



General Conference

37 C

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

37 C/81  
15 November 2013  
Original: French

## LEGAL COMMITTEE

### Sixth report

Item 7.1 of the agenda (document 37 C/24 and Add. and Corr.)

### AMENDMENTS TO THE RULES OF PROCEDURE OF THE GENERAL CONFERENCE AND THE REGULATIONS FOR THE GENERAL CLASSIFICATION OF THE VARIOUS CATEGORIES OF MEETINGS CONVENED BY UNESCO

1. The Legal Committee examined the amendments to the Rules of Procedure of the General Conference and the Regulations for the general classification of the various categories of meetings convened by UNESCO, proposed by the Secretariat.
2. The Committee took note of the additional information provided by the representative of the Director-General and of the withdrawal by the Secretariat of its proposed amendment to Rule 57, paragraph 2, aiming to stop the production and distribution of verbatim records of plenary meetings of the General Conference. It adopted the proposed amendments contained in the Annex to document 37 C/24 and made some formal amendments, in particular by inserting into Rule 80, paragraph 2, a clause which had been included in paragraph 20 of document 37 C/24 and which had been omitted.
3. Thereafter, having transmitted to the APX Commission (Finance, Administration and General Questions, Programme Support and External Relations) its first proposed amendments (document 37 C/24 Add. & Corr.), the Committee took note of two new amendments proposed by that Commission concerning Rules 57, paragraph 2, and 80, paragraph 3. Endorsing the amendments, the Committee decided to recommend that the General Conference adopt the amendments to its Rules of Procedure and to the Regulations for the general classification of the various categories of meetings convened by UNESCO, as contained in the Annex to this report.

ANNEX

<b>RULES OF PROCEDURE OF THE GENERAL CONFERENCE</b>	
<b>CURRENT TEXT</b>	<b>AMENDMENTS ADOPTED BY THE LEGAL COMMITTEE</b>
<u>Rule 6</u>	
<p>5. The Executive Board shall before each session of the General Conference include in the appropriate list the African liberation movements recognized by the Organization of African Unity<sup>1</sup> which are to be invited to send observers to that session. The Director-General shall notify the liberation movements which appear on this list of the convening of the session and shall invite them to send observers.</p> <p>6. The Executive Board shall before each session of the General Conference include Palestine in the appropriate list for it to send observers to that session. The Director-General shall notify Palestine of the convening of the session and shall invite it to send observers.<sup>1</sup></p> <p>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</p> <p>1. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</p>	<p>5. The Executive Board shall before each session of the General Conference include in the appropriate list the African liberation movements recognized by the <b>African Union Organization of African Unity</b><sup>1</sup> which are to be invited to send observers to that session. The Director-General shall notify the liberation movements which appear on this list of the convening of the session and shall invite them to send observers.</p> <p><del>The Executive Board shall before each session of the General Conference include Palestine in the appropriate list for it to send observers to that session. The Director-General shall notify Palestine of the convening of the session and shall invite it to send observers.<sup>1</sup></del></p> <p><del>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</del></p> <p><del>1. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</del></p>
<u>Rule 9</u>	
<p>1. The provisional agenda shall be prepared by the Executive Board on the basis of items submitted, pursuant to Rule 10, not later than one hundred days before the opening of the session.</p> <p>2. It shall be communicated to the Member States and Associate Members no later than ninety days before the opening of the session.</p>	<p>1. <b><u>In the light of Rule 10, ¶</u></b>the provisional agenda shall be prepared by the Executive Board <del>on the basis of items submitted, pursuant to Rule 10, not later than one hundred days before the opening of the session.</del> <b><u>at its first ordinary session of the year in which the General Conference is held.</u></b></p> <p>2. It shall be communicated to the Member States and Associate Members <del>no later than ninety days before the opening of the session.</del> <b><u>as soon as possible after the closure of the that Executive Board session.</u></b></p>

<u>Rule 12</u>	
<p><b>Supplementary items</b></p> <p>1. Any Member State or Associate Member may, at least six weeks before the date fixed for the opening of the session, request the inclusion of supplementary items in the agenda</p>	<p><b>Supplementary items</b></p> <p>1. Any Member State or Associate Member may, at least <del>six</del> <b><u>eight</u></b> weeks before the date fixed for the opening of the session, request the inclusion of supplementary items in the agenda</p>
<u>Rule 57</u>	
<p><b>Circulation and safe keeping of records and sound recordings</b></p> <p>1. The verbatim records referred to in the preceding rule shall be circulated to delegations as soon as possible, to enable them to send in their corrections to the Secretariat within forty-eight hours.</p> <p>2. At the end of the session, the verbatim records, duly corrected, shall be distributed to all Member States and Associate Members, and to non-Member States and organizations invited to the session, as provided in Rule 53.</p>	<p><b>Circulation and safe keeping of records and sound recordings</b></p> <p>1. The <b><u>draft</u></b> verbatim records referred to in the preceding rule shall be <del>circulated</del> <b><u>made available</u></b> to delegations as soon as possible, to enable them to send in their corrections to the Secretariat within forty-eight hours.</p> <p>2. <del>At the end of the session, the</del> <b><u>The verbatim records, duly corrected, shall be distributed to all Member States and Associate Members, and to non-Member States and organizations invited to the session, as provided in Rule 53, before the first ordinary session of the Executive Board of the year in which the next session of the General Conference is held.</u></b></p>
<u>Rule 67</u>	
<p><b>Liberation movements recognized by the Organization of African Unity<sup>1</sup></b></p> <p>Observers for African liberation movements recognized by the Organization of African Unity may make oral or written statements in plenary meetings and in meetings of committees, commissions and other subsidiary organs, with the consent of the presiding officer.</p> <p>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</p>	<p><b><u>Liberation movements recognized by the African Union Organization of African Unity<sup>4</sup></u></b></p> <p>Observers for African liberation movements recognized by the <b><u>African Union</u></b> <del>Organization of African Unity</del> may make oral or written statements in plenary meetings and in meetings of committees, commissions and other subsidiary organs, with the consent of the presiding officer.</p> <p><del>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</del></p>

<u>Rule 68</u>	
<p><b>Palestine<sup>2</sup></b></p> <p>Observers for Palestine may make oral or written statements in plenary meetings and in meetings of committees, commissions and other subsidiary organs, with the consent of the presiding officer.</p> <p>2. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</p>	<p><b>Palestine<sup>2</sup></b></p> <p><del>Observers for Palestine may make oral or written statements in plenary meetings and in meetings of committees, commissions and other subsidiary organs, with the consent of the presiding officer.</del></p> <p><del>2. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</del></p>
<u>Rule 80</u>	
<p><b>Admissibility criteria for draft resolutions relating to the Draft Programme and Budget</b></p> <p>1. Draft resolutions proposing the adoption by the General Conference of amendments to the Draft Programme and Budget may only relate to those parts of the Draft Programme and Budget which are concerned with the policies and the main lines of work of the Organization and which require decisions of the General Conference, including the Appropriation Resolution and the other proposed resolutions in the Draft Programme and Budget. Specific criteria may be elaborated by the Executive Board, subject to approval by the General Conference.</p> <p>2. Draft resolutions covered by paragraph 1 of this rule shall be submitted in writing and shall reach the Director-General at least forty-five days before the opening of the session of the General Conference; the Director-General shall communicate them, with such notes as he may deem appropriate, to Member States and Associate Members at least twenty days before the opening of the session.</p>	<p><b>Admissibility criteria for draft resolutions relating to the Draft Programme and Budget</b></p> <p>1. Draft resolutions proposing the adoption by the General Conference of amendments to the Draft Programme and Budget may only relate to those parts of the Draft Programme and Budget which are concerned with the policies and the main lines of work of the Organization and which require decisions of the General Conference, <b><u>namely the</u></b> <del>including the Appropriation Resolution and the other proposed</del> resolutions in the Draft Programme and Budget. Specific criteria may be elaborated by the Executive Board, subject to approval by the General Conference.</p> <p>2. Draft resolutions covered by paragraph 1 of this rule shall be submitted in writing and shall reach the Director-General at least <del>forty-five days</del> <b>six weeks</b> before the opening of the session of the General Conference; the Director-General shall communicate them, with such notes as he may deem appropriate, to Member States and Associate Members at least twenty days before the opening of the session.</p> <p><b><u>3. Draft resolutions with financial implications for the Organization's regular budget should clearly identify the main line of action (MLA) of the Draft Programme and Budget from which the resources should come. The budget implications, regardless of the proposed source of funding, shall be higher than</u></b></p>

<p>3. Draft resolutions which do not satisfy the requirements laid down in paragraphs 1 and 2 of this rule, and those proposing activities which are purely national in scope or could be financed under the Participation Programme, shall not be admissible.</p>	<p><b><u>the ceiling set for requests for assistance under the Participation Programme for projects or activities with a regional impact.</u></b></p> <p><b>4.</b> Draft resolutions which do not satisfy the requirements laid down in paragraphs 1, and 2 <b>and 3</b> of this rule, and those proposing activities which are purely national in scope or could be financed under the Participation Programme, shall not be admissible.</p>
<p><u>Rule 81</u></p>	
<p><b>Examination of admissibility of draft resolutions relating to the Draft Programme and Budget</b></p> <p>The Director-General shall examine draft resolutions relating to the Draft Programme and Budget to determine admissibility, and the draft resolutions he considers inadmissible shall not be translated or distributed. The sponsors of these draft resolutions may submit an appeal to the General Conference through its Legal Committee. To consider these appeals the Legal Committee may be convened as soon as necessary.</p>	<p><b>Examination of admissibility of draft resolutions relating to the Draft Programme and Budget</b></p> <p>The Director-General shall examine draft resolutions relating to the Draft Programme and Budget to determine admissibility, <del>and t</del> <b><u>The draft resolutions he considers inadmissible shall not be translated or distributed. The sponsors of these draft resolutions may submit an appeal to <u>the Legal Committee of the General Conference through its Legal Committee, at least five days before the opening of the session of the General Conference.</u> To consider these appeals the Legal Committee may be convened as soon as necessary.</u></b></p>
<p><u>Rule 82</u></p>	
<p><b>New examination of proposals in plenary meetings</b></p> <p>Any Member State which proposes a discussion and separate vote in plenary meeting on an item previously considered in a committee or commission in which all the Member States are represented and not included as a specific recommendation in the report of that committee or commission, shall give notice to the President of the General Conference in order that such item shall be specifically listed in the agenda of the plenary meeting to which the report of the said committee or commission is submitted.</p>	<p><b><del>New e</del>Examination of proposals in plenary meetings</b></p> <p><b><u>1. When examining the Draft Programme and Budget, the General Conference may at any time make changes that it deems necessary, including amendments to draft resolutions under consideration.</u></b></p> <p><b>2.</b> Any Member State which proposes a discussion and separate vote in plenary meeting on an item previously considered in a committee or commission in which all the Member States are represented and not included as a specific recommendation in the report of that committee or commission, shall give notice to the President of the General Conference in order that such item shall be specifically listed in the agenda of the plenary meeting to which the report of the said committee or commission is submitted.</p>

<u>Rules 15, 26, 29, 31, 41, 42, 69 and 79 (English version only)</u>	
General Committee	General Committee <b>Bureau</b>
<u>The Rules of Procedure will be renumbered accordingly</u>	
<b>REGULATIONS FOR THE GENERAL CLASSIFICATION OF THE VARIOUS CATEGORIES OF MEETINGS CONVENED BY UNESCO</b>	
<b>CURRENT TEXT</b>	<b>AMENDMENTS ADOPTED BY THE LEGAL COMMITTEE</b>
<u>Article 7A</u>	
<p>Without prejudice to other provisions of these Regulations, the General Conference, the Executive Board or the Director-General, according to the category of meeting, shall decide upon the African liberation movements recognized by the Organization of African Unity<sup>1</sup> which are to be invited to send observers to the meetings referred to in these Regulations.</p> <p>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</p>	<p>Without prejudice to other provisions of these Regulations, the General Conference, the Executive Board or the Director-General, according to the category of meeting, shall decide upon the African liberation movements recognized by the <b>African Union</b><del>Organization of African Unity</del><sup>4</sup> which are to be invited to send observers to the meetings referred to in these Regulations.</p> <p><del>1. The Charter of the Organization of African Unity has been abrogated and replaced by the Constitutive Act of the African Union, adopted in Lomé on 11 July 2000, which entered into force on 26 May 2001.</del></p>
<u>Article 7B</u>	
<p>Without prejudice to the other provisions of these Regulations, the General Conference, or the Executive Board or the Director-General, according to the category of meeting, shall invite Palestine to send observers to the meetings referred to in these Regulations.<sup>2</sup></p> <p>2. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</p>	<p><del>Without prejudice to the other provisions of these Regulations, the General Conference, or the Executive Board or the Director-General, according to the category of meeting, shall invite Palestine to send observers to the meetings referred to in these Regulations.<sup>2</sup></del></p> <p><del>2. At its 36th session (2011), the General Conference decided to admit Palestine as a Member of UNESCO (36 C/Resolution 76). Palestine therefore became a Member of UNESCO on 23 November 2011.</del></p>