

ANNEX I

Agreement between UNESCO and the Islamic Republic of Pakistan regarding the establishment of an International Centre for Chemical and Biological Sciences (ICCBS) as a UNESCO Category 2 Institute.

The Government of the Islamic Republic of Pakistan

and

The United Nations Educational, Scientific and Cultural Organization,

Recalling 37 C/Resolution 93 and the corresponding document 37 C/18 Part I, by which the General Conference approved, in 2013, a revised Integrated Comprehensive Strategy for Category 2 Institutes and Centres, and requested the UNESCO Director-General to apply this strategy to all proposals for the establishment of category 2 institutes and centres.

Considering that the Director-General has been authorized by the 38th session of the General Conference to conclude with the Government of the Islamic Republic of Pakistan an agreement regarding the establishment of the ICCBS.

Desirous of defining the terms and conditions governing the framework for cooperation with UNESCO that shall be granted to the said Centre in this Agreement,

HAVE AGREED AS FOLLOWS:

Article 1 – Definitions

1. In this Agreement, “UNESCO” refers to the United Nations Educational, Scientific and Cultural Organization.
2. “Government of Pakistan” means Government of the Islamic Republic of Pakistan.
3. “Centre” means International Centre for Chemical and Biological Sciences in Karachi, Islamic Republic of Pakistan.

Article 2 – Establishment

The Government of Pakistan shall agree to take, in the course of the year 2016, any measures that may be required for the setting up the Centre in the Islamic Republic of Pakistan under the auspices of UNESCO, as provided for under this Agreement.

Article 3 – Participation

1. The Centre shall encourage the participation of Member States and Associate Members of UNESCO which, by their common interest in the objectives of the Centre, desire to cooperate with the Centre.
2. Member States and Associate members of UNESCO wishing to participate in the Centre’s activities, as provided for under this Agreement, shall send notification to this effect to the Centre. The Director of the Centre shall inform the parties and other interested Member States of receipt of such notifications.

Article 4 – Purpose of the Agreement

The purpose of this Agreement is to define the terms and conditions governing collaboration between UNESCO and the Government of Pakistan and also the rights and obligations stemming therefrom for the Parties.

Article 5 – Legal status

1. The Centre shall be independent of UNESCO.
2. The Centre, will exist under the framework of the University of Karachi and shall enjoy in the Islamic Republic of Pakistan, the functional autonomy necessary for the execution of its activities and the legal capacity: to contract; to institute legal proceedings; to acquire and dispose of movable and immovable property, through the University of Karachi.

Article 6 – Constitutive Act

The constitutive act of the Centre must include provisions describing precisely:

- (a) the legal status granted to the Centre, within the national legal system, the legal capacity necessary to exercise its functions and to receive funds, obtain payments for services rendered, and acquire all means necessary for its functioning;
- (b) a governing structure for the Centre allowing UNESCO representation within its governing body.

Article 7 – Objectives and Functions

1. The objectives of the Centre shall be:
 - To provide high quality research based education and training at the interphase between Chemical and Biological Sciences;
 - To provide high quality advisory services on Science, Technology and Innovation to regional institutes of high learning in Asia and Africa;
 - To develop linkages, through the collaborative research programmes in the areas of chemical and biological sciences within the Asia region and internationally;
 - To provide world-class and internationally accepted analytical services to all major industries in Pakistan and Asia region.
2. The functions of the Centre shall be:
 - The Centre runs a large doctoral programme producing over 60 PhDs every year with world-class training in the relevant fields of chemical, pharmaceutical, Industrial and biochemical sciences.
 - The Centre has world-class Industrial Analytical Centres, including a bioequivalence centre and clinical research unit, recognized for its quality and credibility.

- The biotechnology division of the Centre has developed several tissue-cultured varieties of bananas, orchids and other important crops. Many of these varieties have already been commercialized and progressive farmers are benefiting from these innovations.
- The Centre has trained thousands of young graduates in various skills, such as horticulture, tissue culture, pharmaceutical services, diagnostic services, and food and pharmaceutical analysis, thus helping in generating employable skills in the country.

Article 8 – Governing Board

1. The Centre shall be guided and supervised by a Governing Board, to be renewed every six years and composed of:
 - (a) a representative of the Government of Pakistan or his/her appointed representative;
 - (b) a representative of the Director-General of UNESCO;
 - (c) representatives of Member States, which have sent to the Centre notification for membership, in accordance with the stipulations of Article 3, paragraph 2, above and have expressed interest in being represented on the Board.
 - (d) concerned members of the Centre's executive board that shall be named by the Centre's executive board Chairperson to be on the Centres' Governing Board.
2. The Governing Board shall:
 - (a) approve the long-term and medium-term programmes of the Centre;
 - (b) approve the annual work plan of the Centre, including the staffing table;
 - (c) examine the annual reports submitted by the Secretariat of the Centre, including a biennial self-assessment of the Centre's contribution to UNESCO's programme objectives;
 - (d) examine the periodic independent audit reports of the Centre's financial statements and monitor the provision of such accounting records necessary for the preparation of financial statements;
 - (e) adopt the rules and regulations and determine the financial, administrative and personnel management procedures for the Centre in accordance with the laws of the country;
 - (f) decide on the participation of regional intergovernmental organizations and international organizations in the work of the Centre.
3. The Governing Board shall meet in ordinary session at regular intervals, at least once every calendar year; it shall meet in extraordinary session if convened by its Chairperson, either on his or her own initiative or at the request of the Director-General of UNESCO or of a majority of its members.
4. The Governing Board shall adopt its own rules of procedure. For its first meeting the procedure shall be established by the Government and UNESCO.

Article 9 – Secretariat

1. The Centre's Secretariat shall consist of a Director and such staff as necessary for the proper functioning of the Centre.

2. The Director shall be appointed by the Governing Board in consultation with the Director-General of UNESCO.
3. The other members of the Secretariat may comprise:
 - (a) members of UNESCO's staff who are temporarily seconded and made available to the Centre, as provided for in UNESCO's regulations and by the decisions of its governing bodies;
 - (b) any person appointed by the Director, in accordance with the procedures laid down by the Governing Board;
 - (c) government officials who are made available to the Centre, in accordance with government regulations.
4. The Secretariat shall be responsible for:
 - (a) Implementing the Strategy and Annual Plan approved by the Governing Board;
 - (b) Preparing annual reports about the Centre's operation.

Article 10 – Duties of the Director

The Director shall discharge the following duties:

- (a) direct the work of the Centre in conformity with the programmes and directives established by the Governing Board;
- (b) propose the draft work plan and budget to be submitted to the Governing Board for approval;
- (c) prepare the provisional agenda for the sessions of the Governing Board and submit to it any proposals that he or she may deem useful for the administration of the Centre;
- (d) prepare reports on the Centre's activities to be submitted to the Governing Board and UNESCO;
- (e) perform civil juristic acts as legal representative of the Centre.

Article 11 – Contribution of UNESCO

1. UNESCO may provide assistance, as needed, in the form of technical assistance for the programme activities of the Centre, in accordance with the strategic goals and objectives of UNESCO by:
 - (a) providing the assistance of its experts in the specialized fields of the Centre; (and/or)
 - (b) engaging in temporary staff exchanges when appropriate, whereby the staff concerned will remain on the payroll of the dispatching organizations;
 - (c) seconding members of its staff temporarily, as may be decided by the Director-General on an exceptional basis if justified by the implementation of a joint activity/project within a strategic programme priority area.
2. In all the cases listed above the Member State shall meet the costs of UNESCO staff participation and assistance, as appropriate.

Article 12 – Contribution of the Government of Pakistan

1. The Government shall provide all the resources, either financial or in kind, needed for the administration and proper functioning of the Centre.

2. The use of resources provided by the Government of Pakistan, either financial or in kind as mentioned in Article 12, paragraph 1 above, shall include but are not limited to the following:
 - (a) the salaries and compensation of the Secretariat staff (including the Director), the necessary staff and appropriate office space, equipment and facilities;
 - (b) the maintenance of the premises and the cost of communications and utilities, as well as the expenses of holding sessions of the Governing Board;
 - (c) the administrative staff necessary for the performance of the Centre's functions, which shall include staff responsible for the implementation of studies, training and publication activities, complementing the contributions from other sources.

Article 13 – Responsibility

As the Centre is legally separate from UNESCO, the latter shall not be legally responsible for the acts or omissions of the Centre, and shall also not be subject to any legal process, and/or bear no liabilities of any kind, be they financial or otherwise, with the exception of the provisions expressly laid down in this Agreement.

Article 14 – Evaluation

1. UNESCO may, at any time, carry out an evaluation of the activities of the Centre in order to ascertain:
 - (a) whether the Centre makes a significant contribution to the strategic goals of UNESCO;
 - (b) whether the activities effectively pursued by the Centre are in conformity with those set out in this Agreement.
2. UNESCO undertakes to submit to the Government, at the earliest opportunity, a report on any evaluation conducted.
3. Following the results of an evaluation, each of the contracting parties shall have the option of requesting a revision of its contents or of terminating the Agreement, as envisaged in Articles 18 and 19.

Article 15 – Use of UNESCO name and logo

1. The Centre may mention its affiliation with UNESCO. It may therefore use after its title the mention "under the auspices of UNESCO".
2. The Centre is authorized to use the UNESCO logo or a version thereof on its letter headed paper and documents including electronic documents and web pages in accordance with the conditions established by the governing bodies of UNESCO.

Article 16 – Entry into force

This Agreement shall enter into force, following its signature by the contracting parties, when they have informed each other in writing that all the formalities required to that effect by the domestic law of the Islamic Republic of Pakistan and by UNESCO's internal regulations have been completed. The date of receipt of the last notification shall be deemed to be the date of entry into force of this Agreement.

Article 17 – Duration

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For the United Nations Educational,
Scientific and Cultural Organization

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For the Government of the
Islamic Republic of Pakistan