



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONALE POUR L'UNIFICATION DU DROIT PRIVE

**DIPLOMATIC CONFERENCE FOR THE ADOPTION
OF THE DRAFT PROTOCOL TO THE CONVENTION
ON INTERNATIONAL INTERESTS IN MOBILE
EQUIPMENT ON MATTERS SPECIFIC TO
SPACE ASSETS**

Berlin, 27 February / 9 March 2012

UNIDROIT 2012
DCME-SP – Doc. 45
Original: English
9 March 2012

**SUMMARY REPORT
FOR 8 MARCH 2012**

SIXTH MEETING OF THE PLENUM

Item No. 11 on the Agenda: Adoption by the Conference of the Final Act of the Conference and of any instruments, recommendations and resolutions resulting from its work

The President opened the meeting at 10 a.m.

The President informed the Conference that two items remained to be considered: the adoption of the five draft Resolutions and the adoption of the draft Final Act of the diplomatic Conference. Some delegations took the opportunity to make general statements, in particular thanking the German government for hosting the diplomatic Conference.

The delegation of the Russian Federation noted in particular that it believed that the Protocol was a viable and effective legal instrument which would facilitate asset-based financing, in particular in those spheres which lacked access to private investment. This delegation also felt that the Protocol represented a balanced approach for the interests of both the public and the private sector.

The delegation of Italy agreed that the Protocol represented a balanced achievement that took all concerns into account.

The delegation of India, expressing its appreciation for being a part of the negotiating process for the development of the Protocol, emphasised the benefits that were to be derived from space-based services, in particular in developing countries.

Re: draft Resolution No. 1: Relating to the setting up of the Preparatory Commission for the establishment of the International Registry for space assets

One delegation proposed replacing the words "nominated by the following States" with the words "nominated by one third of the negotiating States", noting that this approach had worked well in the context of the Aircraft Protocol. It was so agreed.

Resolution 1 was adopted as thus amended.

Re: draft Resolution 2: Relating to the establishment of the Supervisory Authority of the International Registry for space assets

One delegation proposed the addition of wording whereby it would be requested that the I.T.U. duly inform the Secretary-General of UNIDROIT as to its decision whether or not to become the Supervisory Authority once taken. It was so agreed.

Resolution 2 was adopted as thus amended.

Re: draft Resolution 3: Relating to the regulations of the International Registry for space assets

Resolution 3 was adopted without amendment.

Re: draft Resolution 4: Relating to the Provision of reasonable discounts on exposure rates to debtors by financing organisations

Resolution 4 was adopted, subject to an amendment whereby the word “as” would be added after the words “as well” in the first line of the last clause.

Re: draft Resolution No 5: Relating to the Official Commentary on the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets.

Resolution 5 was adopted without amendment.

Re: draft Final Act

The President introduced the draft Final Act.

The Executive Secretary explained that paragraphs 3 and 4 would be finalised following the final meeting of the Credentials Committee and the delivering of its final report to the Conference the following day.

With this decision, the Final Act was adopted.

The President adjourned the meeting at 10.50 a.m.