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CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

Second ordinary session
Paris, UNESCO Headquarters, Room XII
15-18 June 2009

Item 8 of the provisional agenda: Election of Members of the Committee

Pursuant to Article 23 of the Convention, the Conference of Parties elected at its first ordinary session the Members of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions composed of representatives of States Parties to the Convention. In accordance with Rule 16 of its Rules of Procedure, the Conference of Parties elects half of the States Members of the Committee every two years.

Decision required: paragraph 15

1. In accordance with Article 23.1 and 23.4 of the Convention, the Conference of Parties elected at its first ordinary session an Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions, hereinafter referred to as “the Committee”, composed of 24 Members.

2. Rule 16 of the Rules of Procedure of the Conference of Parties stipulates that the term of office of the States Members of the Committee shall be four years, in accordance with Article 23.1 of the Convention. Rule 16 also provides that the term of office of half of the States Members of the Committee elected in the first election shall be limited to two years, and that those States will be chosen by lot.

3. Furthermore, Rule 15.2 of the Rules of Procedure specifies that, for the purposes of election of the Members of the Committee, the seats on the Committee “shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, a minimum of three seats and a maximum of six seats have been attributed to each of the six electoral groups. In case the above formula cannot be practically applied, an exceptional arrangement may be made to accommodate such special circumstances”.

4. The Conference of Parties decided at its first ordinary session “that, for the purposes of the election of the members of the Committee at the present session and given the special circumstances as provided for by Rule 15.2 of the Rules of Procedure, the 24 seats will be distributed among the electoral groups in accordance with the following exceptional arrangement: Group I (7); Group II (4); Group III (4); Group IV (2); Group V(a) (5); Group V(b) (2), **it being understood that at the next ordinary session of the Conference of Parties one seat will be returned by Group I to Group IV and one seat by Group V(a) to Group V(b)**” (Resolution 1.CP 5A).

5. The Conference of Parties, at its first ordinary session, also drew by lot the 12 States Members of the Committee whose term of office would be limited to two years in accordance with Rule 16 of the Rules of Procedure, taking into account geographical distribution, namely four Members for Group I, two Members for Group II, two Members for Group III, one Member for Group IV, two Members for Group V(a) and one Member for Group V(b) (Resolution 1 CP 5C).

6. Following that drawing of lots, the outgoing States Members of the Committee in 2009 by electoral group are:

Group I:	Austria, Canada, Finland, France
Group II:	Albania, Slovenia
Group III:	Brazil, Guatemala
Group IV:	China
Group V(a):	Burkina Faso, Mali
Group V(b):	Tunisia

7. The remaining States Members of the Committee by electoral group are:

Group I:	Germany, Greece, Luxembourg
Group II:	Croatia, Lithuania
Group III:	Mexico, Saint Lucia
Group IV:	India
Group V(a):	Mauritius, Senegal, South Africa
Group V(b):	Oman

8. In accordance with Rule 16, the election of half of the States Members of the Committee must take into account the principle of rotation and “[a] Member cannot be elected to two consecutive mandates unless: (i) A regional group presents a ‘clean slate’; (ii) Following the first election, a State serves for only two years; (iii) The number of States Parties of an electoral group is less than the minimum number of seats foreseen in Rule 15.2”.

9. As of 18 June 2009, the Convention is in force in respect of the following 96 States Parties:

	State	Date of deposit of instrument		State	Date of deposit of instrument
1	Canada	28/11/2005	51	Armenia	27/02/2007
2	Mauritius	29/03/2006	52	Germany	12/03/2007
3	Mexico	05/07/2006	53	Chile	13/03/2007
4	Romania	20/07/2006	54	Niger	14/03/2007
5	Monaco	31/07/2006	55	Portugal	16/03/2007
6	Bolivia	04/08/2006	56	Oman	16/03/2007
7	Djibouti	09/08/2006	57	Côte d'Ivoire	16/04/2007
8	Croatia	31/08/2006	58	Jamaica	04/05/2007
9	Togo	05/09/2006	59	Gabon	15/05/2007
10	Belarus	06/09/2006	60	The former Yugoslav Rep. of Macedonia	22/05/2007
11	Madagascar	11/09/2006	61	Cuba	29/05/2007
12	Burkina Faso	15/09/2006	62	Bangladesh	31/05/2007
13	Rep. of Moldova	05/10/2006	63	Latvia	06/07/2007
14	Peru	16/10/2006	64	Kuwait	03/08/2007
15	Guatemala	25/10/2006	65	Viet Nam	07/08/2007
16	Senegal	07/11/2006	66	Poland	17/08/2007
17	Ecuador	08/11/2006	67	Egypt	23/08/2007
18	Mali	09/11/2006	68	Cambodia	19/09/2007
19	Albania	17/11/2006	69	New Zealand	05/10/2007
20	Cameroon	22/11/2006	70	Mongolia	15/10/2007
21	Namibia	29/11/2006	71	Mozambique	18/10/2007
22	India	15/12/2006	72	Tajikistan	24/10/2007
23	Finland	18/12/2006	73	Kenya	24/10/2007
24	Austria	18/12/2006	74	Paraguay	30/10/2007
25	France	18/12/2006	75	Lao People's Democratic Rep.	05/11/2007
26	Spain	18/12/2006	76	United Kingdom of Great Britain and Northern Ireland	07/12/2007
27	Sweden	18/12/2006	77	Benin	20/12/2007
28	Denmark	18/12/2006	78	Nigeria	21/01/2008
29	Slovenia	18/12/2006	79	Syrian Arab Republic	05/02/2008
30	Estonia	18/12/2006	80	Guinea	20/02/2008
31	Slovakia	18/12/2006	81	Argentina	07/05/2008
32	Luxembourg	18/12/2006	82	Hungary	09/05/2008
33	Lithuania	18/12/2006	83	Zimbabwe	15/05/2008
34	Malta	18/12/2006	84	Chad	17/06/2008
35	Bulgaria	18/12/2006	85	Sudan	19/06/2008
36	Cyprus	19/12/2006	86	Seychelles	20/06/2008
37	South Africa	21/12/2006	87	Montenegro	24/06/2008
38	Ireland	22/12/2006	88	Georgia	01/07/2008
39	Greece	03/01/2007	89	Switzerland	16/07/2008
40	Brazil	16/01/2007	90	Ethiopia	02/09/2008
41	Norway	17/01/2007	91	Barbados	02/10/2008
42	Uruguay	18/01/2007	92	Burundi	14/10/2008
43	Panama	22/01/2007	93	Congo	22/10/2008
44	China	30/01/2007	94	Grenada	15/01/2009
45	Saint Lucia	01/02/2007	95	Bosnia and Herzegovina	27/01/2009

46	Iceland	01/02/2007	96	Nicaragua	05/03/2009
47	Andorra	06/02/2007			
48	Tunisia	15/02/2007			
49	Jordan	16/02/2007			
50	Italy	19/02/2007			

10. Article 23.5 of the Convention provides that the election of Members of the Committee shall be based on the principles of equitable geographical representation and rotation. Rule 15 of the Rules of Procedure of the Conference of Parties provides for election on the basis of the composition of the electoral groups of UNESCO, as determined by the General Conference. In line with the practice of the UNESCO General Conference, Group V is composed of two subgroups, one for the African States and the other for the Arab States. The voting system is based on the pro rata principle whereby the number of Parties in each electoral group is divided by the number of Parties to the Convention, and the resulting figure is multiplied by the number of seats available.

11. In accordance with Rule 15 of the Rules of Procedure, for the purposes of the election of the Members of the Committee at the second ordinary session of the Conference of Parties, the proportional distribution of the 24 seats among the six electoral groups is as follows:

Distribution of the 24 seats among the 96 States Parties over the six electoral groups							
Group	I	II	III	IV	V(a)	V(b)	TOTAL
1	Canada	Romania	Mexico	India	Mauritius	Tunisia	
2	Monaco	Croatia	Bolivia	China	Djibouti	Jordan	
3	Finland	Belarus	Peru	Bangladesh	Togo	Oman	
4	Austria	Rep. of Moldova	Guatemala	Viet Nam	Madagascar	Kuwait	
5	France	Albania	Ecuador	Cambodia	Burkina Faso	Egypt	
6	Spain	Slovenia	Brazil	New Zealand	Senegal	Syrian Arab Rep.	
7	Sweden	Estonia	Uruguay	Mongolia	Mali		
8	Denmark	Slovakia	Panama	Lao People's Dem. Rep.	Cameroon		
9	Luxembourg	Lithuania	Saint Lucia		Namibia		
10	Malta	Bulgaria	Chile		South Africa		
11	Cyprus	Armenia	Jamaica		Niger		
12	Ireland	The former Yugoslav Rep. of Macedonia	Cuba		Côte d'Ivoire		
13	Greece	Latvia	Paraguay		Gabon		
14	Norway	Poland	Argentina		Mozambique		
15	Iceland	Tajikistan	Barbados		Kenya		
16	Andorra	Hungary	Grenada		Benin		
17	Italy	Montenegro	Nicaragua		Nigeria		
18	Germany	Georgia			Guinea		
19	Portugal	Bosnia and Herzegovina			Zimbabwe		
20	United Kingdom				Chad		
21	Switzerland				Sudan		
22					Seychelles		
23					Ethiopia		
24					Burundi		
25					Congo		
Total (%)	21 (21.87%)	19 (19.79%)	17 (17.70%)	8 (8.33%)	25 (26.04%)	6 (6.25%)	96 (100%)
Seats	24 x 0.2187 = 5.24	24 x 0.1979 = 4.74	24 x 0.1770 = 4.24	24 x 0.0833 = 1.99	24 x 0.2604 = 6.24	24 x 0.0625 = 1.50	24
Total	5	5	4	2	6	2	24

12. Given the regional grouping of the 96 States Parties, this pro rata calculation of the number of States Parties in each group would result in the allocation of two to six seats to each electoral group (see table above). However, with respect to the distribution of seats within the Committee, Rule 15.2 of the Rules of Procedure of the Conference of Parties provides for a minimum of three seats and a maximum of six seats per electoral group and specifies that “[i]n case the above formula cannot be practically applied, an exceptional arrangement may be made to accommodate such special circumstances”. The principle that no electoral group may have fewer than three seats would thus make it necessary to allocate one additional seat to Group IV and one additional seat to Group V(b).

13. Taking into consideration the pro rata principle of the Committee's method of voting and resolution 1.CP 5A whereby, at this session, one seat will be returned by Group I to Group IV and one seat by Group V(a) to Group V(b), and the possibility of reaching an exceptional agreement under Rule 15.2 of the Rules of Procedure, the Conference of Parties will have to agree on the distribution of the 24 Committee seats and subsequently determine the distribution of the 12 vacant seats.

14. In accordance with Rule 17 of the Rules of Procedure, the Secretariat asked all States Parties, three months before the opening of the present session of the Conference of Parties, whether they intended to stand for election to the Committee. The provisional list of candidates is to be found in document CE/09/2.CP/210/INF.3.

15. The Conference of Parties may wish to adopt the following resolution:

Draft resolution 2 CP 8

The Conference of Parties,

1. *Having examined document CE/09/2.CP/210/8,*
2. *Decides that, for the purposes of the election of the Members of the Committee at the present session, the 12 seats will be distributed among the electoral groups as follows: Group I (...); Group II (...); Group III (...); Group IV (...); Group V(a) (...); Group V(b) (...).*