

Hundred and sixty-seventh Session

167 EX/17
PARIS, 1 July 2003
Original: French

Item 5.2 of the provisional agenda

**PROTOCOL INSTITUTING A CONCILIATION
AND GOOD OFFICES COMMISSION TO BE RESPONSIBLE
FOR SEEKING THE SETTLEMENT OF ANY DISPUTES WHICH
MAY ARISE BETWEEN STATES PARTIES TO THE CONVENTION
AGAINST DISCRIMINATION IN EDUCATION: NOMINATIONS
AND REPORT OF THE COMMITTEE ON CONVENTIONS
AND RECOMMENDATIONS THEREON**

SUMMARY

In accordance with Article 3, paragraph 2, of the above-mentioned Protocol, the Director-General communicates herewith to the Executive Board the list of persons nominated by the States Parties to the Protocol for the purpose of the election of ten members of the Conciliation and Good Offices Commission by the General Conference at its forthcoming session.

Under the terms of the same paragraph, the Executive Board is required to transmit this list to the General Conference with such suggestions as it may consider useful

Decision proposed: paragraph 16.

1. At its 12th session, on 10 December 1962, the General Conference adopted a Protocol instituting a Conciliation and Good Offices Commission to be responsible for seeking the settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education.
2. Article 1 of this Protocol established, under the auspices of UNESCO, a Conciliation and Good Offices Commission, to be responsible for seeking the amicable settlement of disputes

between States Parties to the Convention concerning the application or interpretation of the Convention.

3. The Protocol having entered into force on 24 October 1968, at its 16th session, under Article 2 of the Protocol, the General Conference elected the 11 members of the Commission on 6 November 1970.

4. The term of office of the following four members of the Commission expiring, at its 32nd session, the General Conference will be required to fill the corresponding four vacant seats:

Mr Pierre-Michel Eisemann (France)
Mr Francesco Margiotta-Broglio (Italy)
Mr Sedfrey Ordoñez (Philippines)
Mr Said M. Tell (Jordan)

5. Six further seats, vacant since the 31st session, also remain to be filled.

6. A list of the members of the Commission, including the date of their election or re-election, appears in Annex I.

7. Under Article 2 of the Protocol, the members of the Commission must be persons of high moral standing and acknowledged impartiality. They serve in their personal capacity. In the election of members of the Commission, the General Conference shall endeavour to include persons of recognized competence in the field of education, and persons having judicial experience, or legal experience, particularly of an international character. It shall also give consideration to equitable geographical distribution of membership, and to the representation of the different forms of civilization as well as of the principal legal systems.

8. Article 4, paragraph 1, of the Protocol provides that the Commission may not include more than one national of the same State.

9. Article 3, paragraph 1, of the Protocol provides that the members of the Commission shall be elected from a list of persons nominated for the purpose by the States Parties to the Protocol, after consultation with their National Commissions for UNESCO. Each State Party may nominate not more than four persons, who must be nationals of States Parties to the Protocol.

10. In pursuance of paragraph 2 of Article 3, the Director-General, by letter DG/18/2003/002 of 28 February 2003, invited the States Parties to the Protocol to submit nominations, and in the present document communicates to the Executive Board the alphabetical list of the persons nominated. The Executive Board is required to transmit this list to the General Conference with such suggestions as it may consider useful. The list is reproduced in Annex II of the present document.

11. The detailed biographical information provided by the States Parties to the Protocol on the persons nominated by them may be consulted at the Secretariat.

12. The list of States Parties to the Protocol as at 1 June 2003 is reproduced in Annex III.

13. When the present document was drawn up, only two States had nominated candidates for the ten vacant seats. Any candidatures subsequently received will be submitted in an addendum to the present document.

14. Attention is drawn to the fact that at its 31st session, having noted that no dispute had ever been referred to the Conciliation and Good Offices Commission, the General Conference invited the Director-General to reconvene the States Parties to the Protocol during the 32nd session of the General Conference to review the Commission's procedures with the aim of making them effective (31 C/Resolution 14).

15. In accordance with this resolution the Director-General, in letter DG/18/2003/004 dated 25 March 2003, invited the States Parties to appoint their representatives for this meeting, which will be held on 7 and 8 October 2003 at UNESCO Headquarters, and to communicate to the Office of International Standards and Legal Affairs, by 1 August 2003, their proposals for improving the effectiveness of the Commission, relating in particular to its membership, mandate and operation, in order to facilitate the work of the meeting.

16. The Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

1. Recalling the provisions of Article 3 of the Protocol instituting a Conciliation and Good Offices Commission to be responsible for seeking the settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education,
2. Having taken note of the list of persons nominated by the States Parties to the Protocol for the purpose of the election of ten members of the Commission communicated to it by the Director-General pursuant to Article 3, paragraph 2, of the said Protocol (Annex II of document 167 EX/17),
3. Transmits this list to the General Conference at its 32nd session;
4. Requests the Director-General to add to this list any candidatures which he may receive before the opening of the 32nd session of the General Conference.

ANNEX I

**CONCILIATION AND GOOD OFFICES COMMISSION
TO BE RESPONSIBLE FOR SEEKING THE SETTLEMENT
OF ANY DISPUTES WHICH MAY ARISE BETWEEN STATES PARTIES
TO THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION**

List of members and their date of election or re-election

<u>Member</u>	<u>Date of election or re-election</u>
Mr Pierre-Michel Eisemann (France)	10 November 1997
Mr Iskandar Ghattas (Egypt)	15 November 1999
Mr Francesco Margiotta-Broglio (Italy)	10 November 1997
Mr Sedfrey Ordoñez (Philippines)	10 November 1997
Mr Said M. Tell (Jordan)	10 November 1997

ANNEX II

**ALPHABETICAL LIST OF PERSONS NOMINATED
BY THE STATES PARTIES TO THE PROTOCOL FOR THE PURPOSE
OF THE ELECTION BY THE GENERAL CONFERENCE OF TEN MEMBERS
OF THE CONCILIATION AND GOOD OFFICES COMMISSION
TO BE RESPONSIBLE FOR SEEKING THE SETTLEMENT
OF ANY DISPUTES WHICH MAY ARISE BETWEEN STATES PARTIES
TO THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION**

Ms Léa AKISSI (Côte d'Ivoire) (Legal Expert, Human Resources Department of the Ministry of Education)

Mr Yao Gaston GNAWA (Côte d'Ivoire) (history/geography secondary school teacher; technical adviser to the Ministry of Education)

Mr Klaus HÜFNER (Germany) (former President of the German Commission for UNESCO)

Mr Agoh KONAN (Côte d'Ivoire) (lawyer/teacher at the unit for Training and Research in Legal, Administrative and Political Science; technical adviser to the Ministry of Education)

Mr Marc KONE (Côte d'Ivoire) (Professor of language and literature, DIPES Secondary-level teacher-training college)

ANNEX III

**LIST OF STATES PARTIES TO THE PROTOCOL INSTITUTING
A CONCILIATION AND GOOD OFFICES COMMISSION TO BE RESPONSIBLE
FOR SEEKING THE SETTLEMENT OF ANY DISPUTES WHICH
MAY ARISE BETWEEN STATES PARTIES TO THE CONVENTION
AGAINST DISCRIMINATION IN EDUCATION**

(Paris, 10 December 1962)

Argentina	Madagascar
Australia	Malta
Brunei Darussalam	Morocco
Costa Rica	Netherlands
Côte d'Ivoire	Niger
Cyprus	Norway
Denmark	Panama
Dominica	Philippines
Egypt	Portugal
France	Saint Vincent and the Grenadines
Germany	Senegal
Guatemala	Solomon Islands
Israel	South Africa
Italy	Spain
Jordan	Uganda
Libyan Arab Jamahiriya	United Kingdom

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REVISED ADDENDUM

SUMMARY

This document, which is an addendum to document 167 EX/17, gives below the updated list, as at 7 August 2003, of persons nominated for the purpose of election to the Commission.

Ms Léa AKISSI (Côte d'Ivoire) (Legal Expert, Human Resources Department of the Ministry of Education)

Mr Pierre-Michel EISEMANN (France) (Law Professor at the University of Paris I Panthéon-Sorbonne and outgoing member of the Conciliation and Good Offices Commission)

Mr Yao Gaston GNAWA (Côte d'Ivoire) (History/geography secondary school-teacher; technical adviser to the Ministry of Education)

Ms Florence M. D'UJANGA (Uganda) (Makerere University)

Mr Klaus HÜFNER (Germany) (former President of the German National Commission for UNESCO)

Mr Peter KABATSI (Uganda) (former Uganda Solicitor-General)

Mr G.W. KANYEIHAMBA (Uganda) (Justice of the Supreme Courts, Supreme Court of Uganda)

Mr Agoh KONAN (Côte d'Ivoire) (Lawyer/teacher at the Unit for Training and Research in Legal, Administrative and Political Science; technical adviser to the Ministry of Education)

Mr Marc KONE (Côte d'Ivoire) (Professor of language and literature, DIPES Secondary-level teacher-training college)

Mr Francesco MARGIOTTA BROGLIO (Italy) (Ordinary Professor at the Political Science Faculty of the University of Florence; Chairperson of the Social Science Committee of the Italian National Commission for UNESCO; and outgoing member of the Conciliation and Good Offices Commission)

Mr Sam ONEK (Uganda) (Commissioner/Primary Education, Ministry of Education and Sports)