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Organisation
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pour l'éducation,
la science et la culture

Organización
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para la Educación,
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منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

LEGAL COMMITTEE

Fourth report

DIRECTIVES CONCERNING THE USE OF THE NAME, ACRONYM, LOGO AND INTERNET DOMAIN NAMES OF UNESCO

1. Pursuant to the decision of the General Committee, this item was submitted for examination by the Legal Committee.
2. The representative of the Director-General presented the background of this item, which had already been examined at the 33rd session. On that occasion, the Legal Committee had expressed the wish to consider the item once again during its re-examination at the following session. The representative of the Director-General recalled that the draft Directives annexed to document 34 C/26 were the fruit of consultations among the various parties concerned, held in order to arrive at a consensus formulation for Part IV of the Directives. At its 174th session, the Executive Board adopted the full text of the Directives including Part IV and decided to apply them for a trial period lasting until the 34th session of the General Conference, which could amend them if necessary. The representative said that one could not help being satisfied about the implementation of these Directives which, for the first time, provide a comprehensive standard-setting framework on the subject.
3. The Legal Committee held an in-depth discussion on the meaning of the Directives and the practical modalities for their application. One member strongly regretted that the Directives failed to provide sanctions for those who contravene them and considered that such a gap would affect the legal scope of the instrument. Another member stressed the need to focus on UNESCO's visibility not only as an organization, but also as a member of the United Nations family (One UN).
4. To clarify the meaning of the text of the Directives and to avoid any ambiguity, the Legal Committee decided to adopt the following formal modifications:

(a) Add after the title of the Directives:

"From the [insert the date of adoption of the resolution], the use of the name, acronym, logo and Internet domain names of UNESCO shall be subject to the following dispositions:"

- (b) The second paragraph of point III.1.2 should read as follows:

“In specific cases, the governing bodies may ask the Director-General to monitor the proper use of the name, acronym and logo of UNESCO, and to initiate proceedings against abusive use where appropriate.”

- (c) Point IV.1 should read as follows:

“The National Commissions for UNESCO, except where another body has been designated by the Member States, are the competent body to deal with questions relating to the use at the national level of the name, acronym, logo or Internet domain names of UNESCO in national extensions or sub-extensions (ccTLDs), in accordance with national laws.”

- (d) In the first paragraph of point IV.3 and the first paragraph of point IV.4, replace “authorities” by “bodies”.

- (e) The third paragraph of point IV.4 should read as follows:

“The Secretariat and Member States, through their National Commissions or other designated bodies, should closely cooperate, in order to prevent any unauthorized use of UNESCO’s name, acronym, logo or Internet domain names at the national level, in liaison with competent national bodies and in line with these Directives.”

5. For the same reasons, the Legal Committee adopted the formal modifications to the text of the draft resolution contained in paragraph 15 of document 34 C/26, which should read as follows:

“The General Conference,

Recalling 33 C/Resolution 89 and 174 EX/Decision 32,

Having examined document 34 C/26, Directives concerning the use of the name, acronym, logo and Internet domain names of UNESCO,

Having taken note of the report of the Legal Committee (34 C/74),

Approves the complete text of the Directives contained in the Annex to document 34 C/26 as amended;

Invites the Director-General:

- (i) to continue consultations with the Member States and their National Commissions in order to further develop and finalize appropriate modalities for the implementation of the Directives;
- (ii) to report to it regularly on progress in the implementation of the Directives, including as regards the assessment of the impact for UNESCO’s visibility of authorizations granted for the use of the name, acronym, logo and Internet domain names of UNESCO.”