



Unidroit Committee of governmental experts for the preparation of a draft Convention on International Interests in Mobile Equipment and a draft Protocol thereto on Matters specific to Aircraft Equipment



Sub-Committee of the ICAO Legal Committee on the study of international interests in mobile equipment (aircraft equipment)

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JOINT SESSION

(Rome, 1 - 12 February 1999)

DRAFT REPORT

PLENARY SESSION
1 February 1999

paragraphs

OPENING of the Joint Session of the Unidroit *Committee of governmental experts for the preparation of a draft Convention on International Interests in Mobile Equipment and a draft Protocol thereto on Matters specific to Aircraft Equipment* and the *Sub-Committee of the ICAO Legal Committee on the study of international interests in mobile equipment (aircraft equipment)*

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OPENING

1. In opening the first Plenary Session of the *Joint Session of the Unidroit Committee of governmental experts for the preparation of a draft Convention on International Interests in Mobile Equipment and a draft Protocol thereto on Matters specific to Aircraft Equipment* and the *Sub-Committee of the ICAO Legal Committee on the study of international interests in mobile equipment (aircraft equipment)*, Mr Herbert Kronke, Secretary-General of Unidroit, and Mr Ludwig Weber, Director of the ICAO Legal Bureau, acting on behalf of the Secretary General of ICAO, reiterated the commitment of the two organisations to the preparation of the draft Convention and draft Protocol, which would be of major importance in economic, financial and legal terms.

2. They expressed appreciation for the collaboration of the private sector in the preparation of the instruments, in the first instance of the Aviation Working Group, the Rail Working Group, the Space Working Group and the International Air Transport Association. While stressing the importance of the expertise brought to the project by these Groups, they invited the observers of the private sector to respect the procedures of inter-governmental organisations, in accordance with which relations with member States came within the exclusive purview of the inter-governmental organisations concerned. This was so as to avoid the unacceptable interferences with member Governments that had regrettably occurred in the past.

3. The Secretaries to the Joint Session were Mr Martin J. Stanford, Principal Research Officer (Unidroit Secretariat) and Mr Silvério Espínola, Principal Legal Officer (ICAO Secretariat).

AGENDA ITEM 1: ELECTION OF THE CHAIRMAN

4. Ms Emilia Chiavarelli, Senior Official, Directorate-General of Civil Aviation, Ministry of Transport (Italy) was elected Chairman of the Joint Session.
5. Ms Gloria Tomotoe Serobe, Ministry of Transport (South Africa) was elected First Vice Chairman of the Joint Session.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

6. The agenda was adopted as proposed.

AGENDA ITEM 3: ATTENDANCE OF OBSERVERS

7. It was agreed that the observers of the private sector would be admitted to participate with advisory status in the meetings of any relevant working groups that might be set up.

AGENDA ITEM 4: ORGANISATION OF WORK

- (a) BASIC FEATURES OF THE PROPOSED NEW INTERNATIONAL REGIMEN AND ITS ECONOMIC SIGNIFICANCE: A PROGRAMME OF BACKGROUND PRESENTATIONS

8. Mr H. Kronke and Mr L. Weber gave introductory presentations illustrating the basic objectives of the new international regimen and how it had developed. These introductory presentations were followed by presentations on the anticipated economic impact of the proposed new regimen with specific reference to the preliminary draft Protocol on matters specific to Aircraft Equipment (Mr L.S. Clark, General Counsel and Corporate Secretary (IATA)); on the novel structure of the proposed new international regimen, with an examination of the relationship between the proposed future Convention and each of the equipment-specific Protocols thereto (Ms C. Kessedjian, Deputy Secretary-General, Hague Conference on Private International Law); on the basic features of the preliminary draft Convention (Mr R. Goode, Chairman of the Unidroit Study Group responsible for the preparation of the preliminary draft Convention); on the basic features of the preliminary draft Protocol on Matters specific to Aircraft Equipment and its relationship to the preliminary draft Convention (Mr J. Wool, Co-ordinator, Aviation Working Group; Chairman of the working group responsible for the preparation of the preliminary draft Protocol on Matters specific to Aircraft Equipment); on the importance of the preliminary draft Protocol on Matters specific to Space Property for the space industry and specific issues particular to space property treated therein (Mr P.D. Nsgos, Co-ordinator, Space Working Group); and on the importance of the preliminary draft Protocol on Matters specific to Railway Rolling Stock for the railway industry and specific issues particular to railway rolling stock treated therein (Mr H. Rosen, Co-ordinator, Rail Working Group).