



GOVERNING COUNCIL
93rd session
Rome, 7 - 10 May 2014

EN

UNIDROIT 2014
C.D. (93) 9
Original: English/French
April 2014

Item No. 10 on the agenda: Correspondents

(Memorandum prepared by the Secretariat
and the Sub-Committee of the Governing Council on UNIDROIT Correspondents)

<i>Summary</i>	<i>Recommendations on reappointment of the UNIDROIT correspondents</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to examine the recommendations of the Sub-Committee</i>
<i>Related document</i>	<i>UNIDROIT 2013 – C.D. (92) 10</i>

1. The first correspondents of the Institute were appointed by the Governing Council at its 18th session (1947) as a way for the Institute to obtain information and advice in respect of the law of the United States, which was not at the time a member State of UNIDROIT. The Governing Council (still in its reduced form pending the first election of its members in accordance with the new Statute of the Institute) designated two North American correspondents and one Italian. A combination of different criteria for appointing correspondents led to a sharp increase in their numbers: from 3 in 1947 to 28 in 1955, 33 in 1965, 92 in 1985, 152 in 1995, 175 in 2006. In 2006, the Council decided to create a new class of corporate correspondents (as of today, UNIDROIT has three corporate correspondents).

2. The Governing Council has been discussing for some years the functions of correspondents, the length of their mandate, their geographical distribution and ways to breathe new life into the existing network within a Working Group on the Strategic Plan (see document C.D.(90) 16, paragraphs 16, 18 to 22, 38 and 39). Pending the outcome of such a debate, the Governing Council decided in 2011 and 2012 to refer to one year the procedure for the possible reappointment of the correspondents.

3. At its 92nd session (2013), the Council examined the report of a Sub-Committee, containing new Guiding Principles and rules on appointment and reappointment (see UNIDROIT 2013 – C.D. (92) 10, Annex I). Following the recommendations of the Sub-Committee, the Secretariat contacted those who are presently on the list of correspondents to inquire whether they wished to be reappointed for a term running from May 2013 until April 2016, as reappointment was not automatic anymore. The Secretariat received 44 positive answers out of 99 correspondents currently on the list. Only one indicated that he would not ask for reappointment. The three institutional correspondents expressed their wish to remain on the list.

4. The Sub-Committee of the Council recommends therefore to confirm the status of correspondent to those who indicated their willingness to maintain it and suggests to create a new category of “emeritus” correspondents for those who did send any answer and for those who will not meet in the future the criteria to maintain such a status.

5. In support of further reflection on the network of correspondents UNIDROIT, the Secretariat indicates a table showing the distribution of the correspondents of the Institute by region and country appears in Annex I to this document.

ACTION TO BE TAKEN

6. *The Governing Council is invited to take note of the report of the Secretariat and the Sub-Committee and its following recommendations:*

(1) confirm the status of correspondents for 3 years (as from May 2013) to the persons who indicated their willingness to remain correspondent; and

(2) create a new category of correspondents and appoint all those who did not answer as “emeritus correspondents” .

Formatta
Verdana, 6

Formatta
Verdana, 6

ANNEX I

DISTRIBUTION OF ACTIVE CORRESPONDENTS OF THE INSTITUTE BY REGION AND BY COUNTRY

- as of 30 April 2013 -

With indication (in blue) as of 10 May 2014 should the Governing Council decide to follow the recommendations of the Sub-Committee

Non-member States of UNIDROIT are shown in italic script

	2013/2014		2013/2014		2013/2014
Africa	12 / 2	Europe	47 / 22	Asia/Pacific	9 / 4
<i>Burkina Faso</i>	1 / 1	Austria	1 / 1	Australia	3 / 1
Egypt	2 / 0	Belgium	1 / 1	China	1 / 0
<i>Ghana</i>	1 / 0	Denmark	1 / 1	Indonesia	1 / 0
<i>Mali</i>	1 / 0	Finland	1 / 0	Iran	1 / 0
<i>Morocco</i>	2 / 0	France	6 / 3	Japan	3 / 2
Nigeria	1 / 1	Germany	9 / 5		
<i>Senegal</i>	1 / 0	Greece	1 / 0		
Tunisia	3 / 0	Italy	6 / 2		
		Latvia	1 / 0		
		The Netherlands	1 / 0		
		Poland	1 / 0		
		Portugal	1 / 0		
Americas	35 / 16	Russian Federation	1 / 0		
		Slovakia	1 / 0		
Argentina	4 / 3	Spain	3 / 2		
Canada	5 / 2	Sweden	1 / 1		
Chile	1 / 1	Switzerland	2 / 1		
Colombia	2 / 2	Turkey	1 / 1		
<i>Guatemala</i>	1 / 0	United Kingdom	7 / 4		
Mexico	3 / 1				
<i>Panama</i>	1 / 1				
United States of America	16 / 5				
Uruguay	1 / 1				