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GOVERNING COUNCIL
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UNIDROIT 2018
C.D. (97) Misc 2
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SUMMARY CONCLUSIONS

Item 1 on the agenda: Adoption of the annotated draft agenda (C.D. (97) 1 rev.2)

1. The Governing Council adopted the agenda as proposed in document C.D. (97) 1 rev.2).

Item 2 on the agenda: Appointment of the First and Second Vice-Presidents of the Governing Council (C.D. (97) 1 rev.2)

2. The Governing Council appointed Mr Arthur Hartkamp as First Vice-President of the Governing Council and Mr Jorge Sánchez Cordero as Second Vice-President, both of whom will serve in these positions until the 98th session of the Council.

Item 3 on the agenda: Reports

(a) Annual Report 2017 (C.D. (97) 2)

3. The Council took note of the Secretary-General *a.i.*'s report on the activity of the Institute in 2017. The Council expressed its gratitude to Mr José Angelo Estrella Faria for his outstanding contribution to UNIDROIT as Secretary General, and expressed its appreciation to Ms Anna Veneziano, Secretary-General *a.i.* for successfully leading the Secretariat during the transition period.

(b) Report of the UNIDROIT Foundation

4. The Council took note of the report by the Vice-President of the UNIDROIT Foundation, and thanked the Foundation for its continued support of the Institute.

Item 4 on the agenda: Report of the President on the conduct of the selection process of the Secretary-General and appointment of the new Secretary-General (C.D. (97) 3) (restricted)

5. The Council took note of the report of the President on the conduct of the selection process of the Secretary-General and appointed Mr Ignacio Tirado, currently Professor at the Universidad Autónoma of Madrid, as Secretary-General.

Item 5 on the agenda: International Interests in Mobile Equipment

(a) Implementation and status of the Luxembourg Rail Protocol and of the Space Protocol (C.D. (97) 4)

6. The Council took note of the developments in relation to the implementation of the Luxembourg Rail Protocol and the Space Protocol, and it encouraged the Secretariat to continue its promotion efforts.

(b) Preliminary draft Protocol to the Cape Town Convention on Matters Specific to Mining, Agricultural and Construction Equipment (C.D. (97) 5)

7. The Council approved the preliminary draft MAC Protocol established by the Committee of Governmental Experts at the second session of the Committee held in October 2017, and authorised the Secretariat to submit the draft Protocol to a diplomatic Conference for adoption, in 2019, at a venue to be settled subsequently.

(c) Preparation of other Protocols to the Cape Town Convention: "Ships and maritime transport equipment" and "Renewable energy equipment" (C.D. (97) 18)

8. The Council noted the Secretariat's report on the preparation of other Protocols to the Cape Town Convention on ships and maritime transport equipment and renewable energy equipment.

Item 6 on the agenda: Transactions on Transnational and Connected Capital Markets: the UNIDROIT Legislative Guide on Intermediated Securities (C.D. (97) 6)

9. The Council took note of the progress with respect to the preparation, publication and promotion of the UNIDROIT Legislative Guide on Intermediated Securities.

Item 7 on the agenda: Private Law and Agricultural Development

(a) Follow-up activities and promotion of the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming (C.D. (97) 7(a))

10. The Council took note of the follow-up activities and promotion of the UNIDROIT/FAO/IFAD Legal Guide on Contract Farming.

(b) Preparation of an international guidance document on agricultural land investment contracts (C.D. (97) 7(b))

11. The Council took note of the update on the work of preparation of an international guidance document on agricultural land investment contracts and in particular expressed its satisfaction at the progress made by the Working Group at its second and third sessions, held in September 2017 and April 2018 respectively.

Item 8 on the agenda: Transnational civil procedure**(a) Formulation of ELI-UNIDROIT regional rules (C.D. (97) 8(a))**

12. The Council took note of the developments relating to the joint ELI/UNIDROIT project on the development of regional rules based on the adaptation of the ALI/UNIDROIT Principles of Transnational Civil Procedure. The Council expressed its continuing support for the project and to all efforts toward its finalisation and approval.

(b) Principles on Effective Enforcement (C.D.(97) 8(b))

13. The Council took note of the status of the project.

Item 9 on the agenda: International Commercial Contracts: Formulation of Principles of Reinsurance Contracts (C.D. (97) 9 rev.)

14. The Council took note of the status of the project.

Item 10 on the agenda: International Sales Law: Preparation of a guidance document on existing texts in the area of international sales law in cooperation with UNCITRAL and the Hague Conference on Private International Law (C.D. (97) 10)

15. The Council took note of the progress made on the preparation of a guidance document on international sales law. The Council encouraged the Secretariat to continue its collaboration with the Hague Conference and UNCITRAL on the project.

Item 11 on the agenda: International protection of cultural property (C.D. (97) 11)**(a) Follow-up activities and promotion of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects and the Model Provisions on State Ownership of Undiscovered Cultural Objects**

16. The Council took note of the follow-up activities and promotion of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. The Council expressed its appreciation for the continued work and the achievements of the Secretariat in the cultural property field.

(b) Private art collections

17. The Council took note of the activities of the Secretariat in relation to private art collections. The Council encouraged the Secretariat to continue to work on this topic.

Item 12 on the agenda: Promotion of UNIDROIT instruments (C.D. (97) 12)

18. The Council took note of the initiatives that had been carried out and envisaged by the Secretariat to promote UNIDROIT instruments. The Council reiterated the importance of promoting UNIDROIT work and instruments.

Item 13 on the agenda: Library and research activities (C.D. (97) 13)

19. The Council took note of developments regarding the Library and research activities, in particular regarding the digitisation of the library's collections.

Item 14 on the agenda: UNIDROIT information resources and policy (C.D. (97) 14)

20. The Council expressed its satisfaction at the developments in the resources of information of the Institute.

Item 15 on the agenda: Administrative matters

(a) Preparation of the draft budget for the 2019 financial year (C.D. (97) 15(a))

21. The Council considered the draft Budget for the 2019 financial year and authorised the Secretariat to communicate it to member States.

(b) Report of the Secretary-General a.i. on the implementation of the new compensation and social security scheme applicable to the UNIDROIT staff (C.D. (97) 15(b))

22. The Council took note of the Secretariat's information regarding the implementation of the new compensation and social security scheme applicable to UNIDROIT staff and possible next steps.

Item 16 on the agenda: Date and venue of the 98th session of the Governing Council (C.D. (97) 1 rev. 2)

23. The Council agreed that the 98th session of the Governing Council should be held from 8 – 10 May 2019, at the seat of UNIDROIT in Rome.

Item 17 on the agenda: Any other business

(a) Private Law and Development - Cooperation with the Global Forum on Law Justice and Development (GFLJD) and possible future work in relation with the "Human-Centered Business Model" Project (C.D. (97) 16)

24. The Council took note of the information provided by the Secretariat and encouraged the Secretariat to continue working on the topic.

(b) Proposal submitted by the Czech Republic on artificial intelligence (C.D. (97) 17)

25. The Council took note of the information and proposal presented by the Czech Republic and agreed that the Secretariat should monitor developments regarding legal implications and policy issues and their treatment in other for a, with a view to discussing at its 98th session on the possible inclusion of the topic in the Work Programme for 2019-2021.