, with interpretation)</i>	Ch. 6.5	0	0	7,380	<b>7,380</b>
Documentation / translation <i>(including publication of an Official Commentary / Explanatory Report in English and French)</i>	Ch. 2.1/3.1	13,500	13,500	13,500	<b>40,500</b>
	Ch. 5	0	0	7,000	<b>7,000</b>
<b>Total (excluding staffing costs)</b>		<b>52,480</b>	<b>88,140</b>	<b>61,200</b>	<b>201,820</b>
<b>Total including staffing costs</b> <i>(max. and min., depending on the priority accorded to the project)</i>		<b>152,480/ 88,480</b>	<b>188,140/ 124,140</b>	<b>161,200/ 97,200</b>	<b>501,820 309,820</b>
<b>+ overhead expenses</b>					
**the staffing cost is calculated based on average officers costs					

54. As indicated elsewhere, it is proposed that this project, if included in the Institute's Work programme would be carried out jointly by the UNIDROIT and IDLO Secretariats, the latter agreeing in particular to raise the necessary funding through an appeal to external donors (see C.D. (89) 7 Add. 5, para. 79). As such, the only real cost that would be incurred by UNIDROIT would be the cost related to the officer to whom the project would be assigned.

55. Depending on the level or priority to be assigned by the Governing Council (see para. 10(b), above), the staff cost of the project might range from € 100,000 to € 36,000 per annum.

#### ***E. Proposal for the preparation of a Model Law on the Protection of Cultural Property***

56. Information on this project, on the progress made since the 88<sup>th</sup> session of the Council and on the points that the Council will be called upon to examine at this session, are provided elsewhere (see document UNIDROIT 2010 – C.D.(89) 7 Add. 3).

57. For the moment, UNIDROIT is collaborating with UNESCO on this project in the framework of the habitual collaboration between the organisations and the member of the Secretariat (Ms M. Schneider) is currently working on it as part of her duties. Indications as regards the development of the project and the potential financial implications for UNIDROIT will be provided subsequently.

#### ***F. Proposal for the Creation of a UNIDROIT Centre for e-Research***

58. Information on this project is contained in document UNIDROIT 2010 – C.D.(89) 7 Add. 6.

59. In view of the nature of the proposal, the Secretariat is not in a position to provide cost estimates. Should the Council decide to create such a Centre, it should also give an indication of the human and financial resources that should be devoted to it.