



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL 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

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DRAFT FINAL ACT

**of the diplomatic Conference for the adoption of the draft Protocol
to the Convention on International Interests in Mobile Equipment
on Matters specific to Space Assets
held at the invitation of the Government of the Federal Republic of Germany and under
the auspices of the International Institute for the Unification of Private Law (UNIDROIT) in
Berlin from 27 February to 9 March 2012**

(presented by the UNIDROIT Secretariat as reviewed by the Commission of the Whole
on 6 March 2012)

The Plenipotentiaries at the diplomatic Conference for the adoption of the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets met in Berlin, at the invitation of the Government of the Federal Republic of Germany and under the auspices of the International Institute for the Unification of Private Law (UNIDROIT), from 27 February to 9 March 2012 for the purpose of considering the *draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets*, prepared by a UNIDROIT Committee of governmental experts.

Representatives of the Governments of 40 States participated in the Conference.

The representatives of the Governments of the following ... * States presented credentials in due and proper form:

The following ... ** States also participated in the Conference:

The following Regional Economic Integration Organisation was represented by observers:

European Union

* As of 2 March 2012, 26 States had submitted credentials found by the Credentials Committee to be in due and proper form.

** Those States that are not able to submit credentials found by the Credentials Committee to be in due and proper form by 9 a.m. on 9 March 2012 will be listed here.

The following four intergovernmental Organisations were represented by observers:

European Space Agency (ESA)
 Intergovernmental Organisation for International Carriage by Rail (OTIF)
 International Civil Aviation Organization (ICAO)
 International Telecommunication Union (ITU)

The following five international non-governmental Organisations were represented by observers:

Aviation Working Group (AWG)
 European Satellite Operators Association (ESOA)
 International Bar Association (IBA)
 International Institute of Space Law (IISL)
 Rail Working Group (RWG)

A certain number of technical advisers attended.

The Conference elected as President Mr Herbert Kronke (Germany) and further elected as Vice-Presidents:

Mr Harold S. Burman (United States of America)
 Mr Maurice Gourdault-Montagne (France)
 Mr Igor E. Manylov (Russian Federation)
 Rev. Makhenkesi Stofile (South Africa)
 Mr Tang Wenhong (People's Republic of China)

The Secretariat of the Conference was as follows:

Secretary General - Mr José Angelo Estrella Faria, Secretary-General of UNIDROIT
 Executive Secretary - Mr Martin Stanford, Deputy Secretary-General of UNIDROIT
 Deputy Secretary - Ms Marina Schneider, Senior Officer of UNIDROIT
 Assistant Secretary - Mr Daniel Porrás, Associate Officer of UNIDROIT

The Conference established a Commission of the Whole. The Conference elected Mr Sergio Marchisio (Italy) as Chairman of the Commission of the Whole, which appointed Sir Roy Goode (United Kingdom) Reporter. The Conference established the following Committees:

Credentials Committee

Chairman: Mr Eric Zoungrana (Burkina Faso)

Members: Burkina Faso
 France
 Germany
 Japan
 Russian Federation

Drafting Committee

Chairman: Mr Michel Deschamps (Canada)

Members: Canada
 China
 France

Germany
Japan
Nigeria
Pakistan
Russian Federation
United States of America

Final Clauses Committee

Chairperson: Ms Neeru Chadha (India)

Members: Canada
Czech Republic
France
Germany
India
South Africa
United States of America

Observers: Russian Federation
United Kingdom

Informal Working Group on Article XXVI of the draft Protocol

Co-ordinator: Mr José Angelo Estrella Faria (Secretary-General)

Members: Canada
China
France
Germany
India
Luxembourg
Russian Federation
Saudi Arabia
South Africa
United States of America

Observer: International Telecommunication Union (ITU)

Following its deliberations, the Conference adopted the text of the *Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets*.

The said Protocol has been opened for signature in Berlin this day.

The text of the said Protocol is subject to verification by the Secretariat of the Conference under the authority of the President of the Conference within a period of ninety days from the date hereof as to the linguistic changes required to make the texts in the two languages consistent with one another.

The Conference furthermore adopted by consensus the following Resolutions: ***

*** The texts of the five Resolutions adopted by the diplomatic Conference are reproduced in Annexes II, III, IV, V and VI respectively.

IN WITNESS WHEREOF the representatives,

GRATEFUL to the Government of the Federal Republic of Germany for having invited the Conference to Germany and for its generous hospitality,

HAVE SIGNED this Final Act.

DONE at Berlin on the ninth day of March of the year two thousand and twelve in a single copy in the English and French languages, each text being equally authentic.

The President

The Secretary-General