



General Conference
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United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

Organización
de las Naciones Unidas
para la Educación,
la Ciencia y la Cultura

Организация
Объединенных Наций по
вопросам образования,
науки и культуры

منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

Item 7.2 of the agenda (35 C/58)

35 C/78
10 October 2009
Original: French

LEGAL COMMITTEE

Second report

**RULES OF PROCEDURE CONCERNING RECOMMENDATIONS TO
MEMBER STATES AND INTERNATIONAL CONVENTIONS COVERED
BY THE TERMS OF ARTICLE IV, PARAGRAPH 4, OF THE CONSTITUTION:
PROPOSED AMENDMENT TO ARTICLE 10 OF THE SAID RULES**

1. The Committee considered the proposed amendment to Article 10 of the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution (35 C/58) submitted to the General Conference pursuant to 33 C/Resolution 92 and 34 C/Resolution 88.
2. Following the discussion, the Legal Committee considered that there was no legal impediment to the adoption of the proposed amendment contained in the decision adopted by the Executive Board at its 182nd session after a long debate in its Special Committee, in the light of clarification provided by the members of the Legal Committee who had participated in the Board's proceedings.
3. While specifying that the financial implications relating to meetings of special committees of technical and legal experts convened pursuant to Article IV, paragraph 4, of the said Rules should be covered by provisions in the Programme and Budget approved by the General Conference, the Committee decided to recommend that the General Conference adopt the following draft resolution:

The General Conference,

Recalling 33 C/Resolution 92, 34 C/Resolution 88 and 182 EX/Decision 34,

Having examined document 35 C/58 and *taken note* of the report of the Legal Committee (35 C/78),

Decides to amend Article 10, paragraphs 4 and 5, of the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution of UNESCO, as follows:

- “4. Unless the General Conference has decided otherwise, the Director-General’s final report shall be submitted to a special committee to be convened at least four months before the opening of the General Conference and consisting of technical and legal experts appointed by Member States. All Member States shall be invited as full participants to the special committee.
5. The special committee shall submit a draft which has its approval to Member States, with a view to its discussion at the General Conference, at least seventy days before the opening of the session of the General Conference.”