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Cultural Organization

# Executive Board

Hundred and eighty-first session

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## REPORT OF THE SPECIAL COMMITTEE (SP)



The Special Committee (SP) met on 15 and 16 April 2009, to consider agenda items 21, 22, and 23 allocated to it. Ms Shahnaz Wazir Ali, Pakistan's representative to the Executive Board who was elected at the 178th session of the Executive Board, chaired the meeting. H.E. Mr Keneth J. Luis, the Ambassador, Permanent Delegate of Malaysia, was unanimously elected as the Temporary Chairperson. Seventeen of the 18 members of the SP and many observers attended the meeting. The Committee made proposals for draft decisions for all three items. Highlights from the SP debate on the three items is as follows:

**Item 21 Follow-up to 33 C/Resolution 92 and 34 C/Resolution 88 concerning relations between the three organs of UNESCO (181 EX/INF.7)**

The Secretary of the Governing Bodies, Mr Parsuramen, introduced this item. He noted that as called for by 34 C/Resolution 88, the Executive Board continues to examine progress in implementation of some of the recommendations (24 in all) contained in 33 C/Resolution 92. He pointed out that although discussions would primarily relate to those recommendations addressed to the Executive Board itself, the Special Committee has to take note of the actions taken by the Director-General and the President of the General Conference in relation to recommendations respectively addressed to them. It is to be recalled that a full consolidated report is required for transmission to the General Conference at its 35th session later this year.

Our understanding in proceeding with the debate of this item was that the SP may propose "closing" certain recommendations to the Executive Board, which will in turn make recommendations to the General Conference. The General Conference is solely competent to decide if its resolutions have been appropriately implemented. The SP then discussed the status of implementation of recommendations 6, 7, 8, 10, 13, 14, 16, 17 and 20. These pertain to the Executive Board:

- Recommendation 6 (Concerning the submission of draft resolutions to the General Conference)

Should be considered **closed**, as this was discussed in the previous biennium and a solution found and endorsed by the 34th session of the General Conference.

- Recommendation 7 (Concerning the number of agenda items for the General Conference); Recommendation 8 (Concerning making the General Conference a more interesting place), and Recommendation 10 (Concerning the functioning of Commissions and Committees of the General Conference)

There is **ongoing** progress in the implementation of these three recommendations. They are the subject of item 32 of the current Board session. Assessments of the status of implementation of these recommendations can therefore only be made in the next session of the Board.

- Recommendation 13 (Concerning improved reporting of the Executive Board to the General Conference on programme implementation)

This recommendation is being debated as **item 23** in the current session of the Board. The assessments of the status of its implementation will follow in the 182nd session.

- Recommendation 14 (Concerning the number of agenda items in the Executive Board, and items for "taking note" only).

The SP noted that the Executive Board has been consciously addressing this issue in the last several sessions and recognizes that the spirit behind the recommendation will always be valid. Hence, it is recommended that the recommendation be **closed** at this

time with the caveat that the Board will endeavour to reduce the number of agenda items whenever feasible.

- Recommendation 16 (Concerning thematic debates)

The SP noted that the implementation of this recommendation is still **ongoing** and that thematic debates will be evaluated at the 182nd session of the Executive Board.

- Recommendation 17 (Concerning private sessions of the Executive Board)

It was noted that the debate concerning private sessions is still **ongoing** and the SP is proposing a draft decision to the Executive Board under item 22.

- Recommendation 20 (Concerning enhancing efficiency and effectiveness of the working methods, was proposed to be closed)

On the understanding that the enhancement of efficiency and effectiveness of the working methods of the Board are integral and ongoing parts of the Board's work, these will continue to receive due attention.

- Finally several members highlighted the need to prepare a consolidated report on the implementation of 33 C/Resolution 93 and 34 C/Resolution 88, which is to be presented to the 35th session of the General Conference. The Secretariat reassured the meeting that an appropriate draft, including the updated table on the status of implementation (as an annex) will be prepared for the 182nd session of the Executive Board.

#### **Item 22 Report by the Director-General on the criteria for holding private meetings (181 EX/22)**

The Secretary of the Governing Bodies, Mr Parsuramen, introduced this item. He noted that as explained in document 181 EX/22, the Board is now required, in the light of the results of the Chairman's consultations, as well as the explanations provided in the document on practice at other United Nations agencies, to decide whether or not the currently applicable rules are appropriate or need to be amended. Further explanations were provided by Dir/ODG, who particularly spoke about paragraphs 26, 27 and 28 of document 181 EX/22. She highlighted the fact that the Director-General fully appreciates the need to restrict private sessions to the minimum, but emphasized that the Secretariat seeks guidance as to whether the relevant rules concerning private meetings are to be amended. The debate highlighted the following main points:

- Members were appreciative of the collation of practices of other United Nations organizations concerning private sessions. Concern was however expressed that only 10 Member States of the Executive Board had replied in writing to the consultation undertaken by the Chairman.
- SP noted that a public announcement is always made on the outcomes of private meetings without going into details of the debate that actually took place in the said meetings.
- The SP reiterated that private meetings should not be abolished but restricted to a minimum. Members reaffirmed that the criteria for private meetings as given in paragraph 9 of document 181 EX/22, though valid, should not be considered exhaustive.
- Members were unanimous that Rule 29 should not be amended, as it is clear and not subject to misunderstanding.

- Paragraph 1 of Rule 59 was also considered to be clear. Members however argued that paragraph 2 is a source of confusion as it is contradictory to Rule 29. Discussions centred on the option to either amend paragraph 2 or delete it completely.
- The Legal Adviser informed that the SP can only recommend to the Plenary any amendments to the Rules of Procedure. If SP agrees that certain provisions of Rule 29 and Rule 59 are contradictory it can propose changes without any legal problem.
- It appeared that an oversight occurred in 1998 when Rule 59, paragraph 2 was amended but the title was not, which caused confusion, as the title speaks of “consultation” whereas the text in the paragraph refers to “information” and “review” of appointments, promotions and renewals of contract.
- On a query whether the deletion of Rule 59, paragraph 2 would deprive the Executive Board of an opportunity to have consultations on structural and policy changes pertaining to the Secretariat by the Director-General, it was clarified that appropriate Rules were in place defining the Director-General’s authority to make changes in the structure of the Secretariat.
- After debating whether it was within the SP’s mandate to propose deletion of a paragraph of Rules of Procedure, the Committee finally agreed to propose that paragraph 2 of Rule 59 be deleted and that the title of Rule 59 be changed to: “Information regarding appointments, promotions and renewals of contracts in the Secretariat” in lieu of “Consultations regarding appointments to the Secretariat”.

**Item 23 Report by the Executive Board on the implementation of document 34 C/5 with results achieved in the previous biennium (35 C/3) (181 EX/23; 181 EX/SP/2)**

Introductory presentations were made by the Director (Mr Parsuramen) and Deputy-Director (Mr Millward) of the Governing Bodies Secretariat, ADG/BSP (Mr d’Orville) and Director, IOS (Mr Keuppens), outlining the background and process as well as methodology used for producing the working paper and issues of content. It was noted that 180 EX/Decision 25 invited the Director-General to present a preliminary draft report by the Executive Board on the implementation of document 34 C/5 with results achieved in the previous biennium as early as possible before its 181st session. The said preliminary draft was provided as document 181 EX/SP/2, the collective work of the Bureau of Strategic Planning (BSP), Internal Oversight Service (IOS) and Governing Bodies Secretariat (GBS) with additional assistance from the Bureau of the Budget (BB), as indicated by the presenters.

The debate focused on the (i) structure/format; (ii) content; and (iii) process to be adopted in preparing the report. Members appreciated the preparatory work done by the Secretariat. A majority of speakers emphasized that the Board had difficulty in assessment of programme delivery as the EX/4 does not contain sufficient and relevant information on results. The debate included the following:

- The draft report should be analytical, strategic and concise using as necessary a mix of narrative and matrix.
- The report should be based on key findings, assessments and recommendations identified in decisions of the Executive Board, with a brief introduction setting the background and the context.
- Clear agreement to simplify the structure of the Board’s report focusing on key achievements, challenges and recommendations that would inform decision-making by the General Conference in its policy-setting role.

- The SP considered that a relatively simple structure foreseen in 176 EX/Decision 29 was still relevant and provided a good basis of work. Part II of the 35 C/3 was referred to as a useful model for the Board's own report.
- Presentation of impact and results achieved by region and by sector could add value to the report.
- Factors such as relevance, financial and human resources and cost effectiveness should be embedded in the main sections of the draft report, namely: key achievement/challenges and related recommendations.
- Report should also include progress toward sustainability, intersectoral platforms, RBM, evaluations, risk assessment, the two global priorities – Africa and gender – SIDS and outcomes of joint programming and collaboration at the country level in the context of the United Nations reform.
- The draft report should facilitate discussions on future priorities and challenges and serve as a good advocacy tool with authorities in Member States.
- To ensure ownership and inclusiveness the Chairperson of the Executive Board would be requested to invite Members of the Executive Board to identify the three key achievements and three challenges in programme delivery and to propose recommendations. The choices should be limited to what is expressed in the decisions made by the Executive Board.
- Finally, it was also agreed that the item and proposed draft decision need not be referred to the joint meeting of the PX and FA Commissions since the drafting of this report was still work in progress. The Chairperson of SP was requested to take this up with the Bureau. The Bureau responded positively to SP's request and agreed to recommend this to the plenary.

Draft decisions proposed for items 21, 22 and 23 are in document 181 EX/63.

### **Closure of the meeting**

The meeting ended at 3.40 p.m. on Thursday 16 April 2009. Mr Chairman, let me end by expressing my appreciation to the members of the SP for their very active participation. I should also like to thank members of the Secretariat for the wonderful support the SP received.