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**Item No. 10 on the Agenda: Appointment of the members of the
Administrative Tribunal**

(Secretariat Memorandum)

<i>Summary</i>	<i>See below</i>
<i>Action to be taken</i>	<i>Appointment of the members of the Administrative Tribunal</i>
<i>Related documents</i>	<i>None</i>

1. The General Assembly, at its 84th session, is called upon to appoint the members of the Administrative Tribunal, in accordance with Article 7bis (2) of the UNIDROIT Statute.
2. The composition of the Tribunal appointed at the 78th session of the General Assembly (2019) was the following: Professor Sir Francis Jacobs, Professor Erik Jayme, and Professor Gianluigi Tosato, as full members, and Justice Rafael García Valdecasas as the substitute member.
3. It is with great sadness that the Secretariat has learnt of the passing of Professor Erik Jayme. Moreover, Professor Sir Francis Jacobs has declined the Secretariat's invitation to serve for a further term and therefore shall end his service on 31 December 2024.
4. In light of the above, the Secretariat would like to propose the candidacy of Professor Gabrielle Kaufmann Kohler (Switzerland) to become a full member of the Administrative Tribunal, and the candidacy of Meg Kinnear (Canada) to become the new substitute member of the Tribunal. Given their long-standing relationship with the Institute and their extraordinary achievements in their fields of expertise, the Secretariat is honoured to propose the reappointment by the General Assembly of Professor Gianluigi Tosato and of Justice Rafael Garcia Valdecasas, this time as full member of the Tribunal.
5. The abbreviated curriculum vitae of all four candidates is appended to this document ¹.
6. *The General Assembly is called upon to decide on the reappointment of Professor Gianluigi Tosato, on the appointment of Justice Rafael Garcia Valdecasas and Professor Gabrielle Kaufmann Kohler to the post of full members of the Administrative Tribunal, as well as to the appointment of Ms Meg Kinnear as substitute member as of 1st January 2025, for a period of five years.*

¹ At the request of Member States, the Secretariat will provide a full cv of each of the candidates.

APPENDIX**Full Members****Justice Rafael García Valdecasas**

Born 1946; Bachelor of Laws (Universidad de Granada); *Abogado del Estado* (at Jaén and Granada); Member of the Bar (Jaén and Granada); Head of the Spanish State Legal Service for cases before the Court of Justice of the European Communities (Ministry of Justice); Head of the Spanish delegation in the working group created at the Council of the European Communities with a view to establishing the Court of First Instance of the European Communities; Judge at the Court of First Instance from 25 September 1989 to 17 September 2007. Since 2007 he has been a Committee of the Council of the European Union for the selection of the Judges of the European Civil Service Tribunal Member of the Resources Committee of the European Investment Bank (2009-2018) ; International Arbitrator since 2010 and Customer Ombudsman of the Banco Bilbao Vizcaya Argentaria group in Spain.

Member of the Board of Directors of the Spanish Association for the Study of European Law as well as on the board of Advisory and Editorial Committees of the following legal journals: "Noticias de la Unión Europea – CISS", Madrid, Spain; "Gaceta Jurídica de la Unión Europea y de la Competencia", Madrid, Spain; "World Competition Law and Economics Review", The Hague, The Netherlands; "Competition Policy International", Boston USA.

Among his many accolades he was made Commander of the Civil Order of Agricultural Merit (1989), Commander of the Order of Isabel la Católica (1990), Grand Cross of the Order of Civil Merit (1999), Silver Medal of the Royal Institute of European Studies (Zaragoza, 2001), Silver Medal for European Merit from the Fondation pour le Mérite Européen(Luxembourg, 2007),

He has been a member of the UNIDROIT Administrative Tribunal since 2010.

Professor Gabrielle Kaufmann-Kohler

Gabrielle Kaufmann-Kohler is a partner of Lévy Kaufmann-Kohler, Geneva, and practices international commercial and investment arbitration, having acted in over 250 international arbitrations, mainly as president. She appears on numerous institutional panels (including ICC, ICSID, SIAC, CIETAC). She regularly ranks as one of the top arbitrators worldwide.

Professor Emerita at Geneva University, where she taught private international law and international arbitration, Gabrielle Kaufmann-Kohler is the founder and former director of the Geneva LLM in International Dispute Settlement (MIDS) and of the Geneva Center for International Dispute Settlement (CIDS)co-founder of the Foundation for International Arbitration Advocacy (FIAA). She is or was a visiting professor at Georgetown Law, University of Sao Paulo, Sciences Po Paris, the MIDS, National University of Singapore and Tsinghua University Beijing.

Honorary President of ICCA (since 2020) and of the Swiss Arbitration Association (ASA), she is also among other leadership positions a former member of the ICC Court, LCIA Court, and AAA Board, and a current member of the Swiss delegation to UNCITRAL Working Group III.

She has published extensively in the area of her specialization (list available on https://lk-k.com/?year=&lawyer=gabrielle-kaufmann-kohler&expertise=&s=&post_type=publication).

Among other accolades and awards, she has received the GAR Lifetime Achievement Award (2023) and the Chambers Europe Award for Outstanding Contribution to Arbitration (2021).

Gianluigi Tosato

Lawyer registered in the Rome Bar since 1976. Licensed to practice before higher courts since 1996. "Libera docenza" since 1976; Professor emeritus of International Law and European Union Law in the University "Sapienza" of Rome. Professor of European Union Law in the University "Luiss Guido Carli" Rome. Founding partner of Tosato e Associati Law Firm

Cum laude Law degree from "Sapienza" University of Rome in 1962. Visiting scholar at the University of Michigan in 1973 and at Stanford University in 1974/75.

Member of Scientific Committee of the Italian Arbitration Association, on the Executive Committee of Istituto Affari Internazionali (International Affairs Institute), member of the International Law Association, the Assocarta Board of arbitrators ("Probiviri"), Honorary President of L.M. Ericsson Foundation. Former President of the Commission on Computing, Telecommunications and Information Policies, ICC, Paris and Former President of the Board of Ericsson Italia S.p.A. and its subsidiaries.

Author or curator of several publications on public and private international law and European Union law.

He has been a member of the UNIDROIT Administrative Tribunal since 2010.

Substitute member**Ms Meg Kinnear**

Meg Kinnear is a founding partner of LKDR LLC, where she acts as a dispute neutral, and in particular as an arbitrator, conciliator, or mediator. From June 2009 to June 2024, Ms Kinnear was the Secretary-General of the International Center for the Settlement of Investment Disputes (ICSID), one of the five institutions of the World Bank Group. As Secretary General, Ms Kinnear led a group of more than 70 dispute resolution professionals, administering a caseload of roughly 275 cases per year. Prior to 2009 Ms Kinnear was the Senior General Counsel and Director General of the Trade Law Bureau of Canada (April 1999 to June 1999), the Executive Assistant to the Deputy Minister of Canada (1996-1999) and counsel in the Civil Litigation Section of the Department of Justice Canada (1984-1996). She has written numerous articles and books on investor-State dispute resolution and civil rules of procedure and is a frequent speaker on these topics. Ms Kinnear is a Canadian citizen and currently resides in Toronto, Ontario.