

# Basic Texts

2000 edition



United Nations Educational, Scientific and Cultural Organization

## Basic Texts

United Nations Educational,  
Scientific and Cultural Organization

# Basic Texts

2000 edition  
including texts and amendments adopted  
by the General Conference  
at its 30th session  
(Paris, 1999)

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# Contents

<b>A</b>	Constitution of the United Nations Educational, Scientific and Cultural Organization .....	7
<b>B</b>	Rights and obligations of Associate Members.....	23
<b>C</b>	Rules of Procedure of the General Conference .....	25
	Appendix 1: Procedure for the conduct of elections by secret ballot.....	64
	Appendix 2: Procedure for the election of Members of the Executive Board .....	67
<b>D</b>	Rules of Procedure of the Executive Board .....	73
	Annex: Regulations for payment of travel expenses, subsistence allowance and office expenses to representatives appointed by the Members of the Executive Board.....	92
<b>E</b>	Financial Regulations .....	97
	Annex: Additional terms of reference governing the audit .....	107
<b>F</b>	Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution.....	111

<b>G</b>	Regulations for the general classification of the various categories of meetings convened by UNESCO.....	117
<b>H</b>	Definition of regions with a view to the execution by the Organization of regional activities.....	139
<b>I</b>	Charter of National Commissions for UNESCO.....	143
<b>J</b>	Directives concerning UNESCO's relations with non-governmental organizations.....	151
<b>K</b>	Directives concerning UNESCO's relations with foundations and similar institutions.....	167
<b>L</b>	Agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization.....	171
<b>M</b>	Convention on the Privileges and Immunities of the Specialized Agencies.....	181
<b>N</b>	States which, at 1 January 2000, have undertaken to apply the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies in respect of UNESCO.....	195
<b>O</b>	Agreement between the Government of the French Republic and the United Nations Educational, Scientific and Cultural Organization regarding the Headquarters of UNESCO and the Privileges and Immunities of the Organization on French Territory.....	199
<b>P</b>	List of Member States and Associate Members of UNESCO at 1 January 2000.....	211

All the terms used in this collection of texts to designate the person discharging duties or functions are to be interpreted as implying that men and women are equally eligible to fill any post or seat associated with the discharge of these duties and functions.

# Constitution of the United Nations Educational, Scientific and Cultural Organization

Adopted in London on 16 November 1945 and amended by the General Conference at its 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 15th, 17th, 19th, 20th, 21st, 24th, 25th, 26th, 27th, 28th and 29th sessions.

The Governments of the States Parties to this Constitution on behalf of their peoples declare:

That since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed;

That ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war;

That the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races;

That the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern;

That a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.

For these reasons, the States Parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the

purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

In consequence whereof they do hereby create the United Nations Educational, Scientific and Cultural Organization for the purpose of advancing, through the educational and scientific and cultural relations of the peoples of the world, the objectives of international peace and of the common welfare of mankind for which the United Nations Organization was established and which its Charter proclaims.

## Article I

### **Purposes and functions**

1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.
2. To realize this purpose the Organization will:
  - (a) Collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;
  - (b) Give fresh impulse to popular education and to the spread of culture:

By collaborating with Members, at their request, in the development of educational activities;

By instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social;

By suggesting educational methods best suited to prepare the children of the world for the responsibilities of freedom;
  - (c) Maintain, increase and diffuse knowledge:

By assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;

By encouraging cooperation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information;



- By initiating methods of international cooperation calculated to give the people of all countries access to the printed and published materials produced by any of them.
3. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States Members of the Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

A

## Article II

### Membership

1. Membership of the United Nations Organization shall carry with it the right to membership of the United Nations Educational, Scientific and Cultural Organization.
2. Subject to the conditions of the Agreement between this Organization and the United Nations Organization, approved pursuant to Article X of this Constitution, states not members of the United Nations Organization may be admitted to membership of the Organization, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference.
3. Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the General Conference by a two-thirds majority of Members present and voting, upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. The nature and extent of the rights and obligations of Associate Members shall be determined by the General Conference.<sup>1</sup>
4. Members of the Organization which are suspended from the exercise of the rights and privileges of membership of the United Nations Organization shall, upon the request of the latter, be suspended from the rights and privileges of this Organization.
5. Members of the Organization which are expelled from the United Nations Organization shall automatically cease to be Members of this Organization.
6. Any Member State or Associate Member of the Organization may withdraw from the Organization by notice addressed to the Director-General. Such notice shall take effect on 31 December of the year following that during which the notice was given. No such withdrawal shall affect the financial obligations owed to the

1. Paragraph adopted by the General Conference at its 6th session (1951) (6 C/Resolutions, p. 83). See below, p. 23, resolution 41.2, concerning the rights and obligations of Associate Members, adopted by the General Conference at the same session.

Organization on the date the withdrawal takes effect. Notice of withdrawal by an Associate Member shall be given on its behalf by the Member State or other authority having responsibility for its international relations.<sup>1</sup>

Article III

**Organs**

The Organization shall include a General Conference, an Executive Board and a Secretariat.

Article IV<sup>2</sup>

**The General Conference**

A. *Composition*

1. The General Conference shall consist of the representatives of the States Members of the Organization. The Government of each Member State shall appoint not more than five delegates, who shall

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1. Paragraph adopted by the General Conference at its 8th session (1954) (8 C/Resolutions, p. 12). At its 28th session (1995), the General Conference adopted resolution 20.1 (28 C/Resolutions, p. 117), concerning the amendment of this provision and of Article IX (new paragraph 3), which is worded as follows:

*The General Conference,*

*Having examined* document 28 C/30 and *taken note* of the Report of the Legal Committee (28 C/136),

1. *Decides* to amend Article II, paragraph 6, of the Constitution as follows:
 

“6. Any Member State or Associate Member of the Organization may withdraw from the Organization by notice addressed to the Director-General. The withdrawal shall take effect twenty-four months after its notification to the Director-General. No such withdrawal shall affect the financial obligations of the state concerned to the Organization on the date the withdrawal takes effect. Notice of withdrawal by an Associate Member shall be given on its behalf by the Member State or other authority having responsibility for its international relations.”;
  2. *Decides* to add a new paragraph 3 to Article IX of the Constitution reading as follows (the present paragraph 3 becoming paragraph 4):
 

“3. The financial period shall be two consecutive calendar years, unless otherwise decided by the General Conference. The financial contribution of each Member State or Associate Member is due for the whole financial period and is payable by calendar year. However, the contribution of a Member State or an Associate Member having exercised its right of withdrawal according to Article II, paragraph 6, shall be calculated, for the year during which the withdrawal takes effect, on a pro rata basis covering the period of its membership in the Organization.”;
  3. *Considers* that the above-mentioned amendments involve new obligations for Member States and that, consequently, these amendments shall only come into force after having been accepted by two thirds of the Member States, in accordance with the provisions of Article XIII, paragraph 1, of the Constitution.
2. Article IV previously contained a paragraph F.15 which was inserted as a transitional provision by the General Conference at its 20th session (1978) (20 C/Resolutions, p. 160) and was deleted by the General Conference at its 24th session (1987) (24 C/Resolutions, p. 168).

be selected after consultation with the National Commission, if established, or with educational, scientific and cultural bodies.

B. *Functions*

2. The General Conference shall determine the policies and the main lines of work of the Organization. It shall take decisions on programmes submitted to it by the Executive Board.<sup>1</sup>
3. The General Conference shall, when it deems desirable and in accordance with the regulations to be made by it, summon international conferences of states on education, the sciences and humanities or the dissemination of knowledge; non-governmental conferences on the same subjects may be summoned by the General Conference or by the Executive Board in accordance with such regulations.<sup>2</sup>
4. The General Conference shall, in adopting proposals for submission to the Member States, distinguish between recommendations and international conventions submitted for their approval. In the former case a majority vote shall suffice; in the latter case a two-thirds majority shall be required. Each of the Member States shall submit recommendations or conventions to its competent authorities within a period of one year from the close of the session of the General Conference at which they were adopted.
5. Subject to the provisions of Article V, paragraph 6 (c), the General Conference shall advise the United Nations Organization on the educational, scientific and cultural aspects of matters of concern to the latter, in accordance with the terms and procedure agreed upon between the appropriate authorities of the two Organizations.<sup>3</sup>
6. The General Conference shall receive and consider the reports sent to the Organization by Member States on the action taken upon the recommendations and conventions referred to in paragraph 4 above or, if it so decides, analytical summaries of these reports.<sup>4</sup>
7. The General Conference shall elect the members of the Executive Board and, on the recommendation of the Board, shall appoint the Director-General.

1. Paragraph amended by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 103).

2. Paragraph amended by the General Conference at its 7th session (1952) (7 C/Resolutions, pp. 103-4).

3. Paragraph amended by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 104).

4. Paragraph amended by the General Conference at its 17th session (1972) (17 C/Resolutions, p. 114).

C. *Voting*

8. (a) Each Member State shall have one vote in the General Conference. Decisions shall be made by a simple majority except in cases in which a two-thirds majority is required by the provisions of this Constitution,<sup>1</sup> or the Rules of Procedure of the General Conference.<sup>2</sup> A majority shall be a majority of the Members present and voting.<sup>3</sup>
- (b) A Member State shall have no vote in the General Conference if the total amount of contributions due from it exceeds the total amount of contributions payable by it for the current year and the immediately preceding calendar year.<sup>4</sup>
- (c) The General Conference may nevertheless permit such a Member State to vote, if it is satisfied that failure to pay is due to conditions beyond the control of the Member State.<sup>5</sup>

D. *Procedure*

9. (a) The General Conference shall meet in ordinary session every two years. It may meet in extraordinary session if it decides to do so itself or if summoned by the Executive Board, or on the demand of at least one third of the Member States.<sup>6</sup>
- (b) At each session the location of its next ordinary session shall be designated by the General Conference. The location of an extraordinary session shall be decided by the General Conference if the session is summoned by it, or otherwise by the Executive Board.<sup>6</sup>
10. The General Conference shall adopt its own rules of procedure. It shall at each session elect a President and other officers.<sup>7</sup>

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1. These provisions are the following: Articles 11.2 (admission of new Member States which are not Members of the United Nations, on the recommendation of the Executive Board); 11.3 (admission of Associate Members); IV.4 (adoption of international conventions submitted for approval of Member States); IV.13 (admission of observers of non-governmental or semi-governmental organizations); XIII.1 (amendments to the Constitution); XIII.2 (adoption of regulations governing the procedure for amendments of the Constitution).

2. See Rule 85, paragraph 2, of the Rules of Procedure of the General Conference.

3. Subparagraph amended by the General Conference at its 10th session (1958) (10 C/Resolutions, p. 61).

4. Subparagraph adopted by the General Conference at its 4th session (1949) and amended at its 6th (1951) and 7th (1952) (4 C/Resolutions, p. 9; 6 C/Resolutions, p. 85 and 7 C/Resolutions, p. 104).

5. Subparagraphs adopted by the General Conference at its 4th session (1949) (4 C/Resolutions, p. 9) and amended by the General Conference at its 25th session (1989) (25 C/Resolutions, p. 194).

6. Subparagraphs (a) and (b) amended by the General Conference at its 3rd (1948) and 7th (1952) sessions (3 C/110, p. 113 and 7 C/Resolutions, p. 104).

7. Paragraph amended by the General Conference at its 2nd session (1947) (2 C/132, p. 63).

11. The General Conference shall set up special and technical committees and such other subsidiary organs as may be necessary for its purposes.<sup>1</sup>
  12. The General Conference shall cause arrangements to be made for public access to meetings, subject to such regulations as it shall prescribe.
- E. *Observers*
13. The General Conference, on the recommendation of the Executive Board and by a two-thirds majority may, subject to its rules of procedure, invite as observers at specified sessions of the Conference or of its commissions representatives of international organizations, such as those referred to in Article XI, paragraph 4.
  14. When consultative arrangements have been approved by the Executive Board for such international non-governmental or semi-governmental organizations in the manner provided in Article XI, paragraph 4, those organizations shall be invited to send observers to sessions of the General Conference and its commissions.<sup>2</sup>

## Article V

### Executive Board

- A. *Composition*<sup>3</sup>
1. (a) The Executive Board shall be elected by the General Conference and it shall consist of fifty-eight Member States. The President of the General Conference shall sit *ex officio* in an advisory capacity on the Executive Board.<sup>4</sup>
  - (b) Elected States Members of the Executive Board are hereinafter referred to as “Members” of the Executive Board.
  2. (a) Each Member of the Executive Board shall appoint one representative. It may also appoint alternates.

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1. Paragraph amended by the General Conference at its 25th session (1989) (25 C/Resolutions, p. 194).

2. Paragraph adopted by the General Conference at its 3rd session (1948) (3 C/110, p. 113).

3. Text revised by the General Conference at its 26th session (1991) and 27th session (1993) (26 C/Resolutions, p. 134 and 27 C/Resolutions, p. 102). Previously, paragraph 1(a) had been amended by the General Conference at its 7th (1952), 8th (1954), 9th (1956), 12th (1962), 15th (1968), 17th (1972), 19th (1976), 21st (1980) and 25th (1989) sessions (7 C/Resolutions, p. 104; 8 C/Resolutions, p. 12; 9 C/Resolutions, p. 70; 12 C/Resolutions, p. 95; 15 C/Resolutions, p. 103; 17 C/Resolutions, p. 113; 19 C/Resolutions, p. 93; 21 C/Resolutions, p. 122; 25 C/Resolutions, p. 194).

4. Paragraph 1(a) amended by the General Conference at its 28th session (1995) (28 C/Resolutions, pp. 117-18.)

- (b) In selecting its representative on the Executive Board, the Member of the Executive Board shall endeavour to appoint a person qualified in one or more of the fields of competence of UNESCO and with the necessary experience and capacity to fulfil the administrative and executive duties of the Board. Bearing in mind the importance of continuity, each representative shall be appointed for the duration of the term of the Member of the Executive Board, unless exceptional circumstances warrant his replacement. The alternates appointed by each Member of the Executive Board shall act in the absence of its representative in all his functions.
- 3. In electing Members to the Executive Board, the General Conference shall have regard to the diversity of cultures and a balanced geographical distribution.
- 4. (a) Members of the Executive Board shall serve from the close of the session of the General Conference which elected them until the close of the second ordinary session of the General Conference following their election. The General Conference shall, at each of its ordinary sessions, elect the number of Members of the Executive Board required to fill vacancies occurring at the end of the session.
  - (b) Members of the Executive Board are eligible for re-election. Re-elected Members of the Executive Board shall endeavour to change their representatives on the Board.
- 5. In the event of the withdrawal from the Organization of a Member of the Executive Board, its term of office shall be terminated on the date when the withdrawal becomes effective.
- B. *Functions*
- 6. (a) The Executive Board shall prepare the agenda for the General Conference. It shall examine the programme of work for the Organization and corresponding budget estimates submitted to it by the Director-General in accordance with paragraph 3 of Article VI and shall submit them with such recommendations as it considers desirable to the General Conference.<sup>1</sup>

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1. Subparagraphs (a), (b) and (c) amended by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 104).

- (b) The Executive Board, acting under the authority of the General Conference, shall be responsible for the execution of the programme adopted by the Conference. In accordance with the decisions of the General Conference and having regard to circumstances arising between two ordinary sessions, the Executive Board shall take all necessary measures to ensure the effective and rational execution of the programme by the Director-General.<sup>1</sup>
  - (c) Between ordinary sessions of the General Conference, the Board may discharge the functions of adviser to the United Nations, set forth in Article IV, paragraph 5, whenever the problem upon which advice is sought has already been dealt with in principle by the Conference, or when the solution is implicit in decisions of the Conference.<sup>1</sup>
7. The Executive Board shall recommend to the General Conference the admission of new Members to the Organization.
  8. Subject to decisions of the General Conference, the Executive Board shall adopt its own rules of procedure. It shall elect its officers from among its Members.
  9. The Executive Board shall meet in regular session at least four times during a biennium and may meet in special session if convened by the Chairman on his initiative or upon the request of six Members of the Executive Board.<sup>2</sup>
  10. The Chairman of the Executive Board shall present, on behalf of the Board, to the General Conference at each ordinary session, with or without comments, the reports on the activities of the Organization which the Director-General is required to prepare in accordance with the provisions of Article VI.3 (b).<sup>3</sup>
  11. The Executive Board shall make all necessary arrangements to consult the representatives of international organizations or qualified persons concerned with questions within its competence.
  12. Between sessions of the General Conference, the Executive Board may request advisory opinions from the International Court of

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1. Subparagraphs (a), (b) and (c) amended by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 104).
2. Paragraph amended by the General Conference at its 26th (1991) and 27th (1993) sessions (26 C/Resolutions, p. 135; 27 C/Resolutions, p. 102).
3. Paragraph amended by the General Conference at its 7th (1952) and 8th (1954) sessions (7 C/Resolutions, pp. 104-5 and 8 C/Resolutions, p. 13).

Justice on legal questions arising within the field of the Organization's activities.<sup>1</sup>

13. The Executive Board shall also exercise the powers delegated to it by the General Conference on behalf of the Conference as a whole.<sup>2</sup>

#### Article VI<sup>3</sup>

##### **Secretariat**

1. The Secretariat shall consist of a Director-General and such staff as may be required.
2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of six years, under such conditions as the Conference may approve. The Director-General may be appointed for a further term of six years but shall not be eligible for reappointment for a subsequent term.<sup>4</sup> The Director-General shall be the chief administrative officer of the Organization.
3. (a) The Director-General, or a deputy designated by him, shall participate, without the right to vote, in all meetings of the General Conference, of the Executive Board, and of the Committees of the Organization. He shall formulate proposals for appropriate action by the Conference and the Board, and shall prepare for submission to the Board a draft programme of work for the Organization with corresponding budget estimates.<sup>5</sup>  
(b) The Director-General shall prepare and communicate to Member States and to the Executive Board periodical reports on the activities of the Organization. The General Conference shall determine the periods to be covered by these reports.<sup>6</sup>

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1. Paragraph adopted by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 105).

2. Paragraph amended by the General Conference at its 8th (1954) and 26th (1991) sessions (8 C/Resolutions, p. 13; 26 C/Resolutions, p. 136).

3. Article VI previously contained a paragraph 7 which was inserted as a transitional provision by the General Conference at its 20th session (1978) (20 C/Resolutions, p. 161) and was deleted by the General Conference at its 24th session (1987) (24 C/Resolutions, p. 168).

4. Paragraph amended by the General Conference at its 25th session (1989) (25 C/Resolutions, pp. 192-3).

5. Subparagraph amended by the General Conference at its 7th session (1952) (7 C/Resolutions, p. 113).

6. Subparagraph adopted by the General Conference at its 8th session (1954) (8 C/Resolutions, p. 13).



4. The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations to be approved by the General Conference. Subject to the paramount consideration of securing the highest standards of integrity, efficiency and technical competence, appointment to the staff shall be on as wide a geographical basis as possible.
5. The responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might prejudice their positions as international officials. Each State Member of the Organization undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.
6. Nothing in this Article shall preclude the Organization from entering into special arrangements within the United Nations Organization for common services and staff and for the interchange of personnel.

## Article VII

### **National cooperating bodies**

1. Each Member State shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the government and such bodies.
2. National Commissions or National Cooperating Bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference, to the representatives and alternates of their countries on the Executive Board and to their Governments in matters relating to the Organization and shall function as agencies of liaison in all matters of interest to it.<sup>1</sup>
3. The Organization may, on the request of a Member State, delegate, either temporarily or permanently, a member of its Secretariat to serve on the National Commission of that state, in order to assist in the development of its work.

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1. Paragraph amended by the General Conference at its 26th session (1991) (26 C/Resolutions, p. 136).

Article VIII

**Reports by Member States**

Each Member State shall submit to the Organization, at such times and in such manner as shall be determined by the General Conference, reports on the laws, regulations and statistics relating to its educational, scientific and cultural institutions and activities, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4.<sup>1</sup>

Article IX

**Budget**

1. The budget shall be administered by the Organization.
2. The General Conference shall approve and give final effect to the budget and to the apportionment of financial responsibility among the States Members of the Organization subject to such arrangement with the United Nations as may be provided in the agreement to be entered into pursuant to Article X.
3. The Director-General may accept voluntary contributions, gifts, bequests and subventions directly from governments, public and private institutions, associations and private persons, subject to the conditions specified in the Financial Regulations.<sup>2</sup>

Article X

**Relations with the United Nations Organization**

This Organization shall be brought into relation with the United Nations Organization, as soon as practicable, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organization under Article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organization. The agreement shall provide for effective cooperation between the two Organizations in the pursuit of their common purposes, and at the same time shall recognize the autonomy of this Organization, within the fields of its competence as defined in this Constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organization by the General Assembly of the United Nations.

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1. Article amended by the General Conference at its 17th session (1972) (17 C/Resolutions, p. 114).

2. Paragraph amended by the General Conference at its 25th session (1989) (25 C/Resolutions, p. 193). See also footnote 1, p. 10.

## Article XI

**Relations with other specialized international organizations and agencies**

1. This Organization may cooperate with other specialized inter-governmental organizations and agencies whose interests and activities are related to its purposes. To this end the Director-General, acting under the general authority of the Executive Board, may establish effective working relationships with such organizations and agencies and establish such joint committees as may be necessary to assure effective cooperation. Any formal arrangements entered into with such organizations or agencies shall be subject to the approval of the Executive Board.
2. Whenever the General Conference of this Organization and the competent authorities of any other specialized intergovernmental organizations or agencies whose purpose and functions lie within the competence of this Organization deem it desirable to effect a transfer of their resources and activities to this Organization, the Director-General, subject to the approval of the Conference, may enter into mutually acceptable arrangements for this purpose.
3. This Organization may make appropriate arrangements with other intergovernmental organizations for reciprocal representation at meetings.
4. The United Nations Educational, Scientific and Cultural Organization may make suitable arrangements for consultation and cooperation with non-governmental international organizations concerned with matters within its competence, and may invite them to undertake specific tasks. Such cooperation may also include appropriate participation by representatives of such organizations on advisory committees set up by the General Conference.

Article XII

**Legal status of the Organization**

The provisions of Articles 104 and 105 of the Charter of the United Nations Organization<sup>1</sup> concerning the legal status of that Organization, its privileges and immunities, shall apply in the same way to this Organization.

Article XIII

**Amendments**

1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority; provided, however, that those amendments which involve fundamental alterations in the aims of the Organization or new obligations for the Member States shall require subsequent acceptance on the part of two thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated by the Director-General to the Member States at least six months in advance of their consideration by the General Conference.
2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this Article.<sup>2</sup>

Article XIV

**Interpretation**

1. The English and French texts of this Constitution shall be regarded as equally authoritative.

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1. *Article 104.* The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

*Article 105.* 1. The Organization shall enjoy in the territory of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

2. See Rules 110 to 113 of the Rules of Procedure of the General Conference.

2. Any question or dispute concerning the interpretation of this Constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its Rules of Procedure.<sup>1</sup>

## Article XV

**Entry into force**

1. This Constitution shall be subject to acceptance. The instrument of acceptance shall be deposited with the Government of the United Kingdom.
2. This Constitution shall remain open for signature in the archives of the Government of the United Kingdom. Signature may take place either before or after the deposit of the instrument of acceptance. No acceptance shall be valid unless preceded or followed by signature. However, a state that has withdrawn from the Organization shall simply deposit a new instrument of acceptance in order to resume membership.<sup>2</sup>
3. This Constitution shall come into force when it has been accepted by twenty of its signatories. Subsequent acceptances shall take effect immediately.
4. The Government of the United Kingdom will inform all Members of the United Nations and the Director-General of the receipt of all instruments of acceptance and of the date on which the Constitution comes into force in accordance with the preceding paragraph.<sup>2</sup>

In faith whereof, the undersigned, duly authorized to that effect, have signed this Constitution in the English and French languages, both texts being equally authentic.

Done in London the sixteenth day of November, one thousand nine hundred and forty-five, in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the Governments of all the Members of the United Nations.

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1. See Rule 38 of the Rules of Procedure of the General Conference.

2. Paragraph amended by the General Conference at its 24th session (1987) (24 C/Resolutions, p. 167).

## Rights and obligations of Associate Members

Resolution 41.2 adopted by the General Conference at its 6th session.<sup>1</sup>

*The General Conference,*

*Whereas* Article II of the UNESCO Constitution has been amended to provide for the admission of territories or groups of territories which are not responsible for the conduct of their international relations as Associate Members of the Organization,

*Whereas* this same amendment provides that the nature and extent of the rights and obligations of Associate Members shall be determined by the General Conference,

*Whereas* reference is made in various Articles of the UNESCO Constitution, other than Article II, to the rights and duties of States Members of the Organization,

*Resolves* that the rights and obligations of Associate Members of the Organization shall be as follows:

That Associate Members shall have the right:

- (i) To participate without voting rights in the deliberations of the General Conference and of its commissions and committees;
- (ii) To participate equally with Members subject to the limitation on voting in paragraph (i) above, in matters pertaining to the conduct of business of meetings of the Conference and such of its committees, commissions and other subsidiary organs of the General Conference may, from time to time, indicate in accordance with the Rules of Procedure of the Conference;

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1. See 6 C/Resolutions, p. 83.

- (iii) To propose items for inclusion in the provisional agenda of the Conference;
- (iv) To receive equally with Members all notices, documents, reports and records;
- (v) To participate equally with Members in the procedure for convening special sessions;

That Associate Members shall have the right, equally with Members, to submit proposals to the Executive Board, and to participate, in accordance with regulations established by the Board, in committees established by it, but they shall not be eligible for membership of the Board;

That Associate Members shall be subject to the same obligations as Members, except that the difference in their status shall be taken into account in determining the amount of their contribution to the budget of the Organization;

That the contribution of Associate Members shall be assessed at a proportion of the amount at which they would have been assessed had they been full Members, subject to such limitations as the General Conference may decide;

That the Executive Board be requested to submit a report with recommendations to the next session of the General Conference setting out the standards according to which Associate Members shall be assessed in respect of their financial contributions.

# Rules of Procedure of the General Conference

Adopted by the General Conference at its 3rd session and amended at its 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 23rd, 24th, 25th, 26th, 27th, 28th, 29th and 30th sessions.<sup>1</sup>

## Table of contents

### I. Sessions

#### *Ordinary sessions*

- Rule 1. Frequency and opening date.  
 2. Venue.  
 3. Invitation by Member States.  
 4. Change of venue.

#### *Extraordinary sessions*

- Rule 5. Convocation and venue.

#### *Ordinary and extraordinary sessions*

- Rule 6. Notification.  
 7. Admission of other observers.  
 8. Adjournment of session.

### II. Agenda and working documents

#### *Ordinary sessions*

- Rule 9. Preparation of provisional agenda.  
 10. Content of provisional agenda.  
 11. Working documents.  
 12. Supplementary items.  
 13. Preparation of revised agenda.  
 14. Approval of the agenda.  
 15. Amendments, deletions and new items.  
 16. Coordination of the work of UNESCO, the United Nations and specialized agencies.

1. See 3 C/110, Vol. II, pp. 89-90 and 92-111; 4 C/Resolutions, p. 85; 5 C/Resolutions, pp. 130-33; 6 C/Resolutions, pp. 85-6; 7 C/Resolutions, pp. 106-8; 8 C/Resolutions, pp.14-7; 9 C/Resolutions, pp.70-1; 10 C/Resolutions, pp. 61-3; 11 C/Resolutions, pp. 12, 94-5; 12 C/Resolutions, pp. 5, 95-7; 13 C/Resolutions, pp. 113-14; 14 C/Resolutions, pp. 107-8; 15 C/Resolutions, pp. 101-6; 16 C/Resolutions, pp. 93-4; 17 C/Resolutions, pp. 113-15; 18 C/Resolutions, pp. 122-3; 19 C/Resolutions, p. 93; 20 C/Resolutions, pp. 141 and 160; 21 C/Resolutions, pp. 122-3; 23 C/Resolutions, pp. 110-11; 24 C/Resolutions, p. 168; 25 C/Resolutions, pp. 193-4; 26 C/Resolutions, pp. 133-9; 27 C/Resolutions, p. 102; 28 C/Resolutions, p. 118, pp. 133-34 and pp. 143-45; 29 C/Resolutions, pp. 119-26; 30 C/Resolutions, pp. 115-21 and 124.



*Extraordinary sessions*

- Rule 17. Preparation of provisional agenda.
- 18. Content of provisional agenda.
- 19. Supplementary items.
- 20. Approval of the agenda.

**III. Delegations**

- Rule 21. Composition.
- 22. Representation of Member States on committees, commissions and other subsidiary organs.

**IV. Credentials**

- Rule 23. Submission of credentials.
- 24. Names of representatives and observers.
- 25. Provisional admission to a session.

**V. Organization of the Conference**

- Rule 26. Ordinary session.
- 27. Extraordinary session.

**VI. President and Vice-Presidents**

- Rule 28. Temporary President.
- 29. Elections.
- 30. General powers of the President.
- 31. Acting President.

**VII. Committees of the Conference**

- Rule 32. Credentials Committee.
- 33. Functions of the Credentials Committee.
- 34. Nominations Committee.
- 35. Functions of the Nominations Committee.
- 36. Legal Committee.
- 37. Functions of the Legal Committee.
- 38. Interpretation of the Constitution.
- 39. Headquarters Committee.

- 40. Functions of the Headquarters Committee.
- 41. General Committee of the Conference.
- 42. Functions of the General Committee.

**VIII. Commissions and other subsidiary organs of the Conference**

- Rule 43. Establishment of commissions and other subsidiary organs.
- 44. Establishment of special committees by commissions and other subsidiary organs.
- 45. Composition of commissions.
- 46. Composition of other subsidiary organs.
- 47. Right to speak of other members.
- 48. Election of officers.

**IX. Duties of the Director-General and of the Secretariat**

- Rule 49. Duties of the Director-General and of the Secretariat.

**X. Languages of the Conference**

- Rule 50. Working languages.
- 51. Language of the country where the General Conference is held.
- 52. Interpretation of other languages.
- 53. Use of working languages.
- 54. Official languages.
- 55. Use of official languages.

**XI. Records of the Conference**

- Rule 56. Verbatim records and sound recordings.
- 57. Circulation and safe keeping of records and sound recordings.
- 58. Records of private meetings.

**XII. Publicity of meetings and resolutions**

- Rule 59. Public meetings.
- 60. Private meetings.
- 61. Circulation of resolutions.

**XIII. Conduct of business and right to speak**

- Rule 62. Quorum.
- 63. Executive Board.
- 64. United Nations.
- 65. Specialized agencies and other intergovernmental organizations.
- 66. Non-Member States.
- 67. Liberation movements recognized by the Organization of African Unity.
- 68. Palestine.
- 69. International non-governmental or semi-governmental organizations.
- 70. Speeches.
- 71. Time-limit on speeches.
- 72. Closing of list of speakers.
- 73. Right of reply.
- 74. Points of order.
- 75. Suspension or adjournment of the meeting.
- 76. Adjournment of debate.
- 77. Closure of debate.
- 78. Order of procedural motions.

**XIV. Draft resolutions**

- 79. General provisions.
- 80. Admissibility criteria for draft resolutions relating to the Draft Programme and Budget.
- 81. Examination of admissibility of draft resolutions relating to the Draft Programme and Budget.

- 82. New examination of proposals in plenary meeting.

**XV. Voting**

- Rule 83. Voting rights.
- 84. Simple majority.
- 85. Two-thirds majority.
- 86. Meaning of the expression "Members present and voting".
- 87. Vote.
- 88. Roll-call.
- 89. Conduct during voting.
- 90. Explanation of vote.
- 91. Order of voting on proposals.
- 92. Separate vote.
- 93. Voting on amendments.
- 94. Secret ballot.
- 95. Results of elections.
- 96. Equally divided votes.

**XVI. Procedure applicable to the committees, commissions and other subsidiary organs of the Conference**

- Rule 97. Procedure applicable to the committees, commissions and other subsidiary organs of the Conference.

**XVII. Admission of new Members**

- Rule 98. Member States of the United Nations.
- 99. States not Members of the United Nations and territories or groups of territories.
- 100. Consideration of applications.
- 101. Notification of admission.



**XVIII. Election of Members  
of the Executive Board**

- Rule 102. Elections.
- 103. Re-eligibility.
- 104. Term of office.

**XIX. Appointment of the  
Director-General**

- Rule 105. Nomination by the Executive Board.
- 106. Vote on the nomination.
- 107. Subsequent nominations.
- 108. Contract of appointment.

**XX. Appointment of  
the External Auditor**

- Rule 109. Procedure for appointing the External Auditor.

**XXI. Procedure for the amendment  
of the Constitution**

- Rule 110. Draft amendments.
- 111. Proposals for substantive changes in draft amendments.
- 112. Amendments of form.
- 113. Interpretation of amendments.

**XXII. Rules of Procedure:  
amendments and suspension**

- Rule 114. Amendments.
- 115. Suspension.

**Appendix 1:**

- Procedure for the conduct of elections by secret ballot.

**Appendix 2:**

- Procedure for the election of Members of the Executive Board.

## I. Sessions

### ORDINARY SESSIONS

Rule 1  
[Const. IV.D.9]<sup>1</sup>

#### **Frequency and opening date**

1. The General Conference shall meet every two years in ordinary session.
2. The opening date of the session shall be fixed by the Director-General, after consulting the Members of the Executive Board, the authorities of the inviting country and the Secretary-General of the United Nations, taking into account any preference which the General Conference may have expressed at the previous session.

Rule 2

#### **Venue**

On the proposal of the Executive Board, the General Conference, during its ordinary session, shall fix the venue of the next session.

Rule 3

#### **Invitation by Member States**

1. Any Member State may invite the General Conference to hold a session in its territory. The Executive Board and the General Conference shall be informed by the Director-General of all such invitations.
2. In determining the venue of the next session, the Executive Board and the General Conference shall consider only those invitations that have been communicated to the Director-General at least six weeks in advance of the opening date of the current session accompanied by detailed statements concerning local facilities.

Rule 4

#### **Change of venue**

In the event of circumstances developing which, in the opinion of the Executive Board, render it undesirable to hold the General Conference at the place fixed at the previous session, the Executive Board may, after consultation with Member States and if a majority of them concur, convene the General Conference elsewhere.

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1. The references between brackets are to the Constitution of UNESCO.



## EXTRAORDINARY SESSIONS

Rule 5  
[Const. IV.D.9]

### **Convocation and venue**

1. The General Conference may meet in extraordinary session on its own initiative or if convened by the Executive Board, or at the request of at least one third of the Member States.
2. Extraordinary sessions shall be held at the Headquarters of the Organization, unless the Executive Board finds it necessary to convene the General Conference elsewhere.

## ORDINARY AND EXTRAORDINARY SESSIONS

Rule 6

### **Notification**

1. The Director-General shall notify the Member States and Associate Members of the Organization, not less than ninety days in advance, of the date and place of the ordinary session and, if possible, not less than thirty days in advance, of the date and place of an extraordinary session.
2. The Director-General shall notify the United Nations and its specialized agencies of the convening of any session of the General Conference and invite them to send representatives.
3. The Director-General shall notify appropriate intergovernmental organizations of the convening of any session of the General Conference and invite them to send observers.
4. The Executive Board shall before each session of the General Conference decide upon the list of states not Members of UNESCO which are to be invited to send observers to that session. This decision shall be taken by a two-thirds majority. The Director-General shall notify the states which appear on this list of the convening of the session and shall invite them to send observers.
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 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.
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

- [Const. IV.E.14] 7. Palestine of the convening of the session and shall invite it to send observers.
7. The Director-General shall also notify international non-governmental or semi-governmental organizations approved for consultative arrangements of the convening of any session of the General Conference and invite them to send observers.

Rule 7 **Admission of other observers**

[Const. IV.E.13 and XI.4] The General Conference, on the recommendation of the Executive Board and by a two-thirds majority of Members present and voting, may admit as observers at specified sessions of the Conference or of its commissions representatives of international non-governmental or semi-governmental organizations.

Rule 8 **Adjournment of session**

The General Conference may decide in the course of a session to suspend the conduct of its business and to resume it at a later date.

## II. Agenda and working documents

### ORDINARY SESSIONS

Rule 9 **Preparation of provisional agenda**

- [Const. V.B.6]
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.
  2. It shall be communicated to the Member States and Associate Members no later than ninety days before the opening of the session.

Rule 10 **Content of provisional agenda**

- [Const. V.B.10]
- The provisional agenda of a session shall include:
- (a) The report of the Director-General on the work of the Organization since the last ordinary session of the General Conference, presented by the Chairman of the Executive Board;
  - (b) Items whose inclusion has been ordered by the General Conference;



- [Const. IX.2]
- (c) Items proposed by the United Nations in conformity with Article III of the Agreement concluded between the two Organizations;
  - (d) Items proposed by any Member State or Associate Member of the Organization;
  - (e) Items pertaining to the budget and accounts;
  - (f) Items which the Director-General deems it necessary to raise;
  - (g) Any other items inserted by the Executive Board.

Rule 11

**Working documents**

1. All documentation required for consideration of the various items on the provisional agenda shall be placed in the possession of Member States and Associate Members, so far as possible, at least twenty-five days before the opening of the session.
2. Member States and Associate Members shall receive the draft programme and budget estimates, prepared by the Director-General and submitted to the General Conference by the Executive Board, at least three months before the opening of the session. Member States and Associate Members shall also receive, at least three months before the opening of the session, the recommendations that the Executive Board may have deemed it desirable to make concerning the draft programme and the corresponding budget estimates.
3. When, during plenary meetings of the General Conference or meetings of its subsidiary organs, documents additional to those mentioned in paragraph 1 of this rule are requested, the Director-General shall, before a decision is taken thereon, submit an estimate of the cost of their production.

Rule 12

**Supplementary items**

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.
2. The Executive Board and the Director-General may also include supplementary items in the agenda within the same time limit.
3. Such supplementary items shall appear on a supplementary list, which shall be circulated to the Member States and Associate Members of the Organization at least twenty days before the date fixed for the opening of the session.
4. After the period of six weeks mentioned in paragraph 1, no new items can be included in the agenda, unless they are included in accordance with the procedure laid down by Rules 15 and 42, paragraph 1(c).

5. Documentation required for the consideration of supplementary items shall be placed in the possession of Member States and Associate Members, so far as possible, at least ten days before the opening of the session.

Rule 13

#### **Preparation of revised agenda**

The Executive Board shall prepare, on the basis of the provisional agenda and the supplementary list, a revised agenda.

Rule 14

#### **Approval of the agenda**

1. The revised agenda shall be submitted by the Chairman of the Executive Board to the General Conference for approval as soon as possible after the opening of the session.
2. The General Conference, or any committee, commission or other subsidiary organ of the General Conference, may request the advice of the Executive Board on any item on the agenda. The organ making such request shall postpone any action on the item in question until such time as, in its opinion, the Executive Board has had sufficient time to consider the request.

Rule 15

#### **Amendments, deletions and new items**

1. During a session of the General Conference, items may be amended or may be deleted from the agenda by a majority of the Members present and voting.
2. New items of an important and urgent character may be added to the agenda by approval of a two-thirds majority of the Members present and voting; but such new items shall be referred to the General Committee of the Conference for its report, in accordance with Rule 42, paragraph 1(c), before the vote is taken. The discussion of any new item so added to the agenda shall, at the request of any Member State or Associate Member, be deferred for a period not exceeding seven days after its inclusion in the agenda.

Rule 16

#### **Coordination of the work of UNESCO, the United Nations and specialized agencies**

1. Where an item proposed for the agenda of a session in conformity with these rules contains a proposal for new activities to be undertaken by UNESCO relating to matters which are of direct concern to the United Nations or one or more specialized agencies





other than UNESCO, the Director-General shall enter into consultation with the organizations concerned and report to the General Conference on the means of achieving coordinated use of the resources of the respective organizations.

2. Where a proposal put forward in the course of a meeting for new activities to be undertaken by UNESCO relates to matters which are of direct concern to the United Nations or one or more specialized agencies other than UNESCO, the Director-General shall, after such consultation as may be possible with the representatives at the session of the other organization or organizations concerned, draw the attention of the meeting to these implications of the proposal.
3. Before deciding on proposals referred to in the two preceding paragraphs the General Conference shall satisfy itself that adequate consultations have taken place with the organizations concerned.

## EXTRAORDINARY SESSIONS

Rule 17  
[Const. V.B.6]

### **Preparation of provisional agenda**

1. The provisional agenda shall be prepared by the Executive Board.
2. It shall be communicated to the Member States and Associate Members no later than thirty days before the opening of the session.

Rule 18

### **Content of provisional agenda**

The provisional agenda of an extraordinary session shall consist only of items proposed either by the body at whose instance the session has been convened, or by the Member States and Associate Members, if it is the Member States that have requested the convocation of the session.

Rule 19

### **Supplementary items**

Any Member State or Associate Member, or the Executive Board, or the Director-General may request the inclusion of supplementary items in the agenda up to the date fixed for the opening of the session.

Rule 20

### **Approval of the agenda**

1. The provisional agenda shall be submitted to the General Conference as soon as possible after the opening of the extraordinary session, for approval by a two-thirds majority of the Members present and voting.

2. Supplementary items shall likewise be submitted for approval by a two-thirds majority of the Members present and voting.

### III. Delegations

Rule 21  
[Const. IV.A.1]

#### Composition

1. Each Member State and Associate Member shall appoint no more than five delegates, who shall be selected after consultation with the National Commission, if established, or with educational, scientific and cultural bodies.
2. Each delegation may also include not more than five alternate delegates and as many advisers and experts as each Member State and Associate Member deems necessary.

Rule 22

#### Representation of Member States on committees, commissions and other subsidiary organs

The head of a delegation may designate any delegate, alternate delegate, adviser or expert in his delegation to represent his delegation in a committee, commission or other subsidiary organ of the General Conference. Unless otherwise specified in these rules, the principal representative of a delegation on any committee, commission or other subsidiary organ of the Conference may be accompanied by such other members of his delegation as he may require to assist him; however, the committee, commission or other subsidiary organ concerned may adopt special restrictions if the nature of the business or physical conditions so require.

### IV. Credentials

Rule 23

#### Submission of credentials

1. The credentials of delegates and alternate delegates shall be issued by the head of the state, the head of the government or the Minister for Foreign Affairs. However, the Organization shall accept as valid credentials which have been signed by some other appropriate Minister when the Minister for Foreign Affairs of the Member State concerned has filed with the Director-General a statement that such Minister is authorized to issue credentials.



2. The credentials of delegates and alternate delegates of Associate Members shall be issued by the competent authorities.
3. These credentials shall be communicated to the Director-General. The names of the head of the delegation, delegates and alternate delegates shall be communicated to the Director-General one week before the date of opening of the session.
4. The names of experts and advisers attached to delegations shall also be communicated to the Director-General.

Rule 24

**Names of representatives and observers**

1. The United Nations and the specialized agencies shall forward to the Director-General the names of their representatives, if possible one week before the date fixed for the opening of the session.
2. Members of the United Nations which are not Members of UNESCO, states which are not Members of the United Nations nor of UNESCO, intergovernmental organizations invited to the session and non-governmental and semi-governmental organizations approved for consultative arrangements, shall forward to the Director-General the names of their observers, if possible one week before the date fixed for the opening of the session.

Rule 25

**Provisional admission to a session**

Any delegate, alternate delegate, observer or representative to whose admission a Member State or Associate Member has made objection shall be seated provisionally with the same rights as other delegates, alternate delegates, observers or representatives until the Credentials Committee has reported and the General Conference has given its decision.

## **V. Organization of the Conference**

Rule 26

**Ordinary session**

[Const. IV.D.10 and 11]

1. The General Conference, at the beginning of each session, shall elect a President and a number of Vice-Presidents not exceeding thirty-six, taking into account the particular circumstances and requirements of each session, and establish such committees, commissions and other subsidiary organs as may be required for the transaction of its business.

2. The committees of the General Conference shall include the Credentials Committee, the Nominations Committee, the Legal Committee, the Headquarters Committee and the General Committee.
3. The commissions and other subsidiary organs shall be organized according to the agenda of each session, to permit the fullest possible consideration of the policies and the main lines of work of the Organization.

Rule 27

#### **Extraordinary session**

A President and Vice-Presidents shall be elected, and such committees, commissions and other subsidiary organs established as may be required by the agenda of the session.



## **VI. President and Vice-Presidents**

Rule 28

#### **Temporary President**

At the opening of each session of the General Conference the President elected at the previous session or, in his absence, the head of the delegation from which the President of the previous session was elected shall preside until the General Conference has elected the President for the session.

Rule 29

#### **Elections**

1. On the proposal of the Nominations Committee, the General Conference shall at each ordinary session elect a President who shall hold office until the President of the next ordinary session has been elected.
2. On the proposal of the Nominations Committee, the General Conference shall also elect a number of Vice-Presidents not exceeding thirty-six who shall hold office until the close of the session at which they are elected.
3. The Vice-Presidents will be so elected as to ensure the representative character of the General Committee.

Rule 30

#### **General powers of the President**

1. In addition to exercising the powers which are conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the Conference. He shall

direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to the present rules, shall control the proceedings and the maintenance of order. The President may, in the course of the discussion of an item, propose to the Conference the limitation of the time to be allowed to speakers, the limitation of the number of times each speaker may speak, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or adjournment of the meeting or the adjournment of the debate on the item under discussion.

2. The President shall not vote but another member of his delegation may vote in his place.
3. The President, in the exercise of his functions, shall be under the authority of the General Conference.
4. The President of the General Conference shall sit *ex officio* in an advisory capacity on the Executive Board.

## Rule 31

**Acting President**

1. If the President finds it necessary to be absent during a meeting or any part thereof, he shall appoint one of the Vice-Presidents to take his place.
2. If the President is obliged to be absent for more than two days, the General Conference may, on the motion of the General Committee, elect one of the Vice-Presidents as Acting President for the whole period of the President's absence.
3. A Vice-President sitting as President, or an Acting President, shall have the same powers and responsibilities as the President.

**VII. Committees of the Conference**

## Rule 32

**Credentials Committee**

1. The Credentials Committee shall consist of nine members, who shall be elected by the General Conference on the proposal of the Temporary President.
2. It shall elect its own Chairman.

Rule 33

**Functions of the Credentials Committee**

1. The Credentials Committee shall examine and report to the Conference without delay on the credentials of the delegations of Member States and Associate Members, of representatives of the United Nations and the specialized agencies, and of observers sent by non-Member States and other intergovernmental organizations.
2. The Committee shall inform the Conference whenever credentials are presented by delegations representing states that have not formally accepted the Constitution in accordance with Article XV thereof.
3. It shall also examine and report on the credentials of observers designated by international non-governmental or semi-governmental organizations admitted to the Conference in accordance with Rule 6, paragraph 7, and Rule 7.

Rule 34

**Nominations Committee**

1. The Nominations Committee shall consist of the heads of all delegations entitled to vote in the Conference.
2. The head of a delegation may designate another member of his delegation to attend meetings and vote in his place.
3. The representative of each delegation on the Committee may be assisted by another member of his delegation.
4. The Committee shall elect its own Chairman.

Rule 35

**Functions of the Nominations Committee**

1. The Nominations Committee, after taking cognizance of the report from the Executive Board, and without any obligation to accept its recommendations, shall determine and submit to the General Conference the list of nominations for the posts of President and of the Vice-Presidents of the General Conference. It shall submit to the General Conference proposals for the composition of committees, commissions and other subsidiary organs of the Conference, including those on which not all Member States are represented.
2. It may suggest for consideration by the committees, commissions and other subsidiary organs of the Conference the names of persons to serve as Chairmen, Vice-Chairmen and Rapporteurs of these bodies.
3. Only representatives of Member States are eligible for the posts of President and Vice-Presidents of the Conference, and of Chairmen, Vice-Chairmen or Rapporteurs of its committees, commissions or other subsidiary organs.



4. The Committee shall also consider candidatures for vacant seats on the Executive Board, having regard to the principles laid down in Article V.A.3 of the Constitution. It shall submit to the Conference general observations on the manner in which that article should be applied, together with a list of Member States that are candidates.
5. The Committee may also submit to the General Conference proposals for the composition of other organs whose members are to be elected or otherwise designated by the General Conference.

Rule 36

**Legal Committee**

1. The Legal Committee shall consist of twenty-one members elected by the Conference at its preceding session on the recommendation of the Nominations Committee.
2. It shall elect its own Chairman.
3. The Committee established for a session of the General Conference shall meet whenever necessary before the opening of the next ordinary session of the Conference if convened by the President of the latter acting on his own initiative or at the request of the Executive Board.

Rule 37

**Functions of the Legal Committee**

1. The Legal Committee shall consider:
  - (a) proposals for the amendment of the Constitution and of the present rules;
  - (b) agenda items referred to it by the General Conference;
  - (c) appeals submitted by sponsors of draft resolutions to the General Conference that have been considered inadmissible by the Director-General under Rule 80;
  - (d) legal questions submitted to it by the General Conference or any of its organs.
2. The Committee shall also consider the initial special reports relating to any international convention or recommendation transmitted by Member States pursuant to Article 16, paragraph 2, 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”, or pursuant to any other General Conference decision, and containing the information specified in resolution 50, adopted by the General Conference at its 10th session.

3. The Committee shall submit its reports either directly to the General Conference or to the referring organ or the organ which has been designated by the General Conference.

Rule 38  
[Const. XIV.2]

#### **Interpretation of the Constitution**

1. The Legal Committee may be consulted on any question concerning the interpretation of the Constitution and of the rules and regulations.
2. Its opinion shall be adopted by a two-thirds majority of members present and voting.
3. It may decide by a simple majority to recommend to the General Conference that any question concerning the interpretation of the Constitution be referred to the International Court of Justice for an advisory opinion.
4. In cases where the Organization is party to a dispute, the Legal Committee may decide, by a simple majority, to recommend to the General Conference that the case be submitted for final decision to an Arbitral Tribunal, arrangements for which shall be made by the Executive Board.

Rule 39

#### **Headquarters Committee**

1. The Headquarters Committee shall consist of twenty-five members elected by the General Conference at its preceding session on the recommendation of the Nominations Committee. The geographical distribution of seats shall reflect that of the Executive Board.
2. The Committee shall elect a Bureau consisting of a Chairman, two Vice-Chairmen, a Rapporteur and two members, with a view to having each geographical group represented.

Rule 40

#### **Functions of the Headquarters Committee**

1. The Headquarters Committee shall meet whenever necessary, at the request of the Director-General or on the initiative of its Chairman, to advise the Director-General on all questions relating to the Organization's Headquarters submitted by the Director-General or by a member of the Committee, and to provide the Director-General with advice, suggestions, guidance and recommendations in this connection.
2. The Committee shall report to the General Conference on the work carried out and the programme to be planned for the future.





Rule 41

**General Committee of the Conference**

1. The General Committee of the Conference shall consist of the President, the Vice-Presidents and the Chairmen of the committees and commissions of the General Conference.
2. The Chairman of the Executive Board or, in his absence, a Vice-Chairman shall participate in meetings of the General Committee, but without the right to vote.
3. The President of the General Conference shall preside at the General Committee. If he is unable to attend a meeting, the provisions of Rule 31 shall apply.
4. The Chairman of a committee or a commission shall, in his absence, be represented in the General Committee of the General Conference by a Vice-Chairman of the committee or commission, or in the absence of a Vice-Chairman, by the Rapporteur.

Rule 42

**Functions of the General Committee**

1. The General Committee shall:
  - (a) fix the hour, the date and the agenda of plenary meetings of the Conference;
  - (b) coordinate the work of the Conference, its committees, commissions and other subsidiary organs;
  - (c) consider requests for new items to be put on the agenda and make a report on this subject to the General Conference in accordance with Rule 15;
  - (d) assist the President in directing the general work of the session.
2. In carrying out these functions, the General Committee shall not discuss the substance of any item except in so far as this bears upon the question whether it should recommend the inclusion of new items in the agenda.

## **VIII. Commissions and other subsidiary organs of the Conference**

Rule 43

[Const. IV.D.11]

**Establishment of commissions and other subsidiary organs**

The General Conference shall establish at each ordinary or extraordinary session such commissions and other subsidiary organs as it deems necessary for the transaction of the business of that session.

Rule 44                    **Establishment of special committees by commissions  
and other subsidiary organs**

Each commission or other subsidiary organ established by the General Conference may appoint such special committees as it may need, and these shall choose their own officers.

Rule 45                    **Composition of commissions**

Any commission established by the Conference shall consist of any one representative of each delegation present at the session, assisted by such other members of his delegation as he may require, subject to the provisions of Rule 22.

Rule 46                    **Composition of other subsidiary organs**

The composition of other subsidiary organs shall be determined in the resolution by which such organs are established.

Rule 47                    **Right to speak of other members**

Any member of a committee, commission or other subsidiary organ may request the Chairman to accord the right to speak to other members of his delegation, whatever their status.

Rule 48                    **Election of officers**

1.     The committees or commissions set up by the General Conference at each session and in which all the Member States are represented shall elect a Chairman, four Vice-Chairmen and a Rapporteur.
2.     Any other committee or subsidiary organ set up by the General Conference and in which not all Member States are represented shall elect a Chairman and, if necessary, one or two Vice-Chairmen and a Rapporteur.
3.     In these elections, the committees, commissions and other subsidiary organs may take account of any relevant recommendations of the Nominations Committee, in accordance with Rule 35, paragraph 2.
4.     The provisions of Rule 35, paragraph 3, apply to the elections referred to in the present rule.



## **IX. Duties of the Director-General and of the Secretariat**

Rule 49  
[Const. VI.3]

### **Duties of the Director-General and of the Secretariat**

1. The Director-General or his representative shall participate, without the right to vote, in all meetings of the General Conference, including the meetings of its committees, commissions and other subsidiary organs.
2. The Director-General, or a member of the Secretariat designated by him, may at any time, with the approval of the presiding officer, make to the Conference, committee, commission or other subsidiary organ, either oral or written statements concerning any question under consideration by them.
3. The Director-General shall place at the disposal of the General Conference a staff member who shall act as Secretary of the General Conference.
4. The Director-General shall provide the staff required by the General Conference or by any organs it may establish.
5. The Secretariat shall, acting under the authority of the Director-General, receive, translate and distribute documents, reports and resolutions of the General Conference, its committees and commissions; provide interpretation of speeches made at the meetings; draft and circulate the verbatim and summary records of the meetings; be responsible for the safe keeping of the documents in the archives of the General Conference; and perform all other work which the General Conference may require.

## **X. Languages of the Conference**

Rule 50

### **Working languages**

Arabic, Chinese, English, French, Russian and Spanish are the working languages of the General Conference.

Rule 51

### **Language of the country where the General Conference is held**

When the Conference is held in a country where the national language is not one of the working languages, the Executive Board may make

special arrangements for the use of the national language of the country concerned during the Conference.

Rule 52

**Interpretation of other languages**

Delegates may speak in languages other than the working languages, but they must themselves provide for interpretation of their speech into one of the working languages, according to their choice; the Secretariat shall provide interpretation into the other working languages.

Rule 53

**Use of working languages**

All working documents except the Journal of the General Conference shall be issued in the working languages. The verbatim records of plenary meetings shall be published in provisional form in a single edition, in which each intervention shall be reproduced in the working language in which it was made; and in final form in a single edition, in which each intervention shall be reproduced in the working language in which it was made and interventions made in a working language other than English or French shall be followed by a translation into either English or French, alternately meeting by meeting.

Rule 54

**Official languages**

1. Arabic, Chinese, English, French, Hindi, Italian, Portuguese, Russian and Spanish are the official languages of the General Conference.
2. Any other language may also be recognized as an official language of the General Conference on the request of the Member State or Member States concerned. No Member State may request recognition of more than one language.

Rule 55

**Use of official languages**

1. Any amendments to the text of the Constitution, and any decision of the Conference regarding the Constitution and the legal status of UNESCO, shall be translated into all the official languages.
2. At the request of any delegation, any other important document, including verbatim records, may be translated into any other official language. The delegation concerned shall provide the necessary translators if the occasion arises.



## **XI. Records of the Conference**

Rule 56

### **Verbatim records and sound recordings**

1. Verbatim records shall be made of all plenary meetings of the General Conference.
2. Sound recordings only shall be made of meetings of committees and commissions, unless otherwise decided by the General Conference.

Rule 57

### **Circulation and safe keeping of records and sound recordings**

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.
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.
3. The sound recordings made of meetings of committees and commissions of the General Conference shall be kept in the archives of the Organization where they may be consulted if necessary. Upon request a Member State or Associate Member may obtain a copy of particular recordings, at its own expense.

Rule 58

### **Records of private meetings**

The verbatim records of private meetings, made in the working languages, shall be filed in the archives of the Organization and shall not be published unless such publication is specifically authorized by the General Conference.

## **XII. Publicity of meetings and resolutions**

Rule 59

[Const. IV.D.12]

### **Public meetings**

Meetings of the Conference and its committees, commissions and other subsidiary organs shall be held in public except where otherwise provided in these rules, or unless the organ concerned decides otherwise.

Rule 60

**Private meetings**

1. When it is decided, in exceptional circumstances, to hold a private meeting, all persons shall be excluded except the members of those delegations which are entitled to vote, representatives and observers entitled to participate without vote in the deliberations of the bodies concerned, and the members of the Secretariat whose presence is necessary.
2. Any decision taken at a private meeting of the Conference, its committees, commissions or other subsidiary organs shall be announced at an early public meeting of the organ concerned. At the close of each private meeting, the presiding officer may issue a communiqué through the Secretary of the General Conference.

Rule 61

**Circulation of resolutions**

Resolutions adopted by the Conference shall be circulated by the Director-General to the Member States and Associate Members of the Organization within sixty days after the close of the session.

### **XIII. Conduct of business and right to speak**

Rule 62

**Quorum**

1. The President of the General Conference may declare a plenary meeting open and permit the debate to proceed when at least one-third of the representatives of Member States participating in the session of the General Conference are present. The presence of a majority of the Members participating in the session shall be required for the purpose of taking decisions.
2. At meetings of committees, commissions and other subsidiary organs of the Conference, a majority of the Member States which are members of that organ shall form a quorum. If, after five minutes' adjournment, there be still no quorum, the Chairman may request the agreement of all Member States actually present temporarily to waive this provision.

Rule 63

**Executive Board**

The Chairman of the Executive Board, or another member of the Board designated as its spokesman, may be invited by the President of the



Conference or the Chairman of a committee or commission to make a statement on behalf of the Executive Board at any meeting when a matter affecting the responsibilities of the Board is under consideration.

Rule 64

**United Nations**

Representatives of the United Nations shall have the right to participate without vote in all meetings of the Conference, its committees, commissions and other subsidiary organs.

Rule 65

**Specialized agencies  
and other intergovernmental organizations**

Representatives of specialized agencies and observers of other intergovernmental organizations which have been invited to the Conference shall have the right to participate without vote in all debates on matters within their respective competence.

Rule 66

**Non-Member States**

Observers for non-Member States 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.

Rule 67

**Liberation movements recognized  
by the Organization of African Unity**

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.

Rule 68

**Palestine**

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.

Rule 69

**International non-governmental  
or semi-governmental organizations**

Observers for international non-governmental or semi-governmental organizations may make statements on matters within their respective

competence in committees, commissions or other subsidiary organs, with the consent of the presiding officer. Such observers may address plenary meetings of the Conference on matters within their competence, if authorized by the General Committee.

Rule 70

### **Speeches**

1. The President shall call upon speakers in the order in which they signify their wish to speak.
2. No one may address the General Conference without having been called upon by the President.
3. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.
4. The Chairman or the Rapporteur of a committee, commission or other subsidiary organ may be accorded precedence for the purpose of submitting or upholding the report of the committee, commission, or subsidiary organ.

Rule 71

### **Time limit on speeches**

The General Conference may limit the time to be allowed to each speaker on the proposal of the President.

Rule 72

### **Closing of list of speakers**

During the course of a debate the President may announce the list of speakers and, with the consent of the General Conference, declare the list closed.

Rule 73

### **Right of reply**

Notwithstanding Rule 72, the President may accord the right of reply if a speech delivered after he has declared the list closed makes this desirable. Replies made pursuant to the present rule shall be made at the end of the last meeting of the day or at the conclusion of the consideration of the relevant item. The President may limit the time to be allowed to speakers under this rule.

Rule 74

### **Points of order**

In the course of a debate, any Member State or Associate Member may raise a point of order and such point of order shall be immediately ruled upon by the President. An appeal may be made against the ruling of the President. It shall be put to the vote immediately, and the President's





ruling shall stand unless overruled by a majority of the Member States present and voting.

Rule 75                    **Suspension or adjournment of the meeting**

During the discussion of any matter, a Member State or Associate Member may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

Rule 76                    **Adjournment of debate**

During the discussion of any question, a Member State or Associate Member present may move adjournment of the debate on the item under discussion. Any such motion shall have precedence. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion. The President may limit the time to be allowed to speakers under this rule.

Rule 77                    **Closure of debate**

A Member State or Associate Member may at any time move the closure of the debate, whether or not any other speaker has signified his wish to take part in the discussion. If application is made for permission to speak against the closure, it may be accorded to no more than two speakers. The President shall consult the General Conference on a motion for closure. If the General Conference is in favour of the closure, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

Rule 78                    **Order of procedural motions**

Subject to Rule 74, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the item under discussion;
- (d) for the closure of the debate on the item under discussion.

## XIV. Draft resolutions

Rule 79

### General provisions

1. Draft resolutions, including amendments to previously submitted draft resolutions, shall be transmitted in writing to the Director-General, who shall circulate copies to delegations.
2. As a general rule, no draft resolution shall be discussed or put to the vote unless copies of it have been circulated in the working languages to all delegations at least twenty-four hours before the opening of the meeting.
3. Notwithstanding the provisions of the foregoing paragraphs, the President may permit the discussion and consideration, without previous circulation of copies, of motions and amendments concerning draft resolutions that have already been circulated.
4. When, in the judgement of the Chairman of the Executive Board, any resolution or amendment under consideration in any committee, commission or other subsidiary organ of the Conference is of particular importance either because of the new undertaking that it proposes or because of its budgetary implications, he may, after consultation with the General Committee of the Conference, request that the Board be given an opportunity to communicate its views to the appropriate organ. On such request being made, the discussion of the matter shall be postponed for such time, not exceeding forty-eight hours, as the Board may require for this purpose.

Rule 80

### Admissibility criteria for draft resolutions relating to the Draft Programme and Budget

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.
2. Draft resolutions covered by paragraph 1 of this rule shall be submitted in writing and shall reach the Director-General at least 45 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 20 days before the opening of the session.

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.

Rule 81

**Examination of admissibility of draft resolutions relating to the Draft Programme and Budget**

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.

Rule 82

**New examination of proposals in plenary meetings**

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.

## **XV. Voting**

Rule 83

[Const. IV.C.8]

**Voting rights**

1. Each Member State whose credentials have been found to comply with Rule 23, or which has exceptionally been admitted with full voting rights by the Conference despite failure to comply with that rule, shall have one vote in the General Conference or in any of its committees, commissions and other subsidiary organs.
2. Such Member State, however, shall have no vote in the General Conference or in any of its committees, commissions and other subsidiary organs if the total amount of contributions due from it exceeds the total amount of the contributions payable by it

for the current year and the immediately preceding calendar year, unless the General Conference is satisfied that the failure to pay is due to conditions beyond the control of the Member State.

3. Before each ordinary session of the General Conference the Director-General shall, using the most reliable and rapid channels, notify Member States in danger of losing their voting rights in accordance with the provisions of Article IV.C, paragraph 8(b), of the Constitution concerning their financial position with respect to the Organization and the provisions of the Constitution and the rules and regulations relating thereto, at least six months before the General Conference session is due to open.
4. Member States shall address their communications invoking the provisions of Article IV.C, paragraph 8(c), to the Director-General, who shall transmit them to the Administrative Commission of the General Conference. That Commission shall take up the matter at the commencement of its work and issue in plenary meeting, as a matter of priority, a report and recommendations on the subject.
5. The communications from Member States referred to in paragraph 4 shall be submitted no later than three days after the commencement of the proceedings of the General Conference. In the absence of such a communication from the Member States concerned, the latter shall no longer be authorized to take part in voting at that session of the General Conference.
6. Notwithstanding the provisions of paragraph 1 of this rule, after the time limit specified in paragraph 5 above has passed, and pending a decision by the General Conference in plenary meeting, only those Member States concerned that have submitted the communication referred to in paragraph 4 shall have the right to vote.
7. In its report to the General Conference, the Administrative Commission shall:
  - (a) describe the conditions that render non-payment beyond the Member State's control;
  - (b) give information on the Member State's history of payment of its contributions in preceding years and on request(s) for voting rights under Article IV.C, paragraph 8(c), of the Constitution;
  - (c) state the measures taken in order to settle the arrears – normally a payment plan for settlement of such arrears in annual instalments over a period of three biennia – and make mention of the undertaking by the Member State to do all it can to settle future annual assessed contributions on a regular basis.

8. Any decision to permit a Member State in arrears in the payment of its contributions to vote shall be made conditional upon that Member State's observance of the recommendations for settlement of the arrears made by the General Conference.
9. After the General Conference has approved the payment plan under which the arrears of a Member State are consolidated and payable in accordance with paragraph 7(c), any decision by the Conference permitting that Member State to vote shall be valid as long as the Member concerned pays its annual instalments by the scheduled dates.
10. The provisions of Articles 5.5 and 5.7 of the Financial Regulations shall not apply to payments made under the payment plans referred to in paragraphs 7(c) and 9 above.
11. One Member State may not represent or vote for another.

Rule 84  
[Const. IV.C.8]

**Simple majority**

Decisions of the General Conference shall be taken by a simple majority of the Members present and voting, except in the cases listed in Rule 85.

Rule 85  
[Const. IV.C.8]

**Two-thirds majority**

1. A two-thirds majority of the Members present and voting is required by the provisions of the Constitution in the following cases:
  - (a) admission of new Member States which are not Members of the United Nations, on the recommendation of the Executive Board (Article II.2);
  - (b) admission of Associate Members (Article II.3);
  - (c) adoption of international conventions submitted for ratification by Member States (Article IV.4);
  - (d) admission of observers of non-governmental or semi-governmental organizations referred to in Rule 7 of the present Rules of Procedure (Article IV.13);
  - (e) amendments to the Constitution (Article XIII.1);
  - (f) adoption of regulations governing the procedure for amendments to the Constitution (Article XIII.2).
2. A two-thirds majority of the Members present and voting is also required in the following cases:
  - (a) a change of the seat of the Organization;
  - (b) a change in the regulations governing the procedure for amendments to the Constitution, and application of Rule 112 of the present Rules of Procedure;

- (c) adoption by the Legal Committee of opinions on any questions relating to the interpretation of the Constitution and of the rules and regulations in accordance with Rule 38 of the present Rules of Procedure;
- (d) approval of the inclusion of new items in the agenda, in accordance with Rule 15, paragraph 2, of the present Rules of Procedure;
- (e) approval of the agenda of an extraordinary session, in accordance with Rule 20 of the present Rules of Procedure;
- (f) suspension of a rule of the present Rules of Procedure, in accordance with Rule 115 thereof;
- (g) suspension of an article of the Financial Regulations, in accordance with Article 14.3 of the said Regulations;
- (h) suspension of an article 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, in accordance with Article 20 of the said Rules of Procedure;
- (i) approval of the provisional and final total spending level adopted in respect of the Organization's biennial budget;
- (j) a decision entailing authorization to contract a loan the repayment of which would necessitate the inclusion of appropriations in the budget for more than one financial period.



Rule 86

**Meaning of the expression “Members present and voting”**

For the purpose of these rules, the expression “Members present and voting” means Members casting an affirmative or negative vote. Members who abstain from voting are considered “non-voters”.

Rule 87

**Vote**

The normal method by which decisions of the General Conference are adopted shall be by a vote. Except as otherwise provided for in these rules, voting shall be by show of hands. The President may, if satisfied that there is a consensus on a proposal or motion, propose the adoption of a decision without a vote. However, a proposal or motion before the General Conference for decision shall be voted upon if a Member State so requests.

Rule 88

**Roll-call**

1. When the result of a vote by show of hands is in doubt, the President may take a second vote, by roll-call.

2. Vote by roll-call shall be taken if it is requested by not less than two Members. The request shall be made to the President before voting takes place or immediately after a vote by show of hands.
3. When a vote is taken by roll-call, the vote of each Member participating shall be inserted in the verbatim record of the meeting.

Rule 89                    **Conduct during voting**

After the President has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 90                    **Explanation of vote**

The President may permit delegates to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations.

Rule 91                    **Order of voting on proposals**

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.
2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

Rule 92                    **Separate vote**

Parts of a proposal shall be voted on separately, if a Member so requests. The resulting proposal shall then be put to a final vote in its entirety.

Rule 93                    **Voting on amendments**

1. When an amendment to a proposal is moved, the amendment shall be voted on first.
2. When two or more amendments to a proposal are moved, the President shall put them to the vote, starting with the amendment deemed by him to be the furthest removed in substance from the original

proposal, and so on. In case of doubt, the President shall consult the General Conference.

3. If one or more amendments are adopted, the amended proposal shall then be put to the vote.
4. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 94

**Secret ballot**

1. The election of Members of the Executive Board and the vote for the appointment of the Director-General and of the External Auditor shall be by secret ballot as required, respectively, by Rules 102, 106 and 109.
2. All other elections shall also be by secret ballot pursuant to the procedure in Appendix 1 of the present rules except that, where the number of candidates is the same as the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.
3. Subject to paragraphs 1 and 2 above other decisions relating to individuals shall be voted on by secret ballot whenever five or more Members shall so request or if the President so decides.

Rule 95

**Results of elections**

Without prejudice to the special rules governing the appointment of the Director-General, whenever elections are conducted by secret ballot the President of the General Conference shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the President shall decide the candidate to be considered elected by drawing lots.

Rule 96

**Equally divided votes**

If a vote is equally divided, in voting not concerned with elections, a second vote shall be taken in the course of a subsequent meeting. This meeting shall be held within forty-eight hours after the first vote, and the taking of the second vote shall appear on its agenda. Unless at this meeting there is a majority in favour of the proposal, it shall be considered as lost.





## **XVI. Procedure applicable to the committees, commissions and other subsidiary organs of the Conference**

Rule 97

### **Procedure applicable to the committees, commissions and other subsidiary organs of the Conference**

The procedure laid down in Sections VI (Rules 30 and 31), X, XI, XII, XIII, XIV and XV of these Rules of Procedure shall be applicable *mutatis mutandis* to the Presidency, to discussions in the committees, commissions and other subsidiary organs of the Conference, unless these organs or the General Conference, in establishing them, shall decide otherwise.

## **XVII. Admission of new Members**

Rule 98

[Const. XV]

### **Member States of the United Nations**

Any Member of the United Nations may become a Member of UNESCO by following the procedure laid down in Article XV of the Constitution. It shall be regarded as a Member of the Organization from the date on which the Constitution enters into force in respect of it.

Rule 99

[Const. II.2]

### **States not Members of the United Nations and territories or groups of territories**

[Const. II.3]

1. Any state not a Member of the United Nations which desires to become a Member of UNESCO shall submit an application to the Director-General. This application shall be accompanied by a statement that the particular state is willing to abide by the Constitution, to accept the obligations contained therein and to contribute to the expenses of the Organization.
2. Application for Associate Membership by territories or groups of territories not responsible for their international relations may be made on their behalf by the Member State or other authority having responsibility for their international relations. The application shall be accompanied by a statement from the Member State or other authority concerned that it accepts responsibility on behalf of the territory or territories concerned for the discharge of the obligations contained in the Constitution and of the financial

contributions assessed by the General Conference as payable by the territory or territories concerned.

Rule 100

[Const. II.2 and V.B.7]

**Consideration of applications**

1. Applications by states not Members of the United Nations for membership of UNESCO shall, upon recommendation of the Executive Board, be dealt with by the General Conference in accordance with the provisions of Article II, paragraph 2, of the Constitution.
2. Applications for Associate Membership of UNESCO by territories or groups of territories shall be considered by the General Conference in accordance with the provisions of Article II, paragraph 3, of the Constitution.

Rule 101

**Notification of admission**

1. The Director-General shall inform the state concerned of the decision taken by the General Conference. If the application is approved, the state's membership shall become effective on the date on which, in accordance with the procedure laid down in its Article XV, the Constitution enters into force in respect of it.
2. The territories or groups of territories mentioned in Rule 99, paragraph 2, shall be considered as Associate Members of the Organization as soon as the General Conference has taken the necessary decision in accordance with the provisions of Article II, paragraph 3, of the Constitution.

## **XVIII. Election of Members of the Executive Board**

Rule 102

[Const. V.A.1]

**Elections**

1. At each of its ordinary sessions, the General Conference shall elect by secret ballot the number of Members of the Executive Board required to fill the vacancies occurring at the end of the session.
2. The General Conference shall follow the procedure set forth in Appendix 2 to these rules concerning the procedure for the election of Members of the Executive Board.



Rule 103  
[Const. V.A.4]

**Re-eligibility**

Members of the Executive Board shall be eligible for re-election.

Rule 104

**Term of office**

The term of office of each Member shall begin at the close of the session at which it is elected and shall end at the close of the second ordinary session following that election.

## **XIX. Appointment of the Director-General**

Rule 105  
[Const. VI.2]

**Nomination by the Executive Board**

After discussion at a private meeting the Executive Board shall submit for approval by the General Conference a nomination for the post of the Director-General of the Organization. It shall submit at the same time a draft contract establishing the terms of appointment, salary, allowances and status of the Director-General.

Rule 106  
[Const. VI.2]

**Vote on the nomination**

The General Conference shall consider this nomination and the draft contract at a private meeting and shall then come to a decision by secret ballot.

Rule 107

**Subsequent nominations**

Should the General Conference fail to elect the person proposed by the Executive Board, the Executive Board shall submit another name within forty-eight hours.

Rule 108

**Contract of appointment**

The contract shall be signed jointly by the Director-General and the President of the General Conference acting in the name of the Organization.

## XX. Appointment of the External Auditor

Rule 109

### Procedure for appointing the External Auditor

Further to Article 12 of the Financial Regulations, it is stipulated that:

- (a) the Director-General shall invite applications for appointment as External Auditor by a circular letter dispatched to Member States at least ten months prior to the date of the opening of the session of the General Conference at which the appointment is to be made, and candidatures must be received not later than four months before the date of the opening of the session. Candidatures received after this deadline shall not be taken into consideration;
- (b) the circular letter shall request that the following particulars be supplied:
  - (i) the candidate's curriculum vitae, outlining, where appropriate, any previous experience within the United Nations system or other international organizations;
  - (ii) a description of the audit norms he or she would apply, having regard to the Organization's accounting norms as set forth in the statement of its accounting principles that accompanies its audited accounts and to generally accepted accounting practices;
  - (iii) the total audit fee (in United States dollars) requested, including travel and other supplementary costs, it being understood that should the currency of payment not be the United States dollar the United Nations operational rate of exchange in force on the day of payment would be applied;
  - (iv) an estimate of the total number of working months that would be spent on the audit during the term of office;
  - (v) the text of any engagement letter the candidate might send to the General Conference were he or she to be appointed External Auditor to the Organization;
  - (vi) any other relevant information likely to help the General Conference to choose from among the applications;
- (c) the External Auditor shall be chosen by the General Conference by secret ballot;
- (d) the External Auditor and members of his or her staff who have participated in the audit of the Organization may not be recruited by the Organization during the two financial periods following completion of their mandate;
- (e) the General Conference resolution appointing the External Auditor shall specify the fee requested by him or her.

## **XXI. Procedure for the amendment of the Constitution**

Rule 110  
[Const. XIII.1]

### **Draft amendments**

The General Conference shall not adopt a draft amendment to the Constitution unless the draft has been communicated to Member States and Associate Members at least six months in advance.

Rule 111

### **Proposals for substantive changes in draft amendments**

The General Conference shall not introduce substantive changes in draft amendments under the terms of the preceding rule unless the proposed changes have been communicated to Member States and Associate Members at least three months before the opening of the session.

Rule 112

### **Amendments of form**

The General Conference may, however, without prior communication to Member States and Associate Members, adopt any changes in the drafts and proposals referred to in Rules 110 and 111 which are purely matters of drafting, and any changes designed to embody, in a single text, substantive proposals communicated to Member States and Associate Members in accordance with the provisions of Rules 110 and 111.

Rule 113

### **Interpretation of amendments**

In case of doubt, a proposed amendment shall be deemed to be an amendment of substance unless on a vote being taken there is a two-thirds majority of the members present and voting in favour of interpreting the amendment as an amendment of form falling under the provisions of Rule 112.

## **XXII. Rules of Procedure: amendments and suspension**

Rule 114

### **Amendments**

These Rules of Procedure, except when they reproduce provisions of the Constitution, may be altered by a decision of the General Conference taken by a majority of the Members present and voting, on the advice of the Legal Committee.

Rule 115

### **Suspension**

No rule of procedure may be suspended unless suspension is provided for under an existing rule or unless the motion for suspension is adopted by a two-thirds majority of the Members present and voting.

APPENDIX 1

**Procedure for the conduct of elections  
by secret ballot**

Adopted by the General Conference at its 6th session and modified at its 8th, 13th, 23rd, 29th and 30th sessions.<sup>1</sup>

- Rule 1 Before the ballot begins, the President of the General Conference or the Chairperson of the commission or committee concerned (hereinafter referred to as Chairperson of the meeting) shall appoint two or more tellers, as in his or her judgement the ballot requires, from among the delegates present; he or she shall hand to them the list of delegations entitled to vote and the list of candidates. The duties of the tellers shall be to supervise the balloting procedure, count the ballot papers, decide on the validity of a ballot paper in any case of doubt, and certify the result of each ballot.
- Rule 2 The Secretariat shall distribute ballot papers and envelopes to the delegations. Ballot papers may be in different colours for different purposes of election. The envelopes shall be without any distinguishing marks.
- Rule 3 In the case of elections of members of bodies covered by Rule 35, paragraph 5, of the Rules of Procedure of the General Conference:
- (a) The candidatures shall be deemed admissible only if they reach the Secretariat of the General Conference at least forty-eight hours before the beginning of the ballot.
  - (b) The distribution of seats within each body shall be effected in conformity with resolution 22 adopted by the General Conference at its twenty-eighth session.
  - (c) The Nominations Committee shall establish and submit to a plenary meeting of the General Conference for decision a list on which the number of candidates shall correspond to the number of seats to be filled by each electoral group in each organ concerned. If the number of candidates submitted within an electoral group is greater than the number of seats to be filled by that group in a given organ, the Nominations Committee shall proceed to the election by secret ballot in order to establish the list of candidates corresponding to the

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1. See 6 C/Resolutions, pp. 88 and 96-7; 8 C/Resolutions, p. 17; 13 C/Resolutions, p. 114; 23 C/Resolutions, p. 111; 29 C/Resolutions, pp. 119-26; and 30 C/Resolutions, p. 120-21.

number of seats to be filled. To this effect, the Secretariat shall distribute ballot papers, indicating the names of the candidates submitted within a given electoral group and the number of seats to be filled by that group.

- Rule 4 The voters shall indicate the candidates for whom they wish to vote by inserting the sign x in the box appearing opposite the name of each candidate, in this way:  This sign will be considered as an affirmative vote in favour of the candidate so indicated. The ballot paper shall carry no other notation or sign than those required for the purpose of indicating the vote.
- Rule 5 The tellers shall satisfy themselves that the ballot box is empty and, having locked it, shall hand the key to the Chairperson of the meeting.
- Rule 6 Delegations shall be called in turn by the Secretary of the meeting, in alphabetical order of the names of Member States in French, beginning with the name of a Member State which shall have been drawn by lot.
- Rule 7 At the conclusion of the first calling of the delegations, there shall be a further call for all delegations which have not voted.
- Rule 8 On the first or second calling, delegations shall place their ballot papers, in the envelopes, in the ballot box.
- Rule 9 To indicate the recording of each Member State's vote, the Secretary of the meeting and one of the tellers shall sign or initial the list of delegations mentioned in Rule 1, in the margin opposite the name of the Member State concerned.
- Rule 10 At the conclusion of the second calling, the Chairperson of the meeting shall declare the ballot closed and announce that the votes are to be counted.
- Rule 11 When the Chairperson of the meeting has opened the ballot box, the tellers shall check the number of envelopes. If the number is greater or less than that of the voters, the Chairperson of the meeting shall be informed, and he or she shall then declare the vote invalid and announce that it is necessary to reopen the ballot.
- Rule 12 The following shall be considered invalid:  
(a) ballot papers on which a voter has cast an affirmative vote in favour of more candidates than there are seats to be filled;



- (b) ballot papers on which the voters have revealed their identity, in particular by apposing their signature or mentioning the name of the Member State they represent;
- (c) ballot papers on which the name of any candidate appears more than once;
- (d) ballot papers containing no indication as to the intention of the voter;
- (e) subject to the provisions (a), (b), (c) and (d) above, a ballot paper shall be considered valid when the tellers are satisfied as to the intention of the voter.

Rule 13                   The absence of any ballot paper in the envelope shall be considered as an abstention.

Rule 14                   The counting of votes shall be under the supervision of the Chairperson of the meeting. The votes cast for each candidate shall be entered on the lists prepared for that purpose.

Rule 15                   When the counting of votes is completed, the Chairperson of the meeting shall announce the results as specified in Rule 95 of the Rules of Procedure of the General Conference, it being understood that, when appropriate, the votes shall be counted and the results announced for each of the electoral groups separately.

Rule 16                   After the declaration of the results of the ballot, the ballot papers shall be destroyed in the presence of the tellers.

Rule 17                   The lists on which the tellers have recorded the results of the vote, after signature by the Chairperson of the meeting and by the tellers, shall constitute the official record of the ballot and shall be lodged in the archives of the Organization.

APPENDIX 2

## Procedure for the election of Members of the Executive Board

### I. Groupings of Member States for the purpose of elections to the Executive Board

As decided by the General Conference at its 30th session, the composition of electoral groups for the purpose of elections to the Executive Board and the distribution of seats on the Executive Board among the groups is as follows:

*Group I (26) Nine seats*

Andorra	Iceland	San Marino
Austria	Ireland	Spain
Belgium	Israel	Sweden
Canada	Italy	Switzerland
Cyprus	Luxembourg	Turkey
Denmark	Malta	United Kingdom of
Finland	Monaco	Great Britain and
France	Netherlands	Northern Ireland
Germany	Norway	
Greece	Portugal	

*Group II (24) Seven seats*

Albania	Estonia	Slovakia
Armenia	Georgia	Slovenia
Azerbaijan	Hungary	Tajikistan
Belarus	Latvia	the former
Bosnia and	Lithuania	Yugoslav Republic
Herzegovina	Poland	of Macedonia
Bulgaria	Republic of Moldova	Ukraine
Croatia	Romania	Uzbekistan
Czech Republic	Russian Federation	Yugoslavia

*Group III (33) Ten seats*

Antigua and Barbuda	Dominican Republic	Paraguay
Argentina	Ecuador	Peru
Bahamas	El Salvador	Saint Kitts and Nevis
Barbados	Grenada	Saint Lucia
Belize	Guatemala	Saint Vincent and the Grenadines
Bolivia	Guyana	Suriname
Brazil	Haiti	Trinidad and Tobago
Chile	Honduras	Uruguay
Colombia	Jamaica	Venezuela
Costa Rica	Mexico	
Cuba	Nicaragua	
Dominica	Panama	

*Group IV (41) Twelve seats*

Afghanistan	Kazakhstan	Niue
Australia	Kiribati	Pakistan
Bangladesh	Kyrgyzstan	Palau
Bhutan	Lao People's Democratic Republic	Papua New Guinea
Cambodia	Malaysia	Philippines
China	Maldives	Republic of Korea
Cook Islands	Marshall Islands	Samoa
Democratic People's Republic of Korea	Micronesia (Federated States of)	Solomon Islands
Fiji	Mongolia	Sri Lanka
India	Myanmar	Thailand
Indonesia	Nauru	Tonga
Iran (Islamic Republic of)	Nepal	Turkmenistan
Japan	New Zealand	Tuvalu
		Vanuatu
		Viet Nam

*Group V (64) Twenty seats*

Algeria	Ghana	Rwanda
Angola	Guinea	Sao Tome and Principe
Bahrain	Guinea-Bissau	Saudi Arabia
Benin	Iraq	Senegal
Botswana	Jordan	Seychelles
Burkina Faso	Kenya	Sierra Leone
Burundi	Kuwait	Somalia
Cameroon	Lebanon	South Africa
Cape Verde	Lesotho	Sudan
Central African Republic	Liberia	Swaziland
Chad	Libyan Arab Jamahiriya	Syrian Arab Republic
Comoros	Madagascar	Togo
Congo	Malawi	Tunisia
Côte d'Ivoire	Mali	Uganda
Djibouti	Mauritania	United Arab Emirates
Democratic Republic of the Congo	Mauritius	United Republic of Tanzania
Egypt	Morocco	Yemen
Equatorial Guinea	Mozambique	Zambia
Eritrea	Namibia	Zimbabwe
Ethiopia	Niger	
Gabon	Nigeria	
Gambia	Oman	
	Qatar	

**II. Provisions governing the procedure for the election of Member States to the Executive Board**

*A. Submission of the names of candidate states*

Rule 1

The Director-General shall ask each Member State, at least three months prior to the opening of any ordinary session of the General Conference, whether it intends to stand for election to the Executive Board. If so, its candidature must be sent to him or her at least six weeks, as far as possible, prior to the opening of the session, it being understood that candidate Member States may at the same time communicate to the other Member States and to the Director-General any information they consider relevant, including the name and curriculum vitae of the person they intend, if elected, to designate as their representative on the Board.



- Rule 2 At least four weeks prior to the opening of the ordinary session of the General Conference the Director-General shall send Member States the provisional list of Member States candidates.
- Rule 3 At the opening of the ordinary session of the General Conference the Director-General shall have drawn up and delivered to the Chairperson of the Nominations Committee and to each head of delegation a list of the Member States' candidatures that have been transmitted to him or her by that date.
- Rule 4 Subsequent candidatures shall be admissible only if they reach the Secretariat of the General Conference at least forty-eight hours before the beginning of the ballot.
- Rule 5 The Nominations Committee shall submit to the General Conference a list of all the Member States candidates, indicating the electoral group to which they belong and the number of seats to be filled in each electoral group.
- B. Election of Member States to the Executive Board*
- Rule 6 The election of Members of the Executive Board shall be conducted by secret ballot.
- Rule 7 Before the ballot begins, the President of the General Conference shall appoint two or more tellers from among the delegates present and shall give them the list of delegations entitled to vote and the list of Member States candidates. The duties of the tellers shall be to supervise the balloting procedure, count the ballot papers, decide on the validity of a ballot paper in any case of doubt, and certify the result of each ballot.
- Rule 8 The Secretariat shall prepare for each delegation an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups.
- Rule 9 The ballot paper to elect Member States for each electoral group shall be of a different colour from the others and bear the names of all the Member States that are candidates for election in that electoral group. The voters shall indicate the candidates for which they wish to vote by inserting the sign x in the box appearing opposite the name of each candidate in this way:  This sign will be considered as an affirmative vote in favour of the candidate so indicated. The ballot paper shall carry no other notation or sign than those required for the purpose of indicating the vote.

- Rule 10 Ballot papers and envelopes shall be distributed to delegations by the Secretariat the day before the ballot, together with relevant information concerning the carrying out of the ballot. Each delegation shall be invited to choose a person to vote on its behalf.
- Rule 11 The ballot shall be held in a room separate from the meeting rooms. This room shall be equipped with voting booths and with polling stations to which the delegations will be directed according to alphabetical arrangements corresponding to the names of their respective states. Ballot papers and envelopes shall also be available in the room.
- Rule 12 Voting shall be supervised by the President of the General Conference (or by a Vice-President designated by the President) and by the tellers. They will be assisted by members of the Secretariat designated by the Secretary of the General Conference.
- Rule 13 The tellers shall satisfy themselves that the ballot box is empty and, having locked it, shall hand the key to the President of the General Conference or the Vice-President designated by the President.
- Rule 14 Delegates may cast their vote at any time within the period indicated for the ballot. Before placing the envelope in the ballot box, each delegate will be required to write his or her name on the list of Member States entitled to vote at the session and sign it. A delegate who comes forward to vote on behalf of his or her delegation will be presumed to represent that delegation, once the tellers have checked that he or she belongs to that delegation, it being understood that only one vote per delegation is allowed. To indicate the recording of each Member State's vote, one of the tellers shall sign or initial the list mentioned above, in the margin opposite the name of the Member State concerned.
- Rule 15 After the closure of the ballot, the counting of votes shall be carried out under the supervision of the President or one of the Vice-Presidents of the General Conference designated for this purpose by the President.
- Rule 16 When the President of the General Conference or the Vice-President designated by the President has opened the ballot box, the tellers shall check the number of envelopes. If the number is greater or less than that of the voters, the President shall be informed, and shall then declare the vote invalid and announce that it is necessary to reopen the ballot.

- Rule 17                   The following shall be considered invalid:
- (a) ballot papers on which a voter has cast an affirmative vote in favour of more candidates than there are seats to be filled;
  - (b) ballot papers on which the voters have revealed their identity, in particular by apposing their signature or mentioning the name of the Member State they represent;
  - (c) ballot papers on which the name of any candidate appears more than once;
  - (d) ballot papers containing no indication as to the intention of the voter;
  - (e) subject to the provisions (a), (b), (c) and (d) above, a ballot paper shall be considered valid when the tellers are satisfied as to the intention of the voter.
- Rule 18                   The absence of any ballot paper in the envelope shall be considered as an abstention.
- Rule 19                   The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate Member States shall be entered on the lists prepared for that purpose.
- Rule 20                   When the counting of the votes is completed, the President shall announce, in a plenary meeting, the results of the ballot as specified in Rule 95 of the Rules of Procedure of the General Conference, separately for each of the electoral groups.
- Rule 21                   After the declaration of the results of the ballot, the ballot papers shall be destroyed in the presence of the tellers.
- Rule 22                   The lists on which the tellers have recorded the results of the vote, after signature by the President or the Vice-President designated by the President and by the tellers, shall constitute the official record of the ballot and shall be lodged in the archives of the Organization.

# Rules of Procedure of the Executive Board

Adopted by the Executive Board at its 29th session. Revised text incorporating amendments adopted at the 32nd, 33rd, 37th, 40th, 41st, 42nd, 47th, 48th, 51st, 55th, 56th, 61st, 63rd, 64th, 66th, 67th, 68th, 70th, 72nd, 81st, 83rd, 86th, 87th, 91st, 94th, 96th, 99th, 101st, 123rd, 142nd, 144th, 146th, 149th, 150th, 156th and 157th sessions.<sup>1</sup>

(Marginal references are to the Constitution of UNESCO.)

D

## Table of contents

### I. Sessions

- Rule 1 Frequency.
- 2 Date and place.
- 3 Special sessions.
- 4 Convocation.

### II. Agenda

- Rule 5 Provisional agenda.
- 6 Revised provisional agenda.
- 7 Adoption of the agenda.
- 8 Amendments, deletions and new items.

### III. Composition

- Rule 9 Members.

### IV. Officers

- Rule 10 Elections.
  - 11 Temporary Chairman.
  - 12 Replacement of Chairman.
  - 13 General powers of the Chairman.
  - 14 Bureau.
  - 15 Functions of Vice-Chairmen.

### V. Commissions and committees

- Rule 16 Permanent commissions and committees.
- 17 Temporary committees.
- 18 *Ex officio* member.

1. See 32 EX/Decision 6; 33 EX/Decision 7.1; 37 EX/Decision 8.1.II; 40 EX/Decision 2; 41 EX/Decision 6.1; 42 EX/Decision 6.1; 47 EX/Decision, Annex I; 48 EX/Decision 5.2; 51 EX/Decision 9.5(1); 55 EX/Decisions 6.8, 6.10, 6.11; 56 EX/Decision 11.2; 61 EX/Decisions 5.2.4.1, 5.2.7; 63 EX/Decision 18.7; 64 EX/Decision 16; 66 EX/Decision 8.9; 67 EX/Decision 3.6.8; 68 EX/Decision 9.3; 70 EX/Decision 15; 72 EX/Decision 9.2; 81 EX/Decision 9.2; 83 EX/Decision 3.1(II); 86 EX/Decision 10.2; 87 EX/Decision 7.4; 91 EX/Decision 4; 94 EX/Decision 5.1 (Second Part, Part I, Chapter 2); 96 EX/Decision 4; 99 EX/Decision 9.9; 101 EX/Decision 4; 123 EX/Decision 4; 142 EX/Decision 3.1.2; 144 EX/Decision 3.1.5; 146 EX/Decision 3.1.2; 149 EX/Decision 5.7; 150 EX/Decision 4.2; 156 EX/Decisions 5.4 and 5.5; 157 EX/Decision 6.4.



## **VI. Director-General and Secretariat**

- Rule 19 Director-General.
- 20 Secretariat.

## **VII. Working languages, records and documents**

- Rule 21 Working languages.
- 22 Time-limits for distribution of documents.
- 23 Summary records.
- 24 Decisions.
- 25 Verbatim records and recordings.
- 26 Communication of documentation to Member States, etc.

## **VIII. Meetings**

- Rule 27 Quorum.
- 28 Publicity of meetings.
- 29 Private meetings and documents.

## **IX. Conduct of business**

- Rule 30 Speeches.
- 31 Order of speeches.
- 32 Time-limit on speeches.
- 33 Closing of list of speakers.
- 34 Texts of proposals.
- 35 Withdrawal of proposals.
- 36 Division of proposals.
- 37 Voting on amendments.
- 38 Order of voting on proposals.
- 39 Points of order.
- 40 Procedural motions.
- 41 Suspension or adjournment of the meeting.
- 42 Adjournment of debate.
- 43 Closure of debate.
- 44 Order of procedural motions.
- 45 Reconsideration of proposals.
- 46 New documents during sessions.
- 47 Adoption of draft decisions recommended by plenary commissions

## **X. Voting**

- Rule 48 Voting rights.
- 49 Conduct during voting.
- 50 Simple majority.
- 51 Two-thirds majority.
- 52 Show of hands.
- 53 Roll-call.
- 54 Secret ballot.
- 55 Conduct of voting by secret ballot.
- 56 Voting in elections.
- 57 Equally divided votes.

## **XI. Special procedures**

- Rule 58 Nomination of Director-General.
- 59 Consultation regarding appointments to the Secretariat.
- 60 Special consultation by correspondence.

## **XII. Financial and administrative arrangements**

- Rule 61 Travel expenses and subsistence allowance.
- 62 Reimbursement of office expenses.
- 63 Representation allowance.
- 64 Restriction on other expenses and allowances and on remuneration.
- 65 Restriction on appointment to Secretariat.

## **XIII. Amendment and suspension**

- Rule 66 Amendment.
- 67 Suspension.

## **Annex**

Regulations for payment of travel expenses, subsistence allowance and office expenses to representatives appointed by the Members of the Executive Board.

## I. Sessions

Rule 1  
[Const. V.B.9]

### Frequency

1. The Executive Board shall meet in regular session at least four times during a biennium.
2. The Board shall as a general rule hold two regular sessions per year.

Rule 2

### Date and place

The Board shall determine at each session the date and place of the next session. The date may be modified if necessary by the Chairman. The Board shall normally meet at the Headquarters of the Organization or at the seat of the General Conference. It may meet elsewhere if so decided by a majority of the Members.

Rule 3  
[Const. V.B.9]

### Special sessions

1. The Executive Board may meet in special session if convoked by the Chairman on his own initiative or on the request of six Members of the Board.
2. That request must be made in writing.

Rule 4

### Convocation

1. A written notice of convocation shall be sent by the Chairman to each Member of the Board at least thirty days before the opening of each regular session or at least fifteen days before the opening of a special session. The Chairman shall also inform the President of the General Conference of the convocation.
2. The Director-General shall, at the same time, inform the United Nations and the specialized agencies of the session and invite them to be represented at it.

## II. Agenda

Rule 5

### Provisional agenda

1. The Chairman shall prepare a provisional agenda which shall be dispatched to all Members of the Board at least thirty days before

the opening of a regular session and as soon as possible in the case of a special session.

2. The provisional agenda shall include:
  - all questions referred to the Board by the General Conference;
  - all questions proposed by the United Nations;
  - all questions proposed by Member States;
  - all questions the inclusion of which has been decided by the Board at previous sessions;
  - all questions proposed by Members of the Board;
  - all questions proposed by the Director-General;
  - questions required by the Constitution, the present Rules or any other applicable rules and regulations.
3. Items proposed shall have a direct link with the Organization's fields of competence.

Rule 6 **Revised provisional agenda**

The Chairman may prepare a revised provisional agenda to include any questions proposed between the dispatch of the provisional agenda and the opening of the session or any other necessary modifications.

Rule 7 **Adoption of the agenda**

The Board shall adopt its agenda at the beginning of each session.

Rule 8 **Amendments, deletions and new items**

The Board may amend or add new items to the agenda so adopted if so decided by a majority of the Members present and voting. Subject to the provisions of Rule 22, such new items shall not be discussed until 48 hours after their inclusion in the agenda, unless otherwise decided by the Board.

### **III. Composition**

Rule 9 **Members**

[Const. V.A.1(a)]

1. The Executive Board shall be elected by the General Conference, and it shall consist of 58 Member States. The President of the General Conference shall sit *ex officio* in an advisory capacity on the Executive Board.

- [Const. V.A.1(b)] 2. Elected States Members of the Executive Board are hereinafter referred to as “Members” of the Executive Board.
- [Const. V.A.2(a)] 3. Each State Member of the Executive Board shall appoint a representative. It may also appoint alternates.
- [Const. V.A.2(b)] 4. In selecting its representative on the Executive Board, the State Member shall endeavour to appoint a person qualified in one or more of the fields of competence of UNESCO and with the necessary experience and capacity to fulfil the administrative and executive duties of the Board. Bearing in mind the importance of continuity, each representative shall be appointed for the duration of the term of the State Member, unless exceptional circumstances warrant his replacement. The alternates appointed by each State Member of the Board shall act in the absence of its representative in all his functions.
5. Each State Member of the Executive Board shall transmit to the Director-General in writing the name and curriculum vitae of its representative and the name of his alternates. It shall also inform the Director-General of any changes in those appointments. The Director-General shall communicate the above-mentioned information to the Chairman of the Executive Board.

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## IV. Officers

### Elections

- Rule 10  
[Const. V.B.8]
1. At the opening of the session following each ordinary session of the General Conference, the Board shall elect, from among the representatives of the Member States elected to the Executive Board, a Chairman. The Board shall also elect six Vice-Chairmen from among its Members. The Chairman shall be elected by secret ballot. If the Chairman finds that there is a lack of consensus regarding the election of the Vice-Chairmen, an election by secret ballot shall then be held.
2. The Chairman shall not be immediately re-eligible. At the end of the two-year mandate of the outgoing Chairman, a new Chairman shall be elected from among the representatives of the other Members of the Board.

Rule 11 **Temporary Chairman**

At the opening of the first session held by the Executive Board after each ordinary session of the General Conference, the President of the General Conference shall preside until the Board has elected its Chairman.

Rule 12 **Replacement of Chairman**

If the Chairman is for any reason unable to complete his term of office, the Board shall elect a successor, in accordance with the provisions of Rule 10, to replace him for the remainder of the term.

Rule 13 **General powers of the Chairman**

In addition to exercising the powers conferred upon him elsewhere by these Rules, the Chairman shall have the following powers: he shall declare the opening and closing of meetings, shall direct the discussion, ensure the observance of these Rules, accord the right to speak, rule on points of order, put questions to the vote and announce decisions. He shall have the right to take part in the discussions and to vote but shall not have a casting vote. He shall represent the Board with Member States, the United Nations, the specialized agencies, governmental and non-governmental organizations and the Director-General. He shall exercise all other functions given to him by the Board.

Rule 14 **Bureau**

1. To assist him in the exercise of his functions, the Chairman may convoke, in connection with sessions of the Board and, in case of necessity, between sessions, the Vice-Chairmen and the Chairmen of the permanent commissions, the Special Committee, the Committee on Conventions and Recommendations and the Committee on International Non-Governmental Organizations who shall constitute, with him, the Bureau of the Board.
2. Questions relating to invitations to conferences and the conclusion of agreements with international organizations or other matters on which it appears unnecessary to open a discussion shall be studied by the Bureau, which shall transmit to the Board suggestions as to the required decision. Any Member may, at the time of the transmission of those suggestions, request a discussion of any item for which the Bureau has recommended adoption of decisions without discussion; in that case, the item mentioned shall be discussed by the Board.

3. The Bureau will act as an agenda committee to recommend the allocation of time and the order of business for the session.

Rule 15

#### **Functions of Vice-Chairmen**

1. In the absence of the Chairman during the session, his functions shall be exercised in turn by the Vice-Chairmen.
2. Should the Chairman be unable to exercise his functions between sessions, the Vice-Chairmen shall designate, by vote if necessary, a Vice-Chairman to replace him until such time as Rule 12 may be applied. The office of Chairman may only be held by the representative of a Member of the Board.

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## **V. Commissions and committees**

Rule 16

#### **Permanent commissions and committees**

1. After the election of new Members of the Board at each ordinary session of the General Conference, the Board shall establish from among its Members the permanent commissions and committees necessary to assist it in the execution of its tasks, such as a Finance and Administrative Commission, a Programme and External Relations Commission, a Special Committee, a Committee on Conventions and Recommendations and a Committee on International Non-Governmental Organizations.
2. The Chairmen of the Commissions, the Special Committee, the Committee on Conventions and Recommendations and the Committee on International Non-Governmental Organizations shall be elected by the Board by secret ballot from among the representatives appointed by the Members elected to the Board. At the opening of each session and for the duration of that session, each commission and committee shall elect, from among the representatives of its Members, a temporary Chairman preferably belonging to the same electoral group as its Chairman in order to replace the latter in the exercise of all his functions during his temporary absence.
3. If a Chairman of a commission or any other subsidiary body is for any reason unable to complete his term of office, the Board shall elect by secret ballot a successor to replace him for the remainder of the term.
4. The commissions and committees shall examine and report to the Executive Board on all questions referred to them by the Executive

Board, or, if necessary, by its Chairman, and shall exercise such other responsibilities as may be entrusted to them by the Board.

5. The Finance and Administrative Commission is requested by the Board to submit the draft programme and budget to a technical examination, which shall include a detailed study of the advisability of some of the administrative measures proposed and of their financial implications and to make a detailed report thereon to the Board.

Rule 17

### **Temporary committees**

The Board may also establish such temporary committees as it considers necessary for the execution of its task. The terms of reference of such committees shall be specifically defined by the Executive Board at the time of their establishment.

Rule 18

### ***Ex officio* member**

The Chairman of the Executive Board shall be *ex officio* a Member of all organs of the Board.

## **VI. Director-General and Secretariat**

Rule 19

[Const. VI.3]

### **Director-General**

The Director-General or his representative shall participate, without the right to vote, in all meetings of the Executive Board, its organs and its Bureau. He may formulate proposals for appropriate action by the Board and make either oral or written statements concerning any question under consideration.

Rule 20

### **Secretariat**

1. The Director-General shall place at the disposal of the Board a staff member who shall act as Secretary of the Board.
2. The Secretary of the Executive Board shall prepare all meetings of the Board and its organs, attend all meetings, record the decisions, supervise the preparation of summary records and the translation and distribution to the Members of the Board of documents and summary records. He shall carry out all tasks entrusted to him by the Chairman of the Board. He shall establish and keep up to date the archives of the Executive Board and prepare the publication of its decisions.

## VII. Working languages, records and documents

Rule 21

### **Working languages**

Arabic, Chinese, English, French, Russian and Spanish shall be the working languages of the Executive Board.

Rule 22

### **Time-limits for distribution of documents**

1. The proposed programme and budget to be submitted to the General Conference in its working languages shall be distributed to Members of the Executive Board at least 30 days before the opening of the session of the Board at which it is to be considered.
2. Documents relating to items on the provisional agenda of each session of the Board shall normally be distributed to its Members in the working languages of the Board at least 30 days before the opening of the session. Exceptions to this Rule may be made only if the permission of the Chairman has been previously obtained.
3. Unless the Board decides otherwise, it shall not discuss any items, except the reports of commissions and committees, until at least 48 hours after the distribution of the relevant documents in its working languages to Members present.

Rule 23

### **Summary records**

1. A summary record of all plenary meetings of the Board shall be prepared by the Secretariat. A provisional text shall be submitted to Members for correction as soon as possible but shall not be made public.
2. A corrected text of the summary records of public meetings shall be published not later than three months after the close of each session.
3. At the beginning of each session the Board shall approve the summary records of the public meetings of the previous session.
4. The summary records of private meetings shall be approved by the Board in private meeting.

Rule 24

### **Decisions**

The decisions adopted by the Board during the session shall be published not later than one month after its close.



Rule 25

**Verbatim records and recordings**

A verbatim record or a sound recording of the Board's proceedings may be made if the Board so decides; the publication and disposal of these records shall be subject to the decision of the Board. The Members of the Board may have free access to the sound recordings of their own interventions in public or private meetings and, if they so wish, may take a verbatim transcript of their own speeches.

Rule 26

**Communication of documentation to Member States, etc.**

The Director-General shall communicate all documents and final summary records of public meetings of the Board, and the text of the decisions adopted at each session, to Member States, National Commissions, the United Nations and the specialized agencies immediately on publication.

## **VIII. Meetings**

Rule 27

**Quorum**

1. At meetings of the Board the quorum shall consist of a majority of its Members.
2. The Board shall not decide on any matter unless a quorum is present.
3. At meetings of subsidiary bodies the quorum shall consist of a majority of the Members appointed to the body in question. However, if, after five minutes' adjournment, there is still no quorum as above defined, the Chairman may request the agreement of all Members actually present temporarily to waive the provisions of this paragraph.

Rule 28

**Publicity of meetings**

The meetings of the Board shall, unless the Board decides otherwise, be held in public.

Rule 29

**Private meetings and documents**

1. When, in exceptional circumstances, the Board decides to hold a private meeting it shall determine the persons who shall be present, having regard to Article VI.3 of the Constitution, to the right of

Members to be accompanied by advisers or experts, and to agreements entered into with the United Nations and the specialized agencies.

2. Any decision taken by the Board at a private meeting shall be announced at a subsequent public meeting.
3. At each private meeting, the Board shall decide whether a report of its work at that meeting shall be published.
4. Private documents shall normally be made accessible to the public after a period of twenty years.

D

## IX. Conduct of business

Rule 30

### Speeches

1. No one may address the Board without having previously obtained the permission of the Chairman. The Chairman may call a speaker to order if his or her remarks are not relevant to the subject under discussion.
2. Representatives of the United Nations and the specialized agencies may participate without the right to vote, in the discussions of the Board and its subsidiary organs.
3. Observers of Member States and of non-Member States may be invited by the Board to address it on matters under discussion.
4. Observers of intergovernmental or international non-governmental organizations and other qualified persons may be invited by the Board to address it on matters within their competence.
5. Any Member of the Board may take part in the work of subsidiary bodies to which it does not belong. In such cases, and in the absence of any contrary decision by the Board, it shall not have the right to vote.

Rule 31

### Order of speeches

The Chairman shall call upon speakers in the order in which they signify their wish to speak.

Rule 32

### Time-limit on speeches

The Board may limit the time to be allowed to each speaker.

Rule 33                    **Closing of list of speakers**

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Board, declare the list closed. He may, however, accord the right of reply to a Member if a speech delivered after the list has been declared closed makes this desirable.

Rule 34                    **Texts of proposals**

At the request of any Member, supported by two other Members, discussion of any substantive motion, resolution or amendment shall be suspended until the text is circulated in the working languages to all Members present.

Rule 35                    **Withdrawal of proposals**

A proposal may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal has not been amended. A proposal withdrawn may be reintroduced by any other Member.

Rule 36                    **Division of proposals**

Parts of a proposal shall be voted on separately if a Member requests that the proposal be divided. Those parts of a proposal which have been approved in separate vote shall then be put to a vote as a whole. If all the operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 37                    **Voting on amendments**

1.    When an amendment to a proposal is moved, the amendment shall be voted on first.
2.    When two or more amendments to a proposal are moved, the Board shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote. The Chairman shall determine the order of voting on amendments under this Rule.
3.    If one or more amendments are adopted, the amended proposal shall then be voted upon.
4.    A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 38

**Order of voting on proposals**

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Board decides otherwise, be voted on in the order in which they were submitted. The Board may, after each vote on a proposal, decide whether to vote on the next proposal.
2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

Rule 39

**Points of order**

During the discussion of any matter a Member may rise to a point of order and the point of order shall be immediately decided by the Chairman. An appeal may be made against the ruling of the Chairman. It shall be put to the vote immediately and the Chairman's ruling shall stand unless overruled by a majority of Members present and voting.

Rule 40

**Procedural motions**

During discussion of any matter, a Member may propose a procedural motion: suspension or adjournment of the meeting, adjournment of the debate or closure of the debate.

Rule 41

**Suspension or adjournment of the meeting**

During the discussion of any matter, a Member may move the suspension or the adjournment of the meeting. Any such motion, if seconded, shall be put to the vote immediately and without discussion.

Rule 42

**Adjournment of debate**

During the discussion of any matter, a Member may move the adjournment of the debate on the item under discussion. On moving the adjournment a Member shall indicate whether he moves the adjournment *sine die* or to a particular time which he shall specify. Any such motion, if seconded, shall be put to the vote immediately and without discussion.

Rule 43

**Closure of debate**

During the discussion of any matter, a Member may move the closure of the debate whether or not any other Member has signified his wish to speak. If such a motion is seconded, the Chairman shall indicate the proposals which have been submitted on the substance of the item under discussion



and which shall be put to the vote after the closure of the debate. Permission to speak against the closure may be accorded to not more than two speakers. The Chairman shall then put to the vote the motion for closure and, if the Board is in favour, he shall declare the closure of the debate.

Rule 44                    **Order of procedural motions**

Subject to Rule 39 the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the item under discussion;
- (d) to close the debate on the item under discussion.

Rule 45                    **Reconsideration of proposals**

When a proposal has been adopted or rejected it may not be reconsidered at the same session of the Board, unless the Board, by a two-thirds majority of the Members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 46                    **New documents during sessions**

When, during sessions of the Board or of its subsidiary organs, new documents are requested, the Director-General shall, prior to a decision being taken thereon, submit an estimate of the cost of their production.

Rule 47                    **Adoption of draft decisions recommended  
by plenary commissions**

The Board shall adopt the entire set of draft decisions recommended by each plenary commission (Programme and External Relations Commission and Finance and Administrative Commission) as a whole, unless a Member State requests that a specific decision be adopted separately.

## **X. Voting**

Rule 48                    **Voting rights**

Each Member of the Board shall have one vote.

Rule 49

**Conduct during voting**

After the Chairman has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 50

**Simple majority**

Decisions of the Board shall be taken by a simple majority of the Members present and voting, except where otherwise specified in these Rules. For the purposes of determining the majority, only Members casting an affirmative or negative vote shall be counted as “present and voting”; Members who abstain from voting shall be considered as not voting.

Rule 51

**Two-thirds majority**

In the following cases a two-thirds majority of the Members present and voting is required:

- reconsideration of proposals (Rule 45);
- consultation by correspondence (Rule 60);
- amendment of Rules of Procedure (Rule 66);
- suspension of Rules of Procedure (Rule 67);
- establishment, before each session of the General Conference, of the list of States not Members of UNESCO which are to be invited to send observers to that session.

Rule 52

**Show of hands**

Voting shall normally be by show of hands. In this case, if there is any doubt concerning the result of a vote, the Chairman may take a second vote by show of hands or by roll-call.

Rule 53

**Roll-call**

At the request of any Member, a vote shall be taken by roll-call; Members’ names shall be called in alphabetical order and the vote of each Member participating shall be recorded in the summary record of the meeting.

Rule 54

**Secret ballot**

1. The nomination of a candidate for the post of Director-General shall be decided by secret ballot.



2. All other elections and decisions relating to individuals shall be voted on by secret ballot whenever five or more Members shall so request or if the Chairman shall so decide.

Rule 55

**Conduct of voting by secret ballot**

1. Before the vote begins, the Chairman shall appoint two tellers to scrutinize the votes cast.
2. When the counting of the votes is completed and the tellers have reported to the Chairman, he shall announce the results of the ballot bearing in mind that the voting will be recorded as follows:
  - (a) From the total number of the Members of the Board will be deducted:
    - the number of Members absent, if any;
    - the number of blank ballot papers, if any;
    - the number of invalid ballot papers, if any.
  - (b) The remaining number will constitute the number of votes recorded. The majority required will be more than half that number.
  - (c) Those receiving a number of votes in favour, equal or superior to the majority required shall be declared elected.

Rule 56

**Voting in elections**

1. When a single elective place is to be filled, any candidate obtaining in the first ballot an absolute majority (i.e. more than half) of the votes cast shall be declared elected.
2. If no candidate obtains an absolute majority in the first ballot, further ballots shall be taken. Any candidate obtaining an absolute majority of the votes cast shall be declared elected. If, after four ballots have been taken, no candidate has obtained an absolute majority, a final ballot shall be taken, restricted to the two candidates who obtained the most votes in the fourth ballot. The candidate obtaining a majority of the votes cast shall be declared elected.
3. When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot an absolute majority of the votes cast shall be declared elected. If the number of candidates obtaining such a majority is less than the number of places to be filled, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not exceeding twice the number of places remaining to be filled.
4. If necessary, in order to determine the candidates to participate in a restricted ballot, an eliminating ballot may be taken restricted to

the candidates having obtained the same number of votes in the previous ballot.

5. If, in the final ballot or an eliminating ballot, two or more candidates obtain the same number of votes, the Chairman shall decide between them by drawing lots.

Rule 57

#### **Equally divided votes**

If a vote is equally divided, in voting not concerned with elections, a second vote shall be taken after a suspension of the meeting. If there is still no majority in favour of the proposal, it shall be considered as lost.

D

## **XI. Special procedures**

Rule 58

#### **Nomination of Director-General**

1. At least six months before the expiry of the term of office of the Director-General or as soon as possible in case of vacancy at any other time, the Executive Board shall invite Member States to suggest, confidentially, the names of persons who might be considered for the post of Director-General, requesting them at the same time to provide full biographical details regarding these persons.
2. The Executive Board shall consider in private meeting all the names so suggested, together with any proposed by Members of the Board, provided that no candidature shall be considered unless biographical details are available.
3. The person to be nominated by the Executive Board shall be chosen by secret ballot.
4. The Chairman of the Board shall inform the General Conference of the candidate nominated by the Board.

Rule 59

#### **Consultation regarding appointments to the Secretariat**

1. The Director-General shall inform the Board of every appointment, promotion or renewal of a contract of officials at D-1 level and above that has taken place since the previous session and report on the proper application of the personnel management system.
2. The Director-General shall consult the Executive Board in private meeting at least once every two years regarding the structure of the Secretariat and, in particular, on any important changes he



contemplates making in it and on any questions of policy involved in making appointments to senior posts in the Secretariat. On this occasion, the Executive Board shall review any appointments or renewals of contract, referred to in paragraph 1, which the Director-General may have made since the Board's last private meeting for purposes of consultation.

Rule 60                    **Special consultation by correspondence**

Should the approval of the Executive Board be required for measures of exceptional urgency and importance while the Board is not in session, the Chairman may, if he judges proper, consult the Members by correspondence. The proposed measures shall be adopted if they are approved by two thirds of the Members.

## **XII. Financial and administrative arrangements**

Rule 61                    **Travel expenses and subsistence allowance**

The Organization shall pay for travel performed by the representatives of the Members of the Board in the execution of their duties as Members and shall provide them with a subsistence allowance, on the conditions defined in the annex to these Rules.

Rule 62                    **Reimbursement of office expenses**

The Organization shall also reimburse to the representatives of the Members at their request secretariat and communication expenses incurred in the performance of their functions as Members, on the conditions defined in the annex to these Rules.

Rule 63                    **Representation allowance**

A representation allowance, of an amount to be determined from time to time by the General Conference, on the proposal of the Board, shall be paid to the Chairman of the Executive Board, during his term of office as Chairman, on the conditions fixed by him.

Rule 64

**Restriction on other expenses and allowances and on remuneration**

The representatives and alternates appointed by Members of the Board shall not, during their term of office, accept from the Organization payment of any expenses or allowances other than those provided for in Rules 61, 62 and 63. They shall not receive any fees or remuneration from the Organization during their term of office.

Rule 65

**Restriction on appointment to Secretariat**

Representatives and alternates appointed by Members of the Board may not enter into a contractual relationship with the Secretariat until 18 months have elapsed from the date of cessation of their representative functions.



**XIII. Amendment and suspension**

Rule 66

**Amendment**

These Rules of Procedure, except when they reproduce provisions of the Constitution or decisions of the General Conference, may be amended by a decision of the Executive Board taken by a two-thirds majority of the Members present and voting, provided that the proposal for amendment has first been placed on the agenda.

Rule 67

**Suspension**

A Rule of Procedure, except when it reproduces provisions of the Constitution or decisions of the General Conference, may be suspended by a decision of the Board taken by a two-thirds majority of the Members present and voting provided that 24 hours' notice of the proposal for suspension has been given. The notice may be waived if no Member objects.

ANNEX

## **Regulations for payment of travel expenses, subsistence allowance and office expenses to representatives appointed by the Members of the Executive Board<sup>1</sup>**

### **I. Travel expenses and subsistence allowances**

The payment of travel expenses and the subsistence allowance provided for in Rule 61 of the Rules of Procedure of the Executive Board shall be subject to the following conditions:

#### **1. Travel expenses payable by the Organization**

- 1.1 Journeys (round trips) carried out in the execution of official duties:
  - (a) By representatives appointed by the Members of the Executive Board (or subject to the provisions of paragraph 5 below, by their alternates), between their normal place of residence and the place of any meeting of the Board or of its subsidiary organs.
  - (b) By representatives appointed by the Members of the Executive Board only, between the seat of their government or the capital city of their country and the place of any session of the Executive Board, on the understanding:
    - (i) that the journeys referred to in this section shall take place after the receipt of the provisional agenda of any session of the Executive Board;
    - (ii) that those journeys shall not exceed the number of regular or special sessions held each year; and
    - (iii) that paragraph 3.1.3 of the present annex regarding the subsistence allowance shall not apply to such cases.
- 1.2 Travel of a representative appointed by the Member, or of any other person specially appointed by the Board, to perform a mission on behalf of the Board, within the terms of a specific decision of the Board.

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1. See 32 EX/Decision 6; 33 EX/Decision 7.1; 42 EX/Decision 6.1; 55 EX/Decision 6.10; 56 EX/Decision 11.2; 66 EX/Decision 8.9; 87 EX/Decision 7.4; 94 EX/Decision 5.1 (Second Part, Part I, Chapter 2); 99 EX/Decision 9.9; 129 EX/Decision 7.6; 135 EX/Decision 8.1; 146 EX/Decision 3.1.2.

**2. Route, mode and class of travel**

- 2.1 The amount of transportation costs payable shall be:
- (a) By air: standard business class for the representatives of States Members of the Board and first class for the Chairperson;
  - (b) By rail: first class, with sleeper;
  - (c) By sea: minimum first-class accommodation on the ship travelled in; or the actual fare by direct route, whichever is less.
- 2.2 However, the sum payable for rail or sea travel shall in no way exceed the cost of travel by air as specified in paragraph 2.1(a) above.
- 2.3 Costs resulting from delays (other than those for which the traveller is not responsible), indirect route or travel originating or terminating elsewhere than the traveller's normal place of residence shall not be payable.
- 2.4 If a private car is used for travel, transportation costs shall be payable at the rate per kilometre of direct route applied by the Organization, but not exceeding the costs of standard first class or business class air travel as specified in paragraph 2.1(a) above; no transportation costs shall be payable in respect of other persons travelling in the same car.
- 2.5 Whenever possible, tickets and reservations shall be obtained through UNESCO; when this is not done, the authorized costs may be reimbursed to the traveller in the currency in which expenditure was made or in French francs.

**3. Subsistence allowance**

- 3.1 A subsistence allowance shall be payable:
- 3.1.1 During travel, for each day spent in travel the costs of which are paid by the Organization;
  - 3.1.2 During meetings of the Board or of its subsidiary organs, for each day throughout the period of meetings spent in the locality in which the meetings are held, including, when meetings are held immediately before, during or immediately after sessions of the General Conference, each day covered by the whole period of meetings of the Board and the Conference; however, representatives appointed by the Members or alternates attending meetings in the locality in which they normally reside (i.e. when no travel or only urban travel is involved) shall receive a subsistence allowance only in respect of days on which they attend meetings;

- 3.1.3 During missions, for each day required for the performance of this mission and spent elsewhere than in the locality in which the representative appointed by the Member normally resides.
- 3.2 When the interval between two sessions is not sufficient to enable a representative appointed by the Member to return conveniently to his normal place of residence he may receive, at his request, instead of the payment of the round trip to his place of residence, a daily subsistence allowance equivalent to 75 per cent of the daily subsistence allowance granted during sessions for the period between the close of one session and the opening of the next, provided that the amount so to be provided by the Organization shall not exceed the cost of a round trip between the place of meeting and the representative appointed by the Member's normal place of residence.
- 3.3 The rates payable to representatives appointed by the Members of the Board shall be those applicable to the Director-General.
- 3.4 When representatives appointed by the Members or alternates attend meetings in the locality in which they normally reside (i.e. when only urban travel is involved) half the applicable rate shall be paid.
- 3.5 The subsistence allowance for days spent in travel may be paid either in the currency of the country or final destination or, in case of travel to attend meetings, in the currency of the country in which the meeting is held. The subsistence allowance for the period of meetings shall be paid in the currency of the country in which the meetings are held. At the request of the Board Members or their alternates, up to one third of the subsistence allowance may be paid in another currency.
- 3.6 The subsistence allowance shall not be deemed to cover the following expenses which shall be reimbursable to the traveller upon request:
  - 3.6.1 Passports or visas required for travel the costs of which are paid by the Organization;
  - 3.6.2 Excess baggage, if the excess is certified to consist of documents or equipment necessary for business in connection with the Board;
  - 3.6.3 Baggage insurance premiums, subject to a maximum insured amount of \$1,000;
  - 3.6.4 Taxi fares from place of residence or business to station, port or airport and vice versa or between two transportation termini if a necessary part of travel;
  - 3.6.5 Representation expenses incurred during a mission covered by paragraph 1.2.

**4. Insurance**

- 4.1 The Organization shall take out an *accident insurance* policy for the duration of each session, including travel to and from the place of meeting, for a capital sum of \$125,000, for each of the representatives appointed by the Board Members during each session of the Board, or his alternate when he replaces the representative appointed by the Member for an entire session. This insurance shall cover the following risks: death and permanent, total or partial disablement resulting from an accident to the person insured occurring at any time during each session of the Board, including accidents during both journeys between the place of residence and the place in which the meeting is held.<sup>1</sup>
- 4.2 Representatives appointed by the Board Members shall also be covered by a *health insurance* policy providing for the payment of medical expenses (hospitalization, consultations, pharmaceutical expenses) incurred during their stay in the place of meeting of the Board or the General Conference. These expenses shall be reimbursable at the rate of 100 per cent up to a ceiling of \$12,500 per Member insured and per session. Chronic or pre-existing illness, as well as optical and dental expenses, are excluded from this scheme.<sup>2</sup>

**5. Alternates**

- 5.1 When a representative appointed by the Member is absent and is represented by one or more alternates at certain meetings of a session or of a group of meetings, a subsistence allowance shall be payable to one alternate only in respect of days on which he represents the Member at meetings.
- 5.2 When an alternate or alternates attend a session or group of meetings, transportation costs shall be payable for one alternate only, and provided that the representative appointed by the Member renounces, for that session or group of meetings, any travel entitlement he may have under subparagraph 1.1(a) and (b).

1. See 66 EX/Decision 8.9.

2. See 87 EX/Decision 7.4; 94 EX/Decision 5.1 (Second Part, Part I, Chapter 2); 99 EX/Decision 9.9.

**6. New members**

Representatives appointed by the Members newly elected to the Board shall be eligible to receive a subsistence allowance in respect of any meetings held immediately after the close of the session of the General Conference at which they are elected, but their transportation expenses on this occasion shall not be payable by the Organization.

**7. General conditions**

- 7.1 Any exchange calculations involved in the application of these regulations shall be based on the official rates available to UNESCO on the day on which the transactions is effected.
- 7.2 Any payment made under these regulations shall be subject to the implicit undertaking by the representative appointed by the Member that payment for the same purpose has not been received from any other source.
- 7.3 Any question concerning the interpretation of these regulations shall be submitted to the Chairman of the Board who shall consult the Board if necessary.

## **II. Reimbursement of office expenses**

The reimbursement of office expenses provided for in Rule 62 of the Rules of Procedure of the Executive Board shall be subject to the following conditions:

1. Expenses in the following categories shall be eligible for reimbursement:
  - secretarial expenses;
  - stationery;
  - cable, postage and telephone charges.
2. Reimbursement shall be made annually on the basis of statements presented by the representative appointed by the Member, accompanied whenever possible by full documentation substantiating the request.
3. Reimbursement shall be made in the currency in which the expenditure was incurred or in French francs.
4. The amount to be reimbursed to any representative appointed by the Member shall not exceed \$100 in any year.

# Financial Regulations

Adopted by the General Conference at its 6th session and amended at its 7th, 8th, 10th, 12th, 14th, 16th, 17th, 19th, 22nd, 23rd, 24th, 25th, 26th and 28th sessions.<sup>1</sup>

## Article 1

### **Applicability**

- 1.1 These Regulations shall govern the financial administration of UNESCO.

## Article 2

### **Financial period**

- 2.1 The financial period shall be two consecutive calendar years beginning with an even-numbered year.

## Article 3

### **The budget**

- 3.1 The budget estimates for the financial period shall be prepared by the Director-General.
- 3.2 The estimates shall cover income and expenditure for the financial period and shall be presented in dollars of the United States of America.
- 3.3 The budget estimates shall be divided into parts, chapters, sections, and items, and shall be accompanied by such information annexes and explanatory statements as may be requested by or on behalf of

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1. See 6 C/Resolutions, pp. 53-4, 59 and 67-72; 7 C/Resolutions, pp. 89 and 116-19; 8 C/Resolutions, p. 18; 10 C/Resolutions, pp. 62-3; 12 C/Resolutions, pp. 95-6; 14 C/Resolutions, p. 108; 16 C/Resolutions, p. 100; 17 C/Resolutions, p. 124; 19 C/Resolutions, p. 99; 22 C/Resolutions, pp. 117-18; 23 C/Resolutions, pp. 119-20; 24 C/Resolutions, pp. 176-77 and 183-84; 25 C/Resolutions, pp. 206-7; 26 C/Resolutions, p. 152; 28 C/Resolutions, pp. 123 and 133-34.



- the General Conference, and such further annexes or statements as the Director-General may deem necessary and useful.
- 3.4 The Executive Board shall examine budget estimates prepared by the Director-General and submit them to the ordinary session of the General Conference with such recommendations as it considers desirable. The budget estimates shall be transmitted to all Member States and Associate Members so as to reach them at least three months prior to the opening of the ordinary session of the General Conference.
  - 3.5 The Director-General shall, prior to the opening of the ordinary session of the General Conference, submit the estimates to the Executive Board for examination.
  - 3.6 The recommendations of the Executive Board concerning the budget estimates that accompany the draft programme prepared by the Director-General shall be transmitted to Member States and Associate Members so as to reach them at least three months prior to the opening of the ordinary session of the General Conference.
  - 3.7 The budget shall be adopted by the General Conference.
  - 3.8 Supplementary estimates may be submitted by the Director-General whenever necessary. They shall be prepared in a form consistent with the estimates for the financial period and shall be submitted to the Executive Board.
  - 3.9 Supplementary estimates to a total of 7.5 per cent of the appropriation for the financial period may be approved provisionally by the Executive Board, after it is satisfied that all possibilities of savings and of transfers within Parts I to VI of the budget have been exhausted, and shall be reported to the General Conference for final approval. Supplementary estimates in excess of 7.5 per cent of the appropriations for the financial period shall be reviewed by the Executive Board and submitted to the General Conference with such recommendations as the Board may consider desirable.

#### Article 4

#### **Appropriations**

- 4.1 The appropriations voted by the General Conference shall constitute an authorization to the Director-General to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted, except that approval of the Executive Board shall be required for grants-in-aid and subsidies to other organizations.
- 4.2 Appropriations shall be available for obligation during the financial period to which they relate in accordance with the Appropriation Resolution.

- 4.3 Appropriations shall remain available for twelve months following the end of the financial period to which they relate to the extent that they are required to discharge obligations in respect of goods supplied and services rendered in the financial period and to liquidate any other outstanding legal obligations of the financial period. The balance of the appropriations remaining unobligated at the close of a financial period, after deducting therefrom any contributions from Member States relating to that financial period which remain unpaid, shall be apportioned among Member States in proportion to their assessed contributions for that financial period. The amount so apportioned to a Member State shall be surrendered to such Member State if its contribution for that financial period has been paid in full.
- 4.4 At the end of the twelve-month period provided for in Regulation 4.3, the then remaining unspent balance of appropriations retained after deducting therefrom any contributions from Member States relating to the financial period of the appropriation which remain unpaid, shall be apportioned among Member States in proportion to their assessed contributions for that financial period. The amount so apportioned to a Member State shall be surrendered to such Member State if its contribution for that financial period has been paid in full.
- 4.5 Transfers within the total amount appropriated may be made to the extent permitted by the terms of the budget resolution adopted by the General Conference.

**E****Article 5****Provision of funds**

- 5.1 The appropriations, subject to the adjustments effected in accordance with the provisions of Regulation 5.2, shall be financed by contributions from Member States, according to the scale of assessments determined by the General Conference. Pending the receipt of such contributions the appropriations may be financed from the Working Capital Fund.
- 5.2 In the assessment of the contributions of Member States adjustments shall be made to the amount of the appropriations approved by the General Conference for the following financial period in respect of:
  - (a) Supplementary appropriations for which contributions have not previously been assessed on the Member States;
  - (b) Miscellaneous income for which credits have not previously been taken into account, and any adjustments in estimated miscellaneous income previously taken into account;

- (c) Contributions resulting from the assessment of new Member States under the provisions of Regulation 5.9.
- 5.3 After the General Conference has adopted the budget and determined the amount of the Working Capital Fund, the Director-General shall:
  - (a) Transmit the relevant documents to Member States;
  - (b) Inform Member States of their commitments in respect of contributions to the budget and advances to the Working Capital Fund;
  - (c) Request them to remit one half of their contributions for the two-year financial period, together with their advances to the Working Capital Fund.
- 5.4 At the end of the first calendar year of the two-year financial period, the Director-General shall request Member States to remit the other half of their contributions for that financial period.
- 5.5 Contributions and advances shall be considered as due and payable in full within thirty days of the receipt of the communications of the Director-General referred to in Regulations 5.3 and 5.4 above or as of the first day of the year to which they relate, whichever is the later. As of 1 January of the following year the unpaid balance of such contributions and advances shall be considered to be one year in arrears.
- 5.6 Contributions to the budget shall be assessed partly in United States dollars and partly in French francs in a proportion to be determined by the General Conference and shall be paid in these or other currencies as decided by the General Conference. Advances to the Working Capital Fund shall be assessed and paid in a currency or currencies to be determined by the General Conference.
- 5.7 Payments made by a Member State shall be credited first to the Working Capital Fund and then to the contributions due, in the order in which the Member was assessed.
- 5.8 The Director-General shall submit to the ordinary session of the General Conference a report on the collection of contributions and advances to the Working Capital Fund.
- 5.9 New members shall be required to make a contribution for the financial period in which they become members and provide their proportion of the total advances to the Working Capital Fund at rates to be determined by the General Conference.

## Article 6

### **Funds**

- 6.1 There shall be established a General Fund for the purpose of accounting for the expenditures of the Organization. The

contributions paid by Member States under Regulation 5.1, Miscellaneous Income, and any advances made from the Working Capital Fund to finance general expenditures shall be credited to the General Fund.

- 6.2 There shall be established a Working Capital Fund in an amount and for purposes to be determined from time to time by the General Conference. The source of moneys of the Working Capital Fund shall be advances from Member States, and these advances made in accordance with the scale of assessments as determined by the General Conference for the apportionment of the expenses of UNESCO shall be carried to the credit of the Member States which have made such advances. If a Member State withdraws from the Organization, any credit it may have in the Working Capital Fund shall be used towards liquidation of any financial obligation such Member State may have to the Organization. Any residual balance shall be refunded to the Member State withdrawing.
- 6.3 Advances made from the Working Capital Fund to finance budgetary appropriations during a financial period shall be reimbursed to the Fund as soon as and to the extent that income is available for that purpose.
- 6.4 Except when such advances are recoverable from some other source, advances made from the Working Capital Fund for unforeseen and extraordinary expenses shall be reimbursed through the submission of supplementary estimates.
- 6.5 Income derived from investments of the Working Capital Fund shall be credited to Miscellaneous Income.
- 6.6 Trust Funds, Reserve and Special Accounts may be established by the Director-General and shall be reported to the Executive Board.
- 6.7 The purpose and limit of each Trust Fund, Reserve and Special Account shall be clearly defined by the appropriate authority. The Director-General may, when necessary in connection with the purposes of a Trust Fund, Reserve or Special Account, prepare special financial regulations to govern the operations of such funds and accounts, which shall be reported to the Executive Board; the Executive Board may make appropriate recommendations to the Director-General thereon. Unless otherwise provided, such funds and accounts shall be administered in accordance with the present Financial Regulations.

E

## Article 7

### **Other income**

- 7.1 All other income except: (a) contributions to the budget; (b) direct refunds of expenditures made during the financial period;

(c) advances or deposits to funds; and (d) interest on investments, excluding that on investments of the Working Capital Fund shall be classified as Miscellaneous Income, for credit to the General Fund.

- 7.2 Interest on investments, excluding that on investments of the Working Capital Fund, shall be disposed of in a manner to be decided by the General Conference.
- 7.3 Voluntary contributions, gifts, bequests and subventions, whether or not in cash, may be accepted by the Director-General provided that the purposes for which the contribution is made are consistent with the policies, aims and activities of the Organization and provided that the acceptance of such voluntary contributions, gifts, bequests and subventions which directly or indirectly involve additional financial liability for the Organization shall require the consent of the Executive Board.
- 7.4 Moneys accepted for purposes specified by the donor shall be treated as Trust Funds or Special Accounts under Regulations 6.6 and 6.7.
- 7.5 The Director-General may receive contributions in cash from States which, although neither Members nor Associate Members, participate in certain programme activities or enjoy certain facilities or services provided by the Organization; he shall report thereon to the Executive Board.
- 7.6 Moneys accepted in respect of which no purpose is specified shall be credited to the general sub-account of the Special Account for Voluntary Contributions.

Article 8

**Custody of funds**

- 8.1 The Director-General shall designate the bank or banks in which the funds of the Organization shall be kept.

Article 9

**Investment of funds**

- 9.1 The Director-General shall make short-term investments of moneys not needed for immediate requirements and shall include in the annual accounts of the Organization information on the investments held.
- 9.2 The Director-General may make long-term investments of moneys standing to the credit of Trust Funds, Reserve and Special Accounts as may be provided by the appropriate authority in respect of each such fund or account.
- 9.3 Income derived from investments shall be credited as provided in the rules relating to each fund or account.

## Article 10

**Internal control**

- 10.1 The Director-General shall:
- (a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;
  - (b) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received, and that payment has not previously been made;
  - (c) Designate the officers who may receive moneys, incur obligations and make payments on behalf of the Organization;
  - (d) Maintain an internal financial control and internal audit which shall provide for an effective current examination and/or review of financial transactions in order to ensure:
    - (i) The regularity of the receipt, custody and disposal of all funds and other financial resources of the Organization;
    - (ii) The conformity of obligations and expenditures with the appropriations or other financial provision voted by the General Conference or with the purposes and rules relating to Trust Funds and Special Accounts;
    - (iii) The economic use of the resources of the Organization.
- 10.2 No obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Director-General.
- 10.3 The Director-General may make such *ex-gratia* payments as he deems to be necessary in the interest of the Organization, provided that a statement of such payments shall be submitted to the General Conference with the final accounts.
- 10.4 The Director-General may, after full investigation, authorize the writing off of losses of cash, stores and other assets, provided that a statement of all such amounts written off shall be submitted to the External Auditor with the final accounts.
- 10.5 Tenders for equipment, supplies and other requirements shall be invited by advertisement, except where the Director-General deems that, in the interests of the Organization, a departure from the rule is desirable.

## Article 11

**The accounts**

- 11.1 The Director-General shall maintain such accounting records as are necessary and shall submit final accounts showing for the financial period to which they relate:

- (a) The income and expenditure of all funds;
  - (b) The status of appropriations, including:
    - (i) The original budget appropriations;
    - (ii) The appropriations as modified by any transfers;
    - (iii) Credits, if any, other than the appropriations voted by the General Conference;
    - (iv) The amounts charged against those appropriations and/or other credits;
  - (c) The assets and liabilities of the Organization.
- He shall also give such other information as may be appropriate to indicate the current financial position of the Organization.
- 11.2 At the end of the first year of the financial period, the Director-General shall submit an interim financial report on significant financial developments which have affected the Organization during the first year of the financial period together with unaudited financial statements.
  - 11.3 The annual accounts of the Organization shall be presented in dollars of the United States of America. Accounting records may, however, be kept in such currency or currencies as the Director-General may deem necessary.
  - 11.4 Appropriate separate accounts shall be maintained for all Trust Funds, Reserve and Special Accounts.
  - 11.5 The final accounts shall be submitted by the Director-General to the External Auditor no later than 31 March following the end of the period to which they relate.

## Article 12

### **External audit**

- 12.1 An External Auditor, who shall be the Auditor-General (or an officer holding the equivalent title) of a Member State, shall be appointed, in the manner decided by the General Conference, for the purpose of auditing the accounts of the three financial periods following his appointment. At its session immediately preceding the end of his mandate the General Conference shall again appoint an External Auditor.
- 12.2 If the External Auditor ceases to hold office as Auditor-General in his own country, his tenure of office as External Auditor shall thereupon be terminated and he shall be succeeded as External Auditor by his successor as Auditor-General. The External Auditor may not otherwise be removed during his tenure of office except by the General Conference.
- 12.3 The audit shall be conducted in conformity with generally accepted common auditing standards and, subject to any special

directions of the General Conference, in accordance with the Additional Terms of Reference set out in the appendix to these Regulations.

- 12.4 The External Auditor may make observations with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and in general the administration and management of the Organization.
- 12.5 The External Auditor shall be completely independent and solely responsible for the conduct of the audit.
- 12.6 The General Conference may request the External Auditor to perform certain specific examinations and to issue separate reports on the results. Acting under the authority of the General Conference, the Executive Board may do likewise.
- 12.7 The Director-General shall provide the External Auditor with the facilities he may require in the performance of the audit.
- 12.8 For the purpose of making a local or special examination or of effecting economies of audit cost, the External Auditor may engage the services of any national Auditor-General (or equivalent title) or commercial public auditors of known repute or any other person or firm who, in the opinion of the External Auditor, is technically qualified.
- 12.9 The External Auditor shall issue a report on the audit of the final accounts and relevant schedules, which shall include such information as he deems necessary in regard to matters referred to in Financial Regulation 12.4 and in the Additional Terms of Reference.
- 12.10 The External Auditor's reports together with the audited final accounts shall be transmitted through the Executive Board to the General Conference in accordance with directions given by the General Conference. The Executive Board shall examine the interim financial reports and supporting unaudited financial statements prepared by the Director-General pursuant to Financial Regulation 11.2 and the final audited accounts and reports of the External Auditor and shall forward them to the General Conference with such comments as it deems appropriate.
- 12.11 The External Auditor shall audit the annual accounts of such funds as the Director-General may exceptionally deem necessary.

E

## Article 13

### **Resolutions involving expenditures**

- 13.1 No committee, commission or other competent body shall take a decision involving expenditure unless it has before it a report from the Director-General on the administrative and financial implications of the proposal.



- 13.2 Where, in the opinion of the Director-General, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the General Conference has made the necessary appropriations.

Article 14

**General provisions**

- 14.1 These Regulations shall be effective as of the date of their approval by the General Conference, and may be amended only by the General Conference.
- 14.2 In case of doubt as to the interpretation and application of any of the foregoing Regulations, the Director-General is authorized to rule thereon.
- 14.3 No article or articles of the present Regulations may be suspended except by decision of the General Conference, taken by a two-thirds majority of the members present and voting. The duration of such suspension shall be specified by the General Conference.

Article 15

**Special provisions**

- 15.1 In the preparation of the budget the Director-General shall consult with the Secretary-General of the United Nations in accordance with Article XVI, Section 3(a), of the Agreement between the United Nations and UNESCO.
- 15.2 Rules made by the Director-General to carry out the provisions of these Regulations shall be communicated to the Executive Board for approval.

## ANNEX

## **Additional Terms of Reference Governing the Audit**

Adopted by the General Conference at its seventeenth session (17 C/Resolutions, 19.2) and amended at its twenty-second (22 C/Resolutions, 32.1) and twenty-third (23 C/Resolutions, 36.1) sessions.<sup>1</sup>

1. The External Auditor shall perform such audit of the accounts of the Organization, including all trust funds and special accounts, as he deems necessary in order to satisfy himself:
  - (a) That the financial statements are in accord with the books and records of the Organization;
  - (b) That the financial transactions reflected in the statements have been in accordance with the rules and regulations, the budgetary provisions and other applicable directives;
  - (c) That the securities and moneys on deposit and on hand have been verified by certificate received direct from the Organization's depositories or by actual count;
  - (d) That the internal controls, including the internal audit, are adequate in the light of the extent of reliance placed thereon;
  - (e) That procedures satisfactory to the External Auditor have been applied to the recording of all assets, liabilities, surpluses and deficits.
2. The External Auditor shall be the sole judge as to the acceptance in whole or in part of certifications and representations by the Director-General and may proceed to such detailed examination and verification as he chooses of all financial records including those relating to supplies and equipment.
3. The External Auditor and his staff shall have free access at all convenient times to all books, records and other documentation which are, in the opinion of the External Auditor, necessary for the performance of the audit. Information classified as privileged and which the Director-General (or his designated senior official) agrees is required by the External Auditor for the purposes of the audit and information classified confidential shall be made

<sup>1</sup> These Additional Terms of Reference replace the "Principles to Govern Audit Procedures" adopted by the General Conference at its sixth session.

available on application. The External Auditor and his staff shall respect the privileged and confidential nature of any information so classified which has been made available and shall not make use of it except in direct connection with the performance of the audit. The External Auditor may draw the attention of the General Conference to any denial of information classified as privileged which in his opinion was required for the purpose of the audit.

4. The External Auditor shall have no power to disallow items in the accounts but shall draw to the attention of the Director-General for appropriate action any transaction concerning which he entertains doubt as to legality or propriety. Audit objections to these or any other transactions arising during the examination of the accounts shall be immediately communicated to the Director-General.
5. The External Auditor shall express and sign an opinion in the following terms: "I have examined the following/appended financial statements, numbered ... to ... and schedules of [name of body] for the financial period ended 31 December ... My examination included a general review of the accounting procedures and such tests of the accounting records and other supporting evidence as I considered necessary in the circumstances." and which states, as appropriate, whether:
  - (a) The financial statements present fairly the financial position as at the end of the period and the results of its operations for the period then ended;
  - (b) The financial statements were prepared in accordance with the stated accounting principles;
  - (c) The accounting principles were applied on a basis consistent with that of the preceding financial period;
  - (d) Transactions were in accordance with the Financial Regulations and legislative authority.
6. The report of the External Auditor to the General Conference on the financial operations of the period should mention:
  - (a) The type and scope of his examination;
  - (b) Matters affecting the completeness or accuracy of the accounts, including where appropriate:
    - (i) Information necessary to the correct interpretation of the accounts;
    - (ii) Any amounts which ought to have been received but which have not been brought to account;
    - (iii) Any amounts for which a legal or contingent obligation exists and which have not been recorded or reflected in the financial statements;

- (iv) Expenditures not properly substantiated;
  - (v) Whether proper books of accounts have been kept. Where in the presentation of statements there are deviations of material nature from the generally accepted accounting principles applied on a consistent basis, these should be disclosed;
- (c) Other matters which should be brought to the notice of the General Conference such as:
- (i) Cases of fraud or presumptive fraud;
  - (ii) Wasteful or improper expenditure of the Organization's money or other assets (notwithstanding that the accounting for the transaction may be correct);
  - (iii) Expenditure likely to commit the Organization to further outlay on a large scale;
  - (iv) Any defect in the general system or detailed regulations governing the control of receipts and disbursements or of supplies and equipment;
  - (v) Expenditure not in accordance with the intention of the General Conference after making allowance for duly authorized transfers within the budget;
  - (vi) Expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
  - (vii) Expenditure not in conformity with the authority which governs it;
- (d) The accuracy or otherwise of the supplies and equipment records as determined by stocktaking and examination of the records. In addition, the reports may contain reference to:
- (e) Transactions accounted for in a previous financial period concerning which further information has been obtained or transactions in a later financial period concerning which it seems desirable that the General Conference should have early knowledge.
7. The External Auditor may make such observations with respect to his findings resulting from the audit and such comments on the Director-General's financial report as he deems appropriate to the General Conference or to the Executive Board or to the Director-General.
8. Whenever the External Auditor's scope of audit is restricted, or whenever he is unable to obtain sufficient evidence, he shall refer to the matter in his opinion and report, making clear in the report the reasons for his comments, and the effect on the financial position and the financial transactions as recorded.

9. In no case shall the External Auditor include criticism in his report without first affording the Director-General an adequate opportunity of explanation on the matter under observation.
10. The External Auditor is not required to mention any matter referred to in the foregoing which, in his opinion, is insignificant in all respects.

## Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution

Adopted by the General Conference at its 5th session, and amended at its 7th, 17th and 25th sessions.<sup>1</sup>

### **I. Scope of the present Rules of Procedure**

F

#### Article 1

These Rules of Procedure cover the preparation and the examination and adoption by the General Conference of:

- (a) International conventions for ratification by Member States; and
- (b) Recommendations in which the General Conference formulates principles and norms for the international regulation of any particular question and invites Member States to take whatever legislative or other steps may be required – in conformity with the constitutional practice of each state and the nature of the question under consideration – to apply the principles and norms aforesaid within their respective territories.

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1. See 5 C/Resolutions, pp. 133-34 and 137-39; 7 C/Resolutions, p. 109; 17 C/Resolutions, p. 114; 25 C/Resolutions, p. 194.

## **II. Inclusion in the agenda of the General Conference of proposals for the regulation of any question on an international basis**

- Article 2                   The General Conference shall make no decision on the desirability or on the substance of any proposal for the regulation of a particular question on an international basis by the adoption of an international convention or of a recommendation, unless the proposal has been specifically placed on the provisional agenda of the Conference in accordance with the present Rules of Procedure.
- Article 3                   No new proposal for the regulation on an international basis of any question by the adoption by the General Conference of an international convention or a recommendation to Member States shall be included in the provisional agenda of the General Conference unless:
- (a) It is accompanied by a preliminary study of the technical and legal aspects of the problem under consideration; and
  - (b) It has first been examined by the Executive Board at least ninety days before the opening of the session of the General Conference.
- Article 4
1. The Executive Board may communicate to the General Conference any comments it may deem necessary on proposals covered by Article 3.
  2. The Board may decide to instruct the Secretariat, one or more experts or a committee of experts, to carry out a thorough study of the matters dealt with in the aforementioned proposals, and to prepare a report for communication to the General Conference.
- Article 5                   When a proposal covered by the terms of Article 3 has been placed on the provisional agenda of the General Conference, the Director-General shall communicate to Member States, at least seventy days before the opening of the session of the Conference, a copy of the preliminary study accompanying the proposal, together with the Executive Board's observations and decisions thereon.

### **III. Procedure for the first discussion by the General Conference**

- Article 6 It shall be for the Conference to decide whether the question dealt with in the proposal should be regulated at the international level and, if so, to determine to what extent the question can be regulated and whether the method adopted should be an international convention or, alternatively, a recommendation to Member States.
- Article 7
1. The General Conference may, however, decide to defer to a future session the decisions mentioned in Article 6.
  2. It may, in this case, instruct the Director-General to submit to a future session a report on the desirability of regulating the question dealt with in the proposal, on an international basis; on the method which should be adopted for that purpose; and on the extent to which the question can be regulated.
  3. The Director-General's report shall be communicated to Member States at least one hundred days before the opening of the session of the General Conference.
- Article 8 The General Conference shall take the decisions mentioned in Articles 6 and 7 by a simple majority.
- Article 9 The General Conference shall not vote on the adoption of a draft convention or recommendation before the ordinary session following that at which it has taken the decisions mentioned in Article 6.

### **IV. Preparation of drafts to be submitted to the General Conference for consideration and adoption**

- Article 10
1. When the General Conference has taken decisions under the terms of Article 6, it shall instruct the Director-General to prepare a preliminary report setting forth the position with regard to the problem to be regulated and to the possible scope of the regulating action proposed. The preliminary report may be accompanied by the first draft of a convention or recommendation, as the case may



- be. Member States shall be asked to make comments and observations on that report.
2. The Director-General's preliminary report shall reach Member States at least fourteen months before the opening of the session of the General Conference. Member States shall forward their comments and observations on the preliminary report, to reach the Director-General at least ten months before the opening of the session mentioned in the preceding sentence.
  3. On the basis of the comments and observations transmitted, the Director-General shall prepare a final report containing one or more draft texts, which shall be communicated to Member States at least seven months before the opening of the session of the General Conference.
  4. The Director-General's final report shall be submitted either direct to the General Conference itself or, if the Conference has so decided, 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.
  5. In the latter case, 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.

## **V. Consideration and adoption of drafts by the General Conference**

- Article 11                   The General Conference shall consider and discuss draft texts submitted to it, and any amendments to them which may be proposed.
- Article 12
  1.     A two-thirds majority shall be required for the adoption of a convention.
  2.     A simple majority shall be sufficient for the adoption of a recommendation.
- Article 13                   If, on the final vote, a draft convention does not secure the two-thirds majority required in the first paragraph of Article 12, but only a simple majority, the Conference may decide that the draft be converted into a draft recommendation to be submitted for its approval either before the end of the session or at the following session.

Article 14 Two copies of any convention or recommendation adopted by the General Conference shall be authenticated by the signatures of the President of the General Conference and of the Director-General.

Article 15 A certified copy of any convention or recommendation adopted by the General Conference shall be transmitted, as soon as possible, to Member States, in order that they may submit the convention or recommendation to their competent national authorities, in accordance with Article IV, paragraph 4, of the Constitution.

## **VI. Procedure for the submission and examination of Member States' reports on the action they have taken in pursuance of conventions and recommendations adopted by the General Conference**

Article 16

1. Member States shall submit to the General Conference special reports on the action they have taken to give effect to conventions or recommendations adopted by the General Conference.
2. Initial reports relating to any convention or recommendation adopted shall be transmitted no less than two months prior to the first ordinary session of the General Conference following that at which such recommendation or convention was adopted.
3. The General Conference may further request Member States to submit, by prescribed dates, additional reports giving such further information as may be necessary.

Article 17 At the first ordinary session following that at which a convention or recommendation has been adopted, and at any subsequent session, if it so decides, the General Conference shall consider the special reports submitted by Member States in connection with the convention or recommendation in question.

Article 18 The General Conference shall embody its comments on the action taken by Member States in pursuance of a convention or recommendation in one or more general reports, which the Conference shall prepare at such times as it may deem appropriate.

- Article 19                    The General Conference's reports on the action taken by Member States in pursuance of a convention or recommendation shall be transmitted to Member States, to the United Nations, to National Commissions, and to any other authorities specified by the General Conference.
- Article 20                    If there are special circumstances justifying such a course, the General Conference may decide, by a two-thirds majority, to suspend the application of one or more articles in the present Rules of Procedure in any particular case. The Conference may not, however, suspend the application of Articles 8 and 12.

# Regulations for the general classification of the various categories of meetings convened by UNESCO

Adopted by the General Conference at its 14th session and amended at its 18th and 25th sessions.<sup>1</sup>

## General

### Article 1

#### **Character of meetings**

Meetings convened by UNESCO shall be divided into two groups: meetings of a representative character and meetings of a non-representative character.

### Article 2

#### **Meetings of a representative character**

Meetings of a representative character shall be meetings at which either states or governments or intergovernmental or international non-governmental organizations are represented as chief participants.

### Article 3

#### **Meetings of a non-representative character**

Meetings of a non-representative character shall be meetings at which the chief participants act in a private capacity.

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1. See 14 C/Resolutions, pp. 109-22; 18 C/Resolutions, pp. 123-24 and 25 C/Resolutions, p. 194. These Regulations replace the "Summary table of a general classification of the various categories of meetings convened by UNESCO" approved by the General Conference at its 12th session (12 C/Resolutions, pp. 81 and 151) and amended at its 13th session (13 C/Resolutions, p. 115). In adopting these Regulations the General Conference also abrogated the "Rules of Procedure for the calling of International Conferences of States" and the "Rules of Procedure for the calling of non-governmental conferences" which it had adopted at its 7th session.

Article 4

**Chief participants**

For the purposes of the Regulations, the chief participants shall be those enjoying the full rights of the meeting in question, including the right to vote where applicable.

Article 5

**Categories of meetings**

1. Meetings of a representative character convened by UNESCO shall be divided into three categories:
  - (a) International conferences of states (category I);
  - (b) Intergovernmental meetings other than international conferences of states (category II);
  - (c) Non-governmental conferences (category III).
2. Meetings of a non-representative character convened by UNESCO shall be divided into five categories:
  - (a) International congresses (category IV);
  - (b) Advisory committees (category V);
  - (c) Expert committees (category VI);
  - (d) Seminars, training and refresher courses (category VII);
  - (e) Symposia (category VIII).

Article 6

**Scope**

Subject to the provisions contained in the instruments, statutes or agreements relating to the meetings specified hereunder, and to the decisions taken by the competent organs of UNESCO concerning such meetings, the Director-General shall take all necessary preliminary steps for the application to these meetings of the present Regulations:

- (a) Meetings convened under legal instruments of a binding character applicable to UNESCO;
- (b) Meetings of bodies established within UNESCO and having their own statutes;
- (c) Meetings convened under a standing agreement concluded by UNESCO with another organization; and
- (d) Meetings convened jointly by UNESCO and another organization.

Article 7

**Official name of meetings**

The names of meetings governed by the provisions of these Regulations shall be determined by the convening body or, failing that, by the Director-General.

Article 7A 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 which are to be invited to send observers to the meetings referred to in these Regulations.

Article 7B 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.

## I. International conferences of states

Article 8 **Definition**

International conferences of states, in the sense of Article IV, paragraph 3, of the Constitution, are conferences bringing together representatives of states, and reporting the results of their work to these same states, whether these results lead to the conclusion of international agreements or whether they provide a basis for the action to be undertaken by the states.

Article 9 **Convening**

1. International conferences of states shall be convened by the General Conference.
2. Whenever the subject of an international conference of states also falls within the competence of the United Nations or another organization of the United Nations system there shall be consultation with those organizations before the General Conference takes its decision.

Article 10 **Terms of reference**

The General Conference shall prescribe the terms of reference of the international conferences of states which it calls.

Article 11 **Participants**

1. The General Conference, or the Executive Board, authorized by it:
  - (a) Shall decide which states shall be invited;

- (b) Shall decide which Associate Members of UNESCO shall be invited, and the extent of their participation;
  - (c) May, with the approval of the responsible state, invite a territory which, although not an Associate Member of UNESCO, is self-governing in the fields covered by the terms of reference of the conference. The General Conference or the Executive Board shall decide the extent of the participation of a territory invited.
2. Member States and Associate Members of UNESCO not invited under paragraph 1 above may send observers to the conference.
  3. The United Nations and other organizations of the United Nations system with which UNESCO has concluded mutual representation agreements may send representatives to the conference.
  4. The General Conference, or the Executive Board authorized by it, may decide that the following shall be invited to send observers to the conference:
    - (a) Organizations of the United Nations system with which UNESCO has not concluded a mutual representation agreement;
    - (b) Intergovernmental organizations; and
    - (c) International non-governmental organizations, in accordance with the directives concerning UNESCO's relations with international non-governmental organizations.

Article 12

**Appointment of representatives**

1. States, Associate Members, territories and organizations which are invited shall notify the Director-General of the names of the representatives or observers they have appointed.
2. When the purpose of an international conference of states is the final adoption or the signature of an international agreement, the states shall be asked to appoint representatives with full credentials. These credentials shall be submitted for examination by an appropriate organ of the conference.

Article 13

**Voting**

1. Each state invited under Article 11, paragraph 1(a), of these Regulations shall have only one vote, whatever the number of its representatives.
2. Should Associate Members of UNESCO or other territories have been invited to participate in the conference with the right to vote, each Associate Member and each territory invited shall have only one vote.

## Article 14

**Date and place of meeting**

1. The General Conference shall issue instructions to the Executive Board regarding the region in which the conference should meet and the approximate date on which it should be held.
2. Any Member State may invite UNESCO to hold, on its territory, an international conference called by the General Conference. The Director-General shall inform the Executive Board of such invitations.
3. When deciding upon the place of the conference, the Executive Board shall take into consideration only such invitations as have been received by the Director-General at least three weeks before the session of the Executive Board at which the choice of the place of meeting is an item of its agenda. All invitations shall be accompanied by full details of the local facilities available and of the extent to which the inviting state is prepared to share in the cost of the meeting.
4. The Executive Board shall not consider an invitation by a state unless that state undertakes to make all necessary arrangements to admit on its territory, for the purpose of participating in the conference, representatives, advisers, experts or observers of all states or Associate Members of UNESCO entitled to attend the conference.
5. In accordance with the instructions of the General Conference, the Executive Board, in consultation with the Director-General, shall fix the place and date of the conference.

## Article 15

**Agenda**

1. The Executive Board, in consultation with the Director-General, shall draw up the provisional agenda of the conference.
2. Each conference shall adopt its final agenda. The conference may not, however, alter its terms of reference as defined by the General Conference under Article 10 of these Regulations.

## Article 16

**Rules of Procedure**

1. The Executive Board, in consultation with the Director-General, shall draw up the provisional Rules of Procedure of the conference.
2. Each conference shall adopt its final Rules of Procedure. It may not, however, change its composition as laid down by the General Conference or the Executive Board under Article 11 of these Regulations.



Article 17

**Other preparations**

1. The General Conference shall make all the necessary budgetary provisions for the holding of the conference.
2. The Director-General shall take all other steps necessary for the preparation of the conference. In particular, he shall dispatch invitations to the conference, together with the provisional agenda, and shall notify all Member States and Associate Members of UNESCO not invited under Article 11, paragraph 1, of these Regulations, of the calling of the conference, attaching to his letter the provisional agenda.

**II. Intergovernmental meetings  
other than  
international conferences of states**

Article 18

**Definition**

1. The provisions of this section are applicable to meetings, other than the international conferences of states covered by Section I of these Regulations, at which the chief participants represent their governments.
2. This category includes the meetings of the special committees of technical and legal experts convened under Article 10, paragraph 4, 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.

Article 19

**Convening**

1. The special committees of technical and legal experts referred to in Article 18, paragraph 2, of these Regulations, shall, if the General Conference has so decided, be convened by the Director-General in accordance with the Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution.
2. The other meetings governed by the provisions of this section shall be convened by the Director-General in pursuance of the programme and budget approved by the General Conference.

## Article 20

**Terms of reference**

The terms of reference of the meetings governed by the provisions of this section shall either be determined by the existing regulations applicable, or be laid down in the programme and budget approved by the General Conference, or, failing either of the above, prescribed by decision of the Executive Board.

## Article 21

**Participants**

1. Subject to the existing Regulations applicable, the Executive Board, on the Director-General's proposal:
  - (a) Shall decide on the Member States and Associate Members whose governments are to be invited to the meeting; and
  - (b) May, with the approval of the Member State which administers it, invite a territory which is not an Associate Member of UNESCO but which is self-governing in the fields to be covered by the meeting.
2. Member States and Associate Members not invited under paragraph 1 above may send observers to the meeting.
3. The Executive Board may designate non-Member States, and territories for whose international relations a Member State is responsible, to be invited to send observers to the meeting.
4. The United Nations and other organizations of the United Nations system with which UNESCO has concluded mutual representation agreements may send representatives to the meeting.
5. The Executive Board may decide that the following shall be invited to send observers to the meeting:
  - (a) Organizations of the United Nations system with which UNESCO has not concluded mutual representation agreements;
  - (b) Intergovernmental organizations; and
  - (c) International non-governmental organizations, in accordance with the directives concerning UNESCO's relations with international non-governmental organizations.

## Article 22

**Appointment of representatives**

The governments, territories and organizations invited shall notify the Director-General of the names of the representatives or observers they have appointed.

Article 23

**Voting**

1. The governments of the Member States invited under Article 21, paragraph 1(a), of these Regulations shall each have one vote, whatever the number of their representatives.
2. Should Associate Members of UNESCO or other territories have been invited to participate in the meeting with the right to vote, each Associate Member and each territory invited shall have only one vote.

Article 24

**Date and place of meeting**

1. The Director-General shall fix the date and place of meeting.
2. The Director-General shall not consider an invitation by a Member State to hold, on its territory, a meeting governed by the provisions of the present section unless that state undertakes to make all necessary arrangements to admit on its territory, for the purpose of participating in the meeting, representatives, advisers, experts or observers of all states or Associate Members of UNESCO entitled to attend the meeting.

Article 25

**Agenda**

1. The Director-General shall draw up the provisional agenda of the meeting.
2. Each meeting shall adopt its final agenda. It may not, however, alter its term of reference as defined by the competent organ of UNESCO under Article 20 of these Regulations.

Article 26

**Rules of Procedure**

1. The Director-General shall draw up the provisional Rules of Procedure of the meeting.
2. Each meeting shall adopt its final Rules of Procedure. It may not, however, change its composition as determined by the competent organ of UNESCO under Article 21 of these Regulations.

Article 27

**Other preparations**

The Director-General shall be responsible for all other preparations for the meeting.

### III. Non-governmental conferences

Article 28

#### Definition

Non-governmental conferences, in the sense of Article IV, paragraph 3, of the Constitution, are conferences attended either by international non-governmental organizations, or by intergovernmental organizations, or by both international non-governmental and intergovernmental organizations, and addressing their conclusions either to the participating organizations or to UNESCO.

Article 29

#### Convening

1. The General Conference may at any time decide to hold a non-governmental conference.
2. The Executive Board, in consultation with the Director-General, may at any time decide to call a non-governmental conference.

Article 30

#### Terms of reference

The body which has decided to convene a non-governmental conference shall prescribe the latter's terms of reference.

Article 31

#### Participants

1. The body which has decided to convene a non-governmental conference shall determine which organizations and which persons shall be invited.
2. Member States and Associate Members of UNESCO may send observers to the conference.
3. The United Nations and other organizations of the United Nations system with which UNESCO has concluded mutual representation agreements may send representatives to the conference.
4. Subject to any directives which may be given by the General Conference, the Executive Board may decide that invitations to send observers to the conference shall be extended to:
  - (a) Organizations of the United Nations system with which UNESCO has not concluded mutual representation agreements;
  - (b) Intergovernmental organizations; and
  - (c) International non-governmental organizations, in accordance with the directives concerning UNESCO's relations with international non-governmental organizations.

Article 32                    **Appointment of representatives**

The organizations invited shall notify the Director-General of the names of the representatives or observers they have appointed.

Article 33                    **Voting**

The body which calls the conference shall decide in each case whether the organizations and persons invited under Article 31, paragraph 1, of these Regulations shall have the right to vote.

Article 34                    **Date and place of meeting**

1. The date and place of meeting shall be fixed by the body calling the conference or by the Director-General when duly authorized to do so.
2. The body calling the conference, or the Director-General, when duly authorized to do so, shall not consider an invitation by a Member State to hold a non-governmental conference on its territory unless that state undertakes to make all necessary arrangements to admit on its territory, for the purpose of participating in the conference, the representatives of the organizations invited, the persons invited and the observers from the Member States or Associate Members of UNESCO.

Article 35                    **Agenda**

1. The body calling the conference, or the Director-General, when duly authorized to do so, shall draw up the provisional agenda of the conference.
2. Each non-governmental conference shall adopt its final agenda. It may not, however, alter its terms of reference as defined, under Article 30 of these Regulations, by the body calling the conference.

Article 36                    **Rules of Procedure**

1. The body calling the conference, or the Director-General, when duly authorized to do so, shall draw up provisional Rules of Procedure for the conference.
2. Each non-governmental conference shall adopt its final Rules of Procedure. It may not, however, change its composition as determined, under Article 31 of these Regulations, by the body calling the conference.

Article 37

**Other preparations**

1. The Director-General shall notify all Member States and Associate Members of UNESCO of these conferences and shall send them copies of the provisional agenda. He shall also inform each Member State and Associate Member of the invitations which have been issued.
2. The Director-General shall be responsible for all other preparations for the conference.

**IV. International congresses**

Article 38

**Definition**

International congresses are meetings whose purpose is to facilitate an exchange of views among specialists in one of UNESCO's spheres of interest. The results of their work are addressed to the Director-General, who secures their distribution to and utilization in the appropriate circles.

Article 39

**Convening**

International congresses shall be called by the Director-General pursuant to the programme and budget approved by the General Conference.

Article 40

**Terms of reference**

The terms of reference of congresses shall be defined in the programme and budget approved by the General Conference or, if not so defined, shall be defined by the Director-General.

Article 41

**Participants**

1. Participants in congresses are specialists serving in an individual capacity.
2. They shall be:
  - (a) Either designated individually by the Director-General, by an invitation to participate in the work of the congress;
  - (b) Or admitted by the Director-General on signifying their desire to participate in the work of the congress through the governments of Member States or through the organizations or learned societies of which they are member;

- (c) Or admitted as participants in the congress by any other procedure the Executive Board may decide on.
3. For the purpose of designating participants, the Director-General may enter into consultations with governmental authorities in Member States or with National Commissions or request them to submit names of one or more persons wishing to participate in the work of the congress.
  4. Persons invited individually to participate in a congress shall, as a general rule, be nationals of Member States or Associate Members of UNESCO or nationals of states which are not Members of UNESCO, but are Members of the United Nations.
  5. The Director-General shall be authorized, however, to extend invitations to congresses specialists who are nationals of states which are not Members of UNESCO or of the United Nations, or nationals of territories, selected for their personal competence and not as representatives of such states or territories. For the selection of these specialists the Director-General shall consult international non-governmental organizations having consultative status with UNESCO. The specialists thus chosen shall be invited through such international non-governmental organizations and shall through the same channels make known their intention of participating in the congress.
  6. Member States and Associate Members of UNESCO may send observers to the congress.
  7. The United Nations and other organizations of the United Nations system with which UNESCO has concluded mutual representation agreements may send representatives to the congress.
  8. The Director-General may extend invitations to send observers to the congress to:
    - (a) Organizations of the United Nations system with which UNESCO has not concluded mutual representation agreements;
    - (b) Intergovernmental organizations; and
    - (c) International non-governmental organizations, in accordance with the directives concerning UNESCO's relations with international non-governmental organizations.

## Article 42

### **Voting**

The work of congresses does not usually involve the exercise of the right to vote. However, when the Rules of Procedure of a congress provide for the taking of a vote on certain questions, each specialist invited or admitted to participate in the work of the congress shall have one vote. When votes are taken, they shall reflect private, individual views.

Article 43

**Date and place of meeting**

The Director-General shall fix the date and place of the congress.

Article 44

**Agenda**

1. The Director-General shall draw up the programme of the meeting.
2. The programme shall not be submitted to the meeting for adoption.

Article 45

**Rules of Procedure**

1. The Director-General shall draw up the rules of procedure of the meeting.
2. The Director-General may, however, decide that rules of procedure are not necessary. In that case, an information paper giving the necessary details of the way in which the work of the meeting will be conducted shall be prepared and distributed.

Article 46

**Other preparations**

The Director-General shall be responsible for all other preparations for the meeting.

G

**V. Advisory committees**

Article 47

**Definition**

Advisory committees are standing committees governed by statutes approved by the Executive Board and are responsible for advising the Organization on special questions within their competence or on the preparation or implementation of its programme in a particular sphere. The reports of advisory committees are addressed to the Director-General, who decides what use shall be made of them. The Executive Board is informed by the Director-General of the results of the committees' proceedings.

Article 48

**Convening**

Advisory committees shall be convened by the Director-General in accordance with the provisions of their statutes.



Article 49

**Terms of reference**

The terms of reference of advisory committees shall be defined in their statutes or, if not so defined, fixed by the Director-General.

Article 50

**Participants**

1. Members of advisory committees shall be appointed in accordance with such committees' statutes.
2. Members of advisory committees shall be specialists serving, in accordance with the provisions of such committees' statutes, either in an individual capacity or as representatives of international non-governmental organizations particularly qualified in the field with which a committee is concerned.
3. Member States and Associate Members of UNESCO may send observers to meetings of advisory committees.
4. The United Nations and other organizations of the United Nations system with which UNESCO has concluded mutual representation agreements may send representatives to meetings of advisory committees.
5. The Director-General may extend invitations to send observers to meetings of advisory committees to:
  - (a) Organizations of the United Nations system with which UNESCO has not concluded mutual representation agreements;
  - (b) Intergovernmental organizations; and
  - (c) International non-governmental organizations, in accordance with the directives concerning UNESCO's relations with international non-governmental organizations.

Article 51

**Voting**

Each member of an advisory committee shall have one vote.

Article 52

**Date and place of meeting**

Subject to the provisions of their statutes, the Director-General shall fix the date and place of meetings of advisory committees.

Article 53

**Agenda**

1. The Director-General shall draw up the agenda of meetings of advisory committees, normally after consulting the Chairman of the committee concerned.

2. The agenda shall not be submitted to advisory committees for adoption. The Director-General may, however, invite committee members to propose the inclusion of additional items in the agenda.

Article 54

**Rules of Procedure**

Advisory committees shall adopt their Rules of Procedure, which shall be submitted to the Director-General for approval. The provisions of such rules must not be in conflict with those of the statutes of the committee concerned.

Article 55

**Other preparations**

The Director-General shall be responsible for all other preparations for meetings of advisory committees.

**VI. Expert committees**

Article 56

**Definition**

Expert committees are committees set up on an ad hoc basis to submit suggestions or advice to the Organization on the preparation or implementation of its programme in a particular field or on any other matters within its purview. They submit their findings in the form of a report to the Director-General, who decides what use shall be made of them.

Article 57

**Convening**

Expert committees shall be convened by the Director-General pursuant to the programme and budget approved by the General Conference.

Article 58

**Terms of reference**

The terms of reference of expert committees shall be defined in the programme and budget approved by the General Conference or, if not so defined, fixed by the Director-General.

Article 59

**Participants**

1. Members of expert committees shall serve in a private capacity.
2. They shall be appointed individually, either by the Director-General or by governments at the Director-General's invitation.

3. When experts are appointed by the Director-General, the latter may consult the governmental authorities of Member States or National Commissions or request them to submit one or more names of persons suitable for appointment as experts.
4. When the Director-General invites governments to select experts for committees, it shall be specified that these experts will sit in the same capacity as the experts chosen directly by the Director-General and will not be considered to be representatives of their respective governments.
5. Members of expert committees shall, as a general rule, be nationals of Member States or Associate Members of UNESCO or nationals of states which are not Members of UNESCO, but are Members of the United Nations.
6. The Director-General shall, however, be authorized to extend invitations to serve on expert committees to specialists who are nationals of states which are not Members of UNESCO or the United Nations, or nationals of territories, selected for their personal competence and not as representatives of those states or territories. With regard to the choice of these specialists, the Director-General shall consult the non-governmental organizations having consultative status with UNESCO. Specialists so selected shall be invited through these non-governmental international organizations and shall signify their acceptance of the invitation through the same channels.
7. The United Nations and organizations of the United Nations system and other intergovernmental organizations with which UNESCO has concluded mutual representation agreements may send representatives to the meetings of expert committees.
8. As a general rule meetings of expert committees shall be private. The Director-General may, however, if he considers it desirable from the programme point of view, invite Member States and intergovernmental or international non-governmental organizations to send observers to follow the proceedings of these meetings.

Article 60

**Voting**

Each member of an expert committee is accorded one vote.

Article 61

**Date and place of meeting**

The Director-General shall fix the date and place of meetings of expert committees.

Article 62

**Agenda**

1. The Director-General shall draw up the agenda of expert committees.
2. The agenda shall not be submitted to the expert committees for approval. The Director-General may, however, invite committee members to propose the inclusion of additional items in the agenda.

Article 63

**Rules of Procedure**

The Director-General shall draw up the Rules of Procedure of expert committees. Their Rules of Procedure shall not be submitted to the committees for adoption.

Article 64

**Other preparations**

The Director-General shall be responsible for all other preparations for meetings of expert committees.

## **VII. Seminars and training or refresher courses**

Article 65

**Definition**

The provisions of the present section govern meetings whose main purpose is to enable participants to acquire a knowledge of some subject of interest to UNESCO or to give them the benefit of experience gained in this field. The results of their work, which are generally recorded in documents or publications, do not call for any decisions on the part of UNESCO bodies or Member States.

Article 66

**Convening**

Meetings governed by the provisions of the present section shall be called by the Director-General pursuant to the programme and budget approved by the General Conference.

Article 67

**Terms of reference**

The terms of reference of meetings governed by the provisions of the present section shall be defined in the programme and budget approved by the General Conference or, if not so defined, fixed by the Director-General.

## Article 68

**Participants**

1. Participants in meetings governed by the provisions of the present section shall be persons serving in a private capacity and selected individually by the Director-General.
2. The Director-General may, when selecting participants, consult the governmental authorities of Member States or National Commissions or request them to submit one or more names of persons who might be selected as participants in a meeting.
3. Participants invited to meetings governed by the provisions of the present section shall, as a general rule, be nationals of Member States or Associate Members of UNESCO or of states which are not Members of UNESCO, but are Members of the United Nations.
4. The Director-General shall be authorized, however, to invite to meetings governed by the provisions of the present section specialists who are nationals of states which are not Members of UNESCO or the United Nations, or nationals of territories, selected on the basis of their personal competence and not as representatives of those states or territories. Regarding the choice of these specialists, the Director-General shall consult the non-governmental organizations having consultative status with UNESCO. The specialists thus chosen shall be invited through these international non-governmental organizations and shall, through the same channels, make known their intention of attending the meeting.
5. The United Nations and organizations of the United Nations system and other intergovernmental organizations with which UNESCO has concluded mutual representation agreements may send representatives to meetings governed by the provisions of the present section.
6. As a general rule, meetings governed by the provisions of the present section shall be private. The Director-General may, however, if he considers it desirable from the programme point of view, invite Member States and intergovernmental or international non-governmental organizations to send observers to follow the proceedings of these meetings.

## Article 69

**Voting**

There shall be no voting in meetings governed by the provisions of the present section. If necessary, minority views can be recorded in the document setting forth the results of the meeting.

Article 70

**Date and place of meeting**

The Director-General shall fix the date and place of meetings governed by the provisions of the present section.

Article 71

**Agenda**

As a general rule, meetings governed by the provisions of the present section shall have no agenda. The subjects to be discussed shall be decided beforehand by the Director-General and communicated to the participants, who may, however, be invited to propose additional items for discussion.

Article 72

**Rules of Procedure**

No rules of procedure shall be prepared for meetings governed by the provisions of the present section. The conduct of the discussions shall be the responsibility of the persons appointed by the Director-General to guide the work of the meeting. An information paper giving a concise account of the working methods to be adopted may be prepared.

Article 73

**Other preparations**

The Director-General shall be responsible for all other preparations for meetings governed by the provisions of the present section.

## VIII. Symposia

Article 74

**Definition**

The provisions of this section apply to meetings the purpose of which is to provide for an exchange of information within a given speciality or on an interdisciplinary basis. Such meetings do not usually lead to the adoption of conclusions or recommendations; the communications presented to them may be published, with or without a summary of the discussions. Meetings in this category differ from those in category IV, international congresses, mainly by their smaller size, more limited scope and less formal character.

Article 75

**Convening**

Symposia shall be convened by the Director-General pursuant to the programme and budget approved by the General Conference.

Article 76

**Terms of reference**

The terms of reference of symposia shall be defined in the programme and budget approved by the General Conference or, if not so defined, shall be fixed by the Director-General.

Article 77

**Participants**

1. Participants shall be specialists in a private capacity.
2. They shall be:
  - (a) Either designated individually by the Director-General, by an invitation to participate in the work of the symposium;
  - (b) Or admitted as participants individually by the Director-General by any other procedure he may decide.
3. The Director-General may, when designating participants in accordance with paragraph 2(a) above, consult the governmental authorities of Member States or National Commissions or ask them to submit one or more names of persons wishing to participate in the work of the symposium.
4. Persons invited to participate in a symposium in an individual capacity shall, as a general rule, be nationals of Member States or Associate Members of UNESCO or of states which are not Members of UNESCO but are Members of the United Nations.
5. The Director-General shall, however, be authorized to invite to symposia specialists who are nationals of states which are not Members of UNESCO or of the United Nations, or nationals of territories, chosen for their personal competence and not as representatives of those states or territories. Regarding the choice of these specialists, the Director-General shall consult international non-governmental organizations having consultative status with UNESCO. The specialists thus chosen shall be invited through these international non-governmental organizations and shall, through the same channels, make known their intention to participate in the symposium.
6. The United Nations and organizations of the United Nations system and other intergovernmental organizations with which UNESCO has concluded mutual representation agreements may send representatives to the symposium.

7. As a general rule, the meetings of symposia shall be private. The Director-General may, however, if he considers it desirable from the programme point of view, invite Member States and inter-governmental organizations or international non-governmental organizations to send observers to follow the proceedings of these meeting.

Article 78

### **Voting**

There shall be no voting in symposia. If necessary, minority views can be recorded in the document setting forth the results of the meeting.

Article 79

### **Date and place of meeting**

The Director-General shall fix the date and place of symposia.

Article 80

### **Agenda**

Generally speaking, symposia shall have no agenda. The subjects to be discussed shall be decided beforehand by the Director-General and communicated to the participants, who may, however, be invited by the Director-General to propose additional items for discussion.

Article 81

### **Rules of Procedure of meetings**

Generally speaking, no Rules of Procedure shall be prepared for symposia. An information paper shall provide a concise account of the working methods to be adopted for the meeting.

Article 82

### **Other preparations**

The Director-General shall be responsible for all other preparations for symposia.



## Definition of regions with a view to the execution by the Organization of regional activities

In accordance with the resolutions adopted by the General Conference at its 13th, 18th, 19th, 20th, 21st, 22nd, 24th, 25th, 26th, 27th, 28th, 29th and 30th sessions (13 C/Resolution 5.91, 18 C/Resolution 46.1, 19 C/Resolution 37.1,<sup>1</sup> 20 C/Resolution 37.1, 21 C/Resolution 39.2, 22 C/Resolution 46, 24 C/Resolution 50.2, 25 C/Resolution 48, 26 C/Resolution 35, 27 C/Resolution 44, 28 C/Resolution 39, 29 C/Resolution 91 and 30 C/Resolution 85 respectively), the following are empowered to participate in regional activities in which the representative character of states is an important factor:

### AFRICA

Algeria	Ethiopia	Nigeria
Angola	Gabon	Rwanda
Benin	Gambia	Sao Tome and Principe
Botswana	Ghana	Senegal
Burkina Faso	Guinea	Seychelles
Burundi	Guinea-Bissau	Sierra Leone
Cameroon	Kenya	Somalia
Cape Verde	Lesotho	South Africa
Central African Republic	Liberia	Sudan
Chad	Libyan Arab Jamahiriya	Swaziland
Comoros	Madagascar	Togo
Congo	Malawi	Tunisia
Côte d'Ivoire	Mali	Uganda
Democratic Republic of the Congo	Mauritania	United Republic of Tanzania
Djibouti	Mauritius	Zambia
Egypt	Morocco	Zimbabwe
Equatorial Guinea	Mozambique	
Eritrea	Namibia	
	Niger	

1. This resolution is worded as follows:

*'The General Conference,*

*Decides to take all appropriate measures to complete the list of Member States empowered to participate in the regional activities of the Organization as it emerges from 13 C/Resolution 5.91 and 18 C/Resolution 46.1, taking into account the principles set forth in those resolutions and on the basis of the proposals of the Member States already included in each of the various regions'.*

**ARAB STATES**

Algeria	Libyan Arab	Somalia
Bahrain	Jamahiriya	Sudan
Djibouti	Malta	Syrian Arab
Egypt	Mauritania	Republic
Iraq	Morocco	Tunisia
Jordan	Oman	United Arab
Kuwait	Qatar	Emirates
Lebanon	Saudi Arabia	Yemen

**ASIA AND THE PACIFIC**

Afghanistan	Kyrgyzstan	Philippines
Australia	Lao People's	Republic of Korea
Bangladesh	Democratic Republic	Russian Federation
Bhutan	Malaysia	Samoa
Cambodia	Maldives	Solomon Islands
China	Marshall Islands	Sri Lanka
Cook Islands	Micronesia	Tajikistan
Democratic People's	(Federated States of)	Thailand
Republic of Korea	Mongolia	Tonga
Fiji	Myanmar	Turkey
India	Nauru	Turkmenistan
Indonesia	Nepal	Tuvalu
Iran (Islamic	New Zealand	Uzbekistan
Republic of)	Niue	Vanuatu
Japan	Pakistan	Viet Nam
Kazakstan	Palau	
Kiribati	Papua New Guinea	

*Associate Member:* Macao

**EUROPE**

Albania	Bulgaria	Georgia
Andorra	Canada	Germany
Armenia	Croatia	Greece
Austria	Cyprus	Hungary
Azerbaijan	Czech Republic	Iceland
Belarus	Denmark	Ireland
Belgium	Estonia	Israel
Bosnia and	Finland	Italy
Herzegovina	France	Kazakhstan

**EUROPE** (*continued*)

Latvia	Republic of Moldova	Tajikistan
Lithuania	Romania	the former Yugoslav
Luxembourg	Russian Federation	Republic of Macedonia
Malta	San Marino	Turkey
Monaco	Slovakia	Ukraine
Netherlands	Slovenia	United Kingdom of
Norway	Spain	Great Britain and
Poland	Sweden	Northern Ireland
Portugal	Switzerland	Yugoslavia

**LATIN AMERICA AND THE CARIBBEAN**

Antigua and Barbuda	Dominican Republic	Peru
Argentina	Ecuador	Saint Kitts and Nevis
Bahamas	El Salvador	Saint Lucia
Barbados	Grenada	Saint Vincent and the Grenadines
Belize	Guatemala	Suriname
Bolivia	Guyana	Trinidad and Tobago
Brazil	Haiti	Uruguay
Chile	Honduras	Venezuela
Colombia	Jamaica	
Costa Rica	Mexico	
Cuba	Nicaragua	
Dominica	Panama	
	Paraguay	

*Associate Members:*

Aruba  
Cayman Islands  
British Virgin Islands  
Netherlands Antilles

# Charter of National Commissions for UNESCO

Adopted by the General Conference at its 20th session.<sup>1</sup>

## Preamble

*Whereas* the purpose of the United Nations Educational, Scientific and Cultural Organization, as assigned to it by its Constitution, is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations,

*Whereas* it is essential, if the Organization is to achieve this purpose, that in each Member State it should have the active support of the intellectual and scientific communities and the cooperation of the population,

*Considering* the framework provided by Article VII of the Constitution, which stipulates to this end that “each Member State shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the government and such bodies”,

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1. See 20 C/Resolutions, pp. 116-19.

*Whereas* National Commissions, established under Article VII of the Constitution, are helping in an effective way to make UNESCO's objectives better known, broaden its range of influence and promote the execution of its programme, by involving the intellectual and scientific communities of their respective countries in this work,

*Whereas* the General Conference, on various occasions and particularly at its 19th session, has emphasized the need to associate Member States, through their National Commissions, more closely with the formulation, implementation and evaluation of the Organization's programmes, and has recommended that National Commissions be strengthened as advisory, liaison, information and executive bodies and that cooperation between National Commissions be furthered at the subregional, regional and interregional levels,

*The General Conference*, meeting in Paris at its 20th session, this twenty-seventh day of November 1978 approves the present Charter of National Commissions for UNESCO.

## Article I

### **Purpose and functions**

1. The function of National Commissions is to involve in UNESCO's activities the various ministerial departments, agencies, institutions, organizations and individuals working for the advancement of education, science, culture and information, so that each Member State may:
  - (a) Contribute to the maintenance of peace and security and the common welfare of mankind by participating in the activities of UNESCO which aim to advance the mutual knowledge and understanding of peoples, give fresh impulse to popular education and to the spread of culture, and preserve, increase and diffuse knowledge;
  - (b) Play an ever-increasing role in UNESCO's work, and particularly in the formulation and execution of its programmes.
2. For this purpose, National Commissions:
  - (a) Cooperate with their governments and with services, organizations, institutions and individuals concerned with questions within UNESCO's competence;
  - (b) Encourage participation of national, governmental and non-governmental institutions and various individuals in the formulation and execution of UNESCO's programmes so as to secure for the Organization all the intellectual, scientific, artistic or administrative assistance that it may require;

- (c) Disseminate information on the objectives, programme and activities of UNESCO and endeavour to arouse public interest in them.
3. In addition, and depending on the requirements and arrangements of each Member State, National Commissions may:
    - (a) Participate in the planning and execution of activities entrusted to UNESCO which are undertaken with the assistance of the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Fund for Population Activities and other international programmes;
    - (b) Participate in the search for candidates for UNESCO posts financed under the regular programme or from extra-budgetary sources, and in the placement of UNESCO fellowship holders;
    - (c) Participate with other National Commissions in joint studies on matters of interest to UNESCO;
    - (d) Undertake on their own initiative other activities related to the general objectives of UNESCO.
  4. National Commissions collaborate with each other and with UNESCO's Regional Offices and centres in fostering regional, subregional and bilateral cooperation in education, the sciences, culture and information, particularly through the joint formulation and execution of programmes. This cooperation may bear upon the preparation, implementation and evaluation of projects and may take the form of joint surveys, seminars, meetings and conferences and exchanges of information, material and visits.

## Article II

**Role of National Commissions in their relations with Member States**

1. Each Member State defines the responsibilities of its own National Commission. In general, National Commissions:
  - (a) Foster close liaison between state agencies and services, professional and other associations, universities and other centres of research and education, and other institutions concerned with education, the sciences, culture and information;
  - (b) Cooperate with the delegations of their respective governments at the General Conference and at other intergovernmental meetings convened by UNESCO, *inter alia* by preparing the contributions of their governments to the work of these meetings;
  - (c) Follow the development of UNESCO's programme and call the attention of the appropriate agencies to the potential benefits of international cooperation;

- (d) Contribute to national activities related to UNESCO's programme and to the evaluation thereof;
  - (e) Provide a channel for disseminating information obtained from other countries on matters of domestic interest in education, the sciences, culture and information;
  - (f) Encourage, at the national level, interdisciplinary dialogue and cooperation between institutions concerned with education, the sciences, culture and information, with a view to helping to bring intellectual resources to bear on certain priorities for development.
2. Depending on the arrangements made by each Member State, National Commissions may also be expected, *inter alia*:
    - (a) To assume, alone or in collaboration with other bodies, responsibility for the operation of UNESCO projects in the country and for national participation in subregional, regional, or international UNESCO activities;
    - (b) To inform national agencies and institutions of the conclusions and recommendations adopted by the General Conference or by other meetings, or included in studies and reports; to encourage their discussion in the light of national needs and priorities; and to provide for such follow-up activities as may be required.

### Article III

#### **Services rendered to UNESCO by National Commissions**

1. In each Member State, the National Commission ensures the permanent presence of UNESCO in its country and contributes to the Organization's effort to promote international cooperation in the field of intellectual activities.
2. National Commissions are important sources of information for UNESCO on national requirements and priorities in regard to education, science, culture and information, thereby enabling the Organization to take Member States' requirements more fully into account when preparing its programmes. They also contribute to the Organization's standard-setting work and to the orientation or execution of its programme by making their views known when surveys or inquiries are carried out and by replying to questionnaires.
3. National Commissions disseminate information:
  - (a) To the mass media and the general public, on UNESCO's objectives, programmes and activities;
  - (b) To individuals and institutions concerned with any aspect of UNESCO's work.

4. National Commissions must be able to contribute effectively to the implementation of UNESCO's programme:
  - (a) By mobilizing on its behalf the assistance and support of the country's specialized communities;
  - (b) By assuming operational responsibility for some of UNESCO's programme activities.

#### Article IV

#### **Responsibilities of Member States towards National Commissions**

1. It is incumbent upon each Member State, under Article VII of the Constitution, to provide its National Commission with the status, structure and resources necessary to enable it effectively to discharge its responsibilities to UNESCO and to the Member State.
2. Each National Commission will normally include representatives of ministerial departments, services and other bodies interested in matters of education, science, culture and information, as well as representative individuals belonging to the specialized communities involved. Its members should be sufficiently senior and competent to secure for it the support and cooperation of ministries, services, national institutions and persons capable of contributing to UNESCO's work.
3. National Commissions may include executive and standing committees, coordinating bodies, subcommissions and any other subsidiary body, as appropriate.
4. For their effective operation, National Commissions require:
  - (a) A legal status which is consistent with Article VII of the Constitution of UNESCO and the provisions of this Charter and which clearly defines the responsibilities vested in the National Commission, its membership, the conditions governing its operation and the resources on which it may draw;
  - (b) A permanent secretariat, provided with:
    - (i) a high-level staff, whose status, and in particular that of its Secretary-General, should be clearly defined, and who should be appointed for a sufficiently long period to ensure the necessary continuity of experience;
    - (ii) sufficient authority and financial means to enable it to carry out efficiently the functions specified in this Charter and to increase its participation in the activities of the Organization.
5. It is important for close collaboration to be established in each Member State between its permanent delegation to UNESCO and its National Commission.



## Article V

**Responsibilities of UNESCO towards National Commissions**

1. It is incumbent upon the Director-General of UNESCO to take the measures that he deems most appropriate in order to involve National Commissions in the formulation, implementation and evaluation of the Organization's programme and activities and to ensure that close liaison is established between its various regional services, centres and offices and the National Commissions.
2. The Organization fosters the development of National Commissions and supplies them, to the utmost of its ability, with the facilities needed for the discharge of their functions:
  - (a) By giving advice and making available the services of consultants or members of the Secretariat in order to assist Member States, at their request, to establish or reorganize their National Commission;
  - (b) By providing training for new Secretaries-General and other officials of National Commissions;
  - (c) By providing them with material assistance;
  - (d) By informing them of all missions of visiting UNESCO officials and consultants and of any other UNESCO activity planned in their country;
  - (e) By providing them with documentation and information materials;
  - (f) By providing support for the National Commissions in the translation, adaptation and dissemination of the publications and documents of UNESCO in national languages, and assistance in the production of their own publications.
3. UNESCO can extend and develop its action through National Commissions by:
  - (a) Entering into contracts with them, wherever necessary, for the execution of activities included in its programme;
  - (b) Providing financial support for regular subregional and regional meetings held by National Commissions for the purpose of discussing common concerns, formulating proposals relating to the programmes and arranging for the joint execution of specific projects;
  - (c) Providing advice and technical support for such meetings through the participation of UNESCO officials;
  - (d) Fostering the establishment of cooperative relationships enabling the decisions taken at subregional and regional meetings to be followed up;
  - (e) Providing financial and technical support for the liaison machinery established by National Commissions;

- (f) Fostering the organization of meetings of Secretaries-General, particularly in connection with sessions of the General Conference.
4. UNESCO encourages contacts between the National Commissions of the different regions by continuing and increasing the support it gives to:
- (a) Meetings of groups of Secretaries-General from all regions to exchange ideas and experiences on specific problems;
  - (b) Interregional collective consultations of Secretaries-General of National Commissions;
  - (c) National Commissions of one region wishing to send an observer to the conferences of National Commissions of other regions;
  - (d) Joint projects and other cooperative activities undertaken by National Commissions of different regions.

# Directives concerning UNESCO's relations with non-governmental organizations<sup>1</sup>

Approved by the General Conference at its 28th session.<sup>2</sup>

## Preamble

1. In implementation of the provisions of Article XI of its Constitution, UNESCO has built up over the years a valuable network of cooperative relations in its fields of competence with non-governmental organizations representing civil society. Given the pre-eminent role that the founders of UNESCO intended non-governmental organizations to play, this partnership bears witness to the importance of the work of those organizations alongside government-sponsored action in international cooperation in the service of peoples for development, equality, international understanding and peace.
2. Fifty years after its foundation, and on the threshold of the third millennium, UNESCO notes with satisfaction the increasingly active role being played by organizations representing civil society in international cooperation, and wishes to define a new framework within which the relations it desires to maintain with such organizations may develop under the most favourable conditions.

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1. These Directives take the fullest possible account of the principles and practices of the United Nations, as established in the relevant resolutions of the Economic and Social Council.

2. See 28 C/Resolutions, p. 99.

3. These relations are designed, on the one hand, to enable UNESCO to secure advice, technical cooperation and documentation from non-governmental organizations and, on the other, to enable such organizations, which represent important sections of public opinion, to express the views of their members. Since UNESCO is not a funding institution, these relations will be essentially of an intellectual nature.
4. The following provisions are designed to further the aims of UNESCO by securing the broadest possible assistance from competent non-governmental organizations<sup>1</sup> representing civil society in the preparation and in the execution of its programme, and thus increasing international cooperation in the fields of education, science, culture and communication. In addition, they should promote the emergence of new organizations that are representative of civil society in those regions of the world where such organizations, for historical, cultural or geographical reasons, are isolated or weak, and help to integrate such organizations into the network.
5. Taking into account the non-governmental organization's own objectives and the type of collaboration that is possible with UNESCO, two main types of relations will be established: the first will involve sustained cooperation both upstream and downstream from UNESCO's programming and priorities (formal relations); the second will consist of a flexible and dynamic partnership in the implementation of UNESCO's programmes (operational relations).

## **I. Formal relations**

### **1. General principles**

- 1.1 UNESCO may establish formal relations with international<sup>2</sup> non-governmental organizations. According to the structure and aims of such organizations, the nature of their cooperation with UNESCO and the scale of the contribution they are able to make, such relations shall come

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1. Separate Directives govern UNESCO's relations with foundations and similar institutions.

2. "International" non-governmental organizations are defined as interregional and regional bodies, in the geographical or the cultural sense.

under one of two different categories: consultative relations and associate relations. Relations shall be established for renewable periods of six years.

2.

### **Conditions**

2.1

An international organization shall qualify as an organization that may maintain formal relations with UNESCO provided that it has not been established by intergovernmental agreement and that its purposes, functions and operation are non-governmental and non-profit-making in character.

2.2

Such an organization shall fulfil the following conditions:

- (a) it shall be engaged in activities in one or more specific fields of UNESCO's competence, and it shall be able and willing to make an effective contribution to the achievement of UNESCO's objectives, in conformity with the principles proclaimed in UNESCO's Constitution;
- (b) it shall be effectively engaged in activities at the international level in a spirit of cooperation, tolerance and solidarity in the interests of humankind and with respect for cultural identities;
- (c) its regular active membership (consisting of groups and/or persons) shall be international, permitting it, as far as possible, to ensure significant representation of the various cultural regions its vocation is to serve;
- (d) it shall form, through its membership, a community linked by a desire to pursue the objectives for which it was established;
- (e) it shall have a recognized legal status;
- (f) it shall have an established headquarters and be governed by democratically adopted statutes stipulating, in particular, that its general policy shall be determined by a conference, congress or other representative body; those statutes shall also stipulate that it shall have a permanent, representative and regularly renewed governing body, representatives who are duly elected by the main body of the organization, and basic resources deriving chiefly from members' contributions, that enable it to function and to communicate regularly with its members in various countries;
- (g) it shall have been in existence and have been carrying out activities for at least four years at the time of its requesting the establishment of formal relations.

**3. Consultative relations**

3.1 If it deems such a decision to be useful for the achievement of the objectives of UNESCO, the Executive Board may, either on the proposal of the Director-General or at the request of the non-governmental organization itself, admit a non-governmental organization fulfilling the conditions defined in Article 2 above and wishing to cooperate with UNESCO to the category of formal relations known as “consultative relations”.

3.2 Such organizations must have given proof of their ability to supply UNESCO, at its request, with competent advice on questions coming within their purview and to contribute effectively by their activities to the implementation of UNESCO’s programme.

3.3 The Executive Board shall apply the following principles:

- (a) where an organization’s primary objectives are related to those of another specialized agency of the United Nations system than UNESCO, that agency must be consulted;
- (b) admission to the category of consultative relations (i) shall not be granted on an individual basis to organizations belonging to a larger body already admitted and authorized to represent those organizations in respect of the whole of their functions; and (ii) shall be possible only once the organization has maintained continuous and effective operational relations with UNESCO for a period of at least two years;
- (c) where a number of separate organizations exist in any particular field of UNESCO’s activity, their admission to the category of consultative relations on an individual basis may be deferred with the object of encouraging the establishment of umbrella organizations or coordinating bodies that are better able to further UNESCO’s aims by bringing all these organizations together and may be entitled to request the establishment of associate relations, as defined in Article 4 below. The application of this principle shall not, however, deprive UNESCO of the direct cooperation of organizations whose assistance in one of the fields that are within its competence would be especially desirable.

3.4 In addition, the Director-General may decide to broaden the scope of the conditions for admission to formal consultative relations to include international networks or similar institutions of a non-governmental nature that meet the criteria set out in paragraph 2.2 above and, in addition to the mere exchange of information, may make a significant contribution to the implementation of concrete projects in UNESCO’s fields of competence, but whose structure and governing bodies are not of an

international nature owing to their legal status and the legal framework within which they conduct their activities. In such cases, before taking a decision the Director-General shall consult the competent authorities of the Member State in which the headquarters of the institution concerned is located. He shall keep the Executive Board informed of any decisions he may take under the terms of this paragraph.

#### 4. **Associate relations**

4.1 A very small number of umbrella organizations that are broadly international in membership, bring together specialist international professional associations, have proven competence in an important field of education, science, culture or communication, and have a record of regular major contributions to UNESCO's work may, at their request and on the recommendation of the Director-General, be admitted by the Executive Board to the category of formal relations known as "associate relations".

4.2 In addition to the cooperation referred to in Article 3 above, close and continuous working relations shall be maintained with these organizations, which will be invited by the Director-General to advise him regularly on the preparation and execution of UNESCO's programme and to participate in UNESCO's activities.

#### 5. **Admission**

5.1 The Director-General shall acquaint each organization admitted to either of the categories of formal relations with the corresponding obligations and advantages. UNESCO's relations with these organizations shall not become effective until the competent body of the organization concerned has signified its acceptance of those obligations and advantages. Requests rejected by the Executive Board may not be resubmitted to the Board until at least four years have elapsed since its decision.

#### 6. **Modification, termination and suspension of relations**

6.1 Where the Director-General considers that circumstances make it necessary to downgrade an organization to the other category, he shall refer the matter to the Executive Board for a decision. Before doing so, he shall inform the organization concerned of the grounds for his proposal and shall communicate any observations the organization may wish to make to the Executive Board before any final decision is taken.

6.2 The same provisions shall apply if the Director-General deems it necessary to terminate UNESCO's formal relations with an international non-governmental organization. Furthermore, a complete absence of collaboration for a period of four years between UNESCO and an organization maintaining formal relations with UNESCO shall result in the automatic termination of those relations.

6.3 As an interim measure, the Director-General may, if circumstances so require, suspend relations with an organization until such time as the Executive Board is able to take a decision. This provision shall also apply in cases where an organization's relations with the United Nations have been suspended or terminated.

7. **Obligations of international non-governmental organizations maintaining formal relations with UNESCO**

7.1 (a) *Consultative relations*

Organizations maintaining formal consultative relations shall:

- (i) keep the Director-General regularly informed of those of their activities that are relevant to UNESCO's programme and of the assistance given by them to the achievement of UNESCO's objectives;
- (ii) acquaint their members, by all the means at their command, with those UNESCO programme activities and achievements that are likely to interest them;
- (iii) at the Director-General's request, give advice and provide assistance in connection with consultations on the preparation of UNESCO's programmes, and in connection with UNESCO's inquiries, studies or publications falling within their competence;
- (iv) contribute, by their activities, to the execution of UNESCO's programme and, as far as possible, include in the agenda of their meetings specific items relating to UNESCO's programme;
- (v) invite UNESCO to be represented at those of their meetings whose agenda is of interest to UNESCO;
- (vi) submit to the Director-General periodic reports on their activities, their statutory meetings and the support they have given to UNESCO's action;
- (vii) contribute substantially to the preparation of the sexennial report by the Executive Board to the General Conference on



the contributions made to UNESCO's activities by non-governmental organizations, in accordance with Section V, paragraph 3, below;

- (viii) send representatives, as far as possible at the highest level, to the Conference of International Non-Governmental Organizations provided for in Section III, Article 1, below.

(b) *Associate relations*

In addition to the obligations contained in (a) above, organizations maintaining formal associate relations with UNESCO shall:

- (i) collaborate closely with UNESCO in expanding those of their own activities that come within UNESCO's fields of competence;
- (ii) assist UNESCO in its efforts to promote international coordination of the activities of non-governmental organizations working in a common field and to bring them together under umbrella organizations;
- (iii) send representatives at the most appropriate level to the various types of consultation in which the Director-General invites them to take part and for which their expertise is essential;
- (iv) maintain, through their networks and regional and national representatives, effective coordination with UNESCO's field units and with the National Commissions for UNESCO in the various countries.

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8. **Advantages granted to international non-governmental organizations maintaining formal relations with UNESCO**

- 8.1 In accordance with the provisions of Article IV, paragraph 14, of the Constitution, organizations maintaining formal consultative or associate relations with UNESCO shall be invited by the Director-General to send observers to sessions of the General Conference and its commissions. Both these observers and those referred to in Article IV, paragraph 13, of the Constitution may make statements on matters within their respective competence in the commissions, committees and subsidiary bodies of the General Conference, with the consent of the presiding officer.
- 8.2 Organizations maintaining formal consultative or associate relations with UNESCO may, under the authority of their governing body, submit written statements to the Director-General on UNESCO programme matters

within their competence. The Director-General shall communicate the substance of these statements to the Executive Board or, if appropriate, to the General Conference.

8.3 In addition, the following advantages shall be granted to organizations maintaining formal consultative or associate relations:

(a) *Consultative relations*

- (i) they shall receive, after agreement with the Secretariat, all appropriate documentation relating to the programme activities corresponding to the aims proclaimed in their constitutions;
- (ii) they shall be consulted by the Director-General on UNESCO's proposed programme;
- (iii) they may address plenary meetings of the General Conference on particular matters of major importance that fall within their competence, in accordance with the provisions of the Rules of Procedure of the General Conference;
- (iv) they may be invited by the Director-General to send observers to meetings organized by UNESCO on matters within their competence; if unable to be represented at those meetings, they may forward their views in writing;
- (v) they shall be invited to attend periodic conferences of non-governmental organizations;
- (vi) with a view to encouraging the emergence of organizations that are representative of civil society in those regions of the world where such organizations are still weak or isolated, and their inclusion in the network of international cooperation, the Director-General may propose the conclusion of cooperation agreements or plans of action concerning UNESCO's programme priorities in the region concerned, subject to the same provisions as those contained in paragraph (b) (iv) below, with regional non-governmental organizations that are competent, effective and representative in those regions and maintain consultative relations with UNESCO.

(b) *Associate relations*

In addition to the advantages described in paragraph (a) above:

- (i) as a general principle, these organizations shall be associated as closely and regularly as possible with the various stages of the planning and execution of UNESCO's activities within their own particular field;

- (ii) they may address plenary meetings of the General Conference, in accordance with the provisions of the Rules of Procedure of the General Conference;
- (iii) as far as is possible, office accommodation may be provided on the most favourable terms for those organizations with which it is particularly necessary for the Secretariat to keep in constant touch for the implementation of UNESCO's programme;
- (iv) framework agreements for cooperation may be concluded for a renewable period of six years with such organizations, setting the joint priorities they and UNESCO undertake to pursue during that period;
- (v) international associations/federations that are members of umbrella organizations maintaining associate relations with UNESCO may receive directly, upon request, the documentation that UNESCO sends to organizations maintaining formal relations with it.

## **II. Operational relations**

### **1. General principles**

1.1 The Director-General may, if he deems it useful for the implementation of UNESCO's programmes, cooperate with any non-governmental organization in a type of relations known as "operational relations".

1.2 These relations are designed to enable UNESCO to establish and maintain flexible and dynamic partnerships with any organization of civil society that is active in UNESCO's fields of competence at whatever level, and to benefit from that organization's operational capacities in the field and its networks for the dissemination of information. Furthermore, these relations should make it possible to encourage the emergence of organizations representative of civil society, and their interaction at the international level, in those parts of the world in which they are weak or isolated. Finally, these relations should make it possible to gauge the competence and operational effectiveness of international non-governmental organizations with which UNESCO has previously had no relations whatsoever and which are desirous of establishing formal relations with it.

### **2. Conditions**

2.1 Non-governmental organizations wishing to establish operational relations must meet the following conditions:

- (a) organizations of an international nature that only partially meet the conditions laid down in Section I for the establishment of formal relations must have the operational capacity and the competence to implement, in the best possible manner, the activities provided for in UNESCO's programme;
- (b) organizations of a national, local or field nature must have the same operational capacity. All cooperation with such organizations must be conducted in consultation with the National Commission for UNESCO of the Member State concerned and, if appropriate, in liaison with UNESCO's field units. Such organizations may not be admitted to formal relations.

3. **Obligations**

3.1 Organizations maintaining operational relations with UNESCO shall undertake to keep the Director-General informed of their activities concerning UNESCO's fields of competence and to contribute to the sexennial report drawn up by the Executive Board, in accordance with Section V, paragraph 3, below, on the assistance given by such organizations to the achievement of UNESCO's objectives.

3.2 They shall further undertake to acquaint their members, by all the means at their disposal, with those of UNESCO's programme activities and achievements that may be of interest to them.

4. **Advantages**

4.1 International organizations maintaining operational relations with UNESCO shall enjoy the following advantages:

- (a) the Director-General shall take all necessary measures to ensure the appropriate exchange of information and documents with them on matters of joint interest;
- (b) in accordance with the provisions of Article IV, paragraph 13, of the Constitution, the General Conference, on the recommendation of the Executive Board and by a two-thirds majority, may invite them to be represented as observers at specified plenary meetings of the Conference and meetings of its commissions. Requests from these organizations, indicating those items of the Conference's agenda in the discussion of which their representatives would like to take part, must reach the Director-General at least one month before the opening of the General Conference session;
- (c) they may be invited to send observers to certain UNESCO meetings if, in the opinion of the Director-General, they are in a

position to make a significant contribution to the work of those meetings;

- (d) they may be invited to participate as observers in various collective consultations of NGOs organized by UNESCO in connection with the implementation of its programme;
- (e) they may have access to some of the financial procedures for cooperation described in Section IV of these Directives, if the Director-General considers that they are the most competent to assist in the execution of certain tasks scheduled in UNESCO's programme;
- (f) they may be invited to send observers to the Conference of International Non-Governmental Organizations provided for in Section III, Article 1 below; they may attend meetings of the Standing Committee provided for in paragraph 1.3.1 of Section III below, in the same capacity.

4.2 Contracts may be concluded with organizations of a national or local nature maintaining operational relations with UNESCO, if the Director-General deems them to be the most competent to contribute to the execution of certain tasks scheduled in UNESCO's programme, due allowance being made for the provisions of Section II, paragraph 2.1(b). They may also be invited to attend certain meetings organized by UNESCO if it is felt that they may make an appropriate contribution.

## 5. **Termination of relations**

5.1 A complete absence of collaboration for a period of four years shall result in the automatic termination of relations.

## III. **Collective consultations with non-governmental organizations**

### 1. **Conferences of non-governmental organizations**

#### 1.1 *International conference*

International non-governmental organizations maintaining formal relations with UNESCO may, with the approval of the Director-General, hold a conference every two years to review the state of cooperation with UNESCO, conducting collective consultations on the main lines of UNESCO's programme and facilitating cooperation between

organizations having common interests. This global forum shall enable the Director-General to gather advice and suggestions from international non-governmental organizations that are UNESCO's partners in the priority fields of its programme.

### 1.2 *Regional conferences*

Non-governmental organizations maintaining formal or operational relations with UNESCO may, with the approval of the Director-General, hold conferences in the various regions at regular intervals, with a view to examining the state of cooperation with UNESCO, holding collective consultations on UNESCO's programmes and regional priorities, and facilitating cooperation among organizations having common interests. Such conferences shall bring together, as a matter of priority, the organizations of the region concerned and the regional or national representatives or members of international organizations maintaining formal relations with UNESCO.

### 1.3 *Follow-up and evaluation machinery*

These conferences shall make provision for appropriate follow-up and evaluation machinery (networks), in cooperation with the field units and National Commissions.

#### 1.3.1 *Standing Committee*

The Conference of International Non-Governmental Organizations shall elect a Standing Committee that reflects the geocultural diversity of the Member States of UNESCO, at least one third of whose members shall be organizations maintaining formal associate relations with UNESCO. The Conference shall also adopt its rules of procedure, which shall be proposed in draft form by the Committee and approved by the Director-General. The Standing Committee's role between meetings of the Conference shall be to:

- (a) represent the interests of all the organizations with regard to UNESCO;
- (b) cooperate with the Director-General;
- (c) implement the resolutions adopted by the Conference;
- (d) ensure the appropriate exchange of information with the non-governmental community it represents and, in this connection, promote consultation among NGOs at all levels;
- (e) make preparations, in consultation with the Director-General, for the subsequent session of the Conference;

- (f) ensure that the interests and opinions of NGOs taken collectively are reflected by UNESCO in the preparation of major world conferences organized by the United Nations;
- (g) take all possible steps to inform non-governmental organizations of the possibilities open to them for participation in an individual capacity in these conferences and in their preparation, in accordance with the rules laid down by the United Nations.

The premises and secretariat facilities necessary for the meetings of the Conference and for the work of the Standing Committee shall, as far as possible, be provided free of charge by the Director-General.

## 2. **Collective consultations on specific subjects**

- 2.1 All non-governmental organizations maintaining formal or operational relations with UNESCO may be invited to send representatives to the various collective consultations regularly held by UNESCO for the implementation of its various programmes, if such organizations can make a specific contribution to the subjects examined in these consultations. These arrangements shall serve the purpose of ensuring the best possible cooperation in the pursuit of the shared priority objectives.

## IV. **Financial and material arrangements for cooperation**

- 1. UNESCO may grant various forms of financial and material contributions to non-governmental organizations likely to make a particularly effective contribution to the achievement of UNESCO's objectives as defined in its Constitution and to the implementation of its programme.

## 2. **General principles**

- 2.1 Financial and material contributions granted by UNESCO to non-governmental organizations shall be governed, as appropriate, by the following principles:
  - (a) they shall be granted in accordance with the relevant rules currently in force;
  - (b) they shall be granted for programmes and activities that have a bearing on UNESCO's priorities or constitute a useful addition to UNESCO's programmes and activities;
  - (c) in no circumstances shall they constitute a permanent commitment on the part of the Organization;

- (d) financial contributions shall be granted solely for the purpose of supplementing the revenue that the beneficiary organization derives from other sources;
- (e) an organization receiving financial contributions shall have made appropriate arrangements for regular evaluation of the activities so financed and the submission of reports on the implementation of those activities.

3. **Forms of contribution**

3.1 The various forms of financial contribution shall comprise (i) the awarding of various types of contract (contracts for the implementation of framework agreements; other contracts for the implementation of UNESCO's regular programmes; contracts under the special programme of support to non-governmental entities for activities in developing countries); (ii) contributions under the Participation Programme; and (iii) subventions.

3.2 Material contributions may include office accommodation, in accordance with the terms of Section I, paragraph 8.3 (b) (iii); use of UNESCO's conference facilities, and the granting of UNESCO's patronage.

4. **Conditions for the granting of financial and material contributions and for the submission of reports**

4.1 The conditions for the granting of financial and material contributions and for the submission of the corresponding reports shall be considered and adopted by the Executive Board, on the proposal of the Director-General. They may be revised as needed.

V. **Periodic review of relations**

1. The Director-General shall include in his periodic reports information on the main aspects of cooperation between UNESCO and non-governmental organizations.

2. At each regular session of the General Conference the Director-General shall present a concise report on any changes that have taken place by decision of the Executive Board in the classification of international organizations admitted to the various categories of formal relations with UNESCO. This report shall also contain the list of organizations that maintain operational relations with UNESCO, together with those that have submitted requests for admission to the two categories of formal



relations or to the category of operational relations and whose requests have not been accepted.

3. The General Conference shall receive, every six years, a report by the Executive Board on the contribution made to UNESCO's activities by organizations maintaining formal relations with it. The report shall include an evaluation of the results of cooperation with organizations maintaining operational relations with UNESCO. It shall also indicate the results of cooperation under framework agreements concluded with certain organizations, and make recommendations on the renewal of such framework agreements. Finally, it shall contain a list of those organizations whose lack of collaboration has resulted in the automatic termination of formal or operational relations with UNESCO, in accordance with these Directives (Section I, paragraph 6.2 and Section II, paragraph 5.1).

#### **VI. Requests for the establishment or modification of relations**

1. The Executive Board shall rule once a year on matters within its mandate relating to the establishment of relations between UNESCO and non-governmental organizations, as defined in these Directives.
2. The Director-General shall ensure that the Executive Board is informed of every decision taken by him under the terms of these Directives.
3. Requests for the establishment or modification of formal relations shall be submitted no later than 31 December of each year.
4. Requests for the establishment of operational relations may be submitted at any time. They shall be accompanied by a copy of the statutes and of the instrument of legal recognition of the organization, a list of members, with their nationalities, a recent report covering at least two years of activities and a brief description of the projects that the organization hopes to implement in cooperation with UNESCO.

#### **VII. Informal relations**

1. UNESCO may maintain informal relations with other non-governmental organizations.

# Directives concerning UNESCO's relations with foundations and similar institutions

Approved by the General Conference at its 26th session, and amended at its 28th and 29th sessions.<sup>1</sup>

## Preamble

In accordance with Article XI, paragraph 4, of the Constitution, the following Directives lay down the principles and methods whereby UNESCO may establish an official relationship with foundations and similar non-governmental institutions wishing to participate in international cooperation in education, science, culture or communication.

These Directives are intended to promote UNESCO's purposes by securing for it the widest possible assistance on the part of the above-mentioned institutions in the preparation and execution of its programme.

## Article I

### Conditions for the granting of official-relationship status to foundations and similar institutions

UNESCO may establish an official cooperation relationship with foundations and similar non-governmental institutions having independent financial means that enable them to conduct activities in UNESCO's fields of competence, and meeting the following criteria:

- (a) That they pursue goals that are in conformity with UNESCO's ideals and with the ethical principles recognized by the international community, including those proclaimed in the Universal Declaration of Human Rights;

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1. See 26 C/Resolution 13.23; 28 C/Resolution 13.5 and 29 C/Resolution 64..

- (b) That they have the will and the means to contribute to the achievement of UNESCO's goals and programme;
- (c) That they are entirely non-profit-making;
- (d) That they effectively carry out activities in several countries, in a spirit of international cooperation and mutual support and of respect for cultural identity;
- (e) That they possess suitable information facilities to make their work known;
- (f) That they are endowed with legal status under national law.

Article II

**Procedure for establishing official relationships**

1. Foundations or institutions that meet the criteria listed in Article I of the present Directives may, if so decided by the Director-General, be granted official-relationship status on condition that they have already collaborated significantly on UNESCO programmes or activities or submit, at the time of application, one or more cooperation projects that they undertake to put into effect within the framework of UNESCO's programme.
2. Before creating such a relationship the Director-General shall consult the competent authorities of the Member State on whose territory the foundation or institution concerned has its headquarters.
3. An official relationship defined in the present Directives shall be established for a period of six years. It may be renewed for a further period of six years.

Article III

**Obligations of institutions maintaining official relations with UNESCO**

Institutions enjoying official-relationship status with UNESCO as defined in the present Directives shall have the following obligations:

- (a) To keep the Director-General informed of their activities relevant to UNESCO's programme;
- (b) To contribute to the implementation of certain activities under UNESCO's programme;
- (c) To invite UNESCO to send a representative to their meetings and to take part in their activities of relevance to the Organization's programme;
- (d) Periodically to submit reports to the Director-General on their activities and on the assistance they have provided to UNESCO in its work.

## Article IV

**Benefits granted to institutions maintaining official relations with UNESCO**

1. Institutions maintaining official relations with UNESCO as defined in the present Directives:
  - (a) Will receive documentation relating to the Organization's programme and activities in areas of common interest;
  - (b) Will be consulted on the preparation of its draft programmes and budgets;
  - (c) May be invited to attend meetings organized by UNESCO or to take part in the carrying out of certain activities that have a bearing on matters within their fields of competence.
2. These institutions may be invited to be represented at sessions of the General Conference by observers, if so decided by it, and on the recommendation of the Executive Board, in accordance with Rule 7 of the Rules of Procedure of the General Conference.

## Article V

**Periodic review of the relations defined in the present Directives**

1. The Director-General shall inform the Executive Board, in the report he submits to it each year on the classification of international non-governmental organizations, of the foundations and institutions admitted to official-relationship status with UNESCO under the present Directives.
2. Furthermore, a brief account of UNESCO's cooperation with these institutions shall be included in the report submitted every six years by the Executive Board to the General Conference on the assistance given to UNESCO in its work by international non-governmental organizations.

## Article VI

**Bodies representing civil society and the private sector**

The procedures for establishing official relationships with foundations or institutions, in particular Article II, paragraph 2, as well as other relevant regulations of these Directives shall also be applied when establishing new partnerships with all bodies representing civil society as well as with all bodies representing the private sector.

## Agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization

Approved by the General Conference on 6 December 1946 and by the General Assembly of the United Nations on 14 December 1946.<sup>1</sup>

1. Article 57 of the Charter of the United Nations provides that specialized agencies, established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields, shall be brought into relationship with the United Nations.
2. Articles X and IV, paragraph B, subparagraph 5, of the Constitution establishing the United Nations Educational, Scientific and Cultural Organization provide that this Organization shall be brought into relation with the United Nations as soon as practicable, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations with the function of advising the United Nations on the educational, scientific and cultural aspects of matters of concern to the latter.

Therefore the United Nations and the United Nations Educational, Scientific and Cultural Organization agree as follows:

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1. Came into force on 14 December 1946. A supplementary agreement adding the present Article XIII (*laissez-passer*), was approved by the General Conference on 6 December 1948 and by the General Assembly of the United Nations on 11 December 1948 and came into force on 11 December 1948. The agreement was further amended by the deletion of former Article II concerning the procedure of admission to UNESCO of states not Members of the United Nations, which was approved by the General Assembly of the United Nations on 8 December 1962 and by the General Conference of UNESCO on 10 December 1962 and took effect on 10 December 1962.

Article I                   The United Nations recognizes the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

Article II

**Reciprocal representation**

1. Representatives of the United Nations shall be invited to attend the meetings of the General Conference of the United Nations Educational, Scientific and Cultural Organization and its committees, the Executive Board and its committees, and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.
2. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the Economic and Social Council and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to educational, scientific and cultural matters.
3. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the General Assembly of the United Nations for the purposes of consultation on educational, scientific and cultural matters.
4. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the main committees of the General Assembly when educational, scientific or cultural matters are under discussion, and to participate, without vote, in such discussions.
5. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend the meetings of the Trusteeship Council of the United Nations and to participate, without vote, in the deliberations thereof, with respect to items on the agenda relating to educational, scientific and cultural matters.
6. Written statements of the United Nations Educational, Scientific and Cultural Organization shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions, and the Trusteeship Council as appropriate.

Article III

**Proposal of agenda items**

Subject to such preliminary consultation as may be necessary, the United Nations Educational, Scientific and Cultural Organization shall include

on the agenda of the General Conference or Executive Board items proposed to it by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the General Conference or Executive Board of the Organization.

Article IV

**Recommendations of the United Nations**

1. The United Nations Educational, Scientific and Cultural Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard, also, to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the coordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.
2. The United Nations Educational, Scientific and Cultural Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.
3. The United Nations Educational, Scientific and Cultural Organization affirms its intention of cooperating in whatever further measures may be necessary to make coordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in, and to cooperate with, any body or bodies which the Council may establish for the purpose of facilitating such coordination and to furnish such information as may be required for the carrying out of this purpose.

Article V

**Exchange of information and documents**

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between



the United Nations and the United Nations Educational, Scientific and Cultural Organization.

2. Without prejudice to the generality of the provisions of paragraph 1:
  - (a) The United Nations Educational, Scientific and Cultural Organization agrees to transmit to the United Nations regular reports on the activities of the Organization;
  - (b) The United Nations Educational, Scientific and Cultural Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in Article XVII;
  - (c) The Secretary-General shall, upon request, consult with the Director-General regarding the provision to the United Nations Educational, Scientific and Cultural Organization of such information as may be of special interest to the Organization.

Article VI

**Public information**

Having regard to the functions of the United Nations Educational, Scientific and Cultural Organization, as defined in Article I, paragraphs 2(a) and (c), of its Constitution, to collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication, and with a view to coordinating the activities of the Organization in this field with the operations of the information services of the United Nations, a subsidiary agreement regarding these matters shall be concluded as soon as possible after the coming into force of the present agreement.

Article VII

**Assistance to the Security Council**

The United Nations Educational, Scientific and Cultural Organization agrees to cooperate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

Article VIII

**Assistance to the Trusteeship Council**

The United Nations Educational, Scientific and Cultural Organization agrees to cooperate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent



possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

Article IX

**Non-self-governing territories**

The United Nations Educational, Scientific and Cultural Organization agrees to cooperate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

Article X

**Relations with the International Court of Justice**

1. The United Nations Educational, Scientific and Cultural Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.
2. The General Assembly authorizes the United Nations Educational, Scientific and Cultural Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities, other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.
3. Such request may be addressed to the Court by the General Conference or by the Executive Board acting in pursuance of an authorization by the Conference.
4. When requesting the International Court of Justice to give an advisory opinion, the United Nations Educational, Scientific and Cultural Organization shall inform the Economic and Social Council of the request.

Article XI

**Regional Offices**

Any regional or branch offices which the United Nations Educational, Scientific and Cultural Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

Article XII

**Personnel arrangements**

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization recognize that the eventual development



of a single unified international civil service is desirable from the standpoint of effective administrative coordination, and with this end in view agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to cooperate to the fullest extent possible in achieving these ends and in particular they agree to:
  - (a) Consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;
  - (b) Consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;
  - (c) Cooperate in the interchange of personnel when desirable on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;
  - (d) Cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

#### Article XIII

##### *Laissez-passer*

The officials of the United Nations Educational, Scientific and Cultural Organization shall have the right to use the *laissez-passer* of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authority of the United Nations Educational, Scientific and Cultural Organization.

#### Article XIV

##### **Statistical services**

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to strive for maximum

cooperation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The United Nations Educational, Scientific and Cultural Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.
3. The United Nations recognizes the United Nations Educational, Scientific and Cultural Organization as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.
4. The United Nations shall develop administrative instruments and procedures through which effective statistical cooperation may be secured between the United Nations and the agencies brought into relationship with it.
5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.
6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the United Nations Educational, Scientific and Cultural Organization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations.

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Article XV

**Administrative and technical services**

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the United Nations Educational, Scientific and Cultural Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in Articles XII, XIV and XVI, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.
3. Arrangements shall be made between the United Nations and the United Nations Educational, Scientific and Cultural Organization in regard to the registration and deposit of official documents.

#### Article XVI

#### **Budgetary and financial arrangements**

1. The United Nations Educational, Scientific and Cultural Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of coordination and uniformity with respect to these operations shall be secured.
2. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to cooperate to the fullest extent possible in achieving these ends and, in particular, shall consult together concerning appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Such arrangements shall be defined in a supplementary agreement between the two Organizations.
3. Pending the conclusion of such agreement, the following arrangements shall govern budgetary and financial relationships between the United Nations and the United Nations Educational, Scientific and Cultural Organization:
  - (a) In the preparation of the budget of the United Nations Educational, Scientific and Cultural Organization, the Organization shall consult with the United Nations;
  - (b) The United Nations Educational, Scientific and Cultural Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its Members. The General Assembly shall examine the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein;
  - (c) Representatives of the United Nations Educational, Scientific and Cultural Organization shall be entitled to participate,

without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration;

- (d) The United Nations may undertake the collection of contributions from those Members of the United Nations Educational, Scientific and Cultural Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization;
- (e) The United Nations shall, upon its own initiative or upon the request of the United Nations Educational, Scientific and Cultural Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters;
- (f) The United Nations Educational, Scientific and Cultural Organization agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

Article XVII

**Financing of special services**

- 1. In the event of the United Nations Educational, Scientific and Cultural Organization being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with Articles VI, VII or VIII or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.
- 2. Consultation between the United Nations and the United Nations Educational, Scientific and Cultural Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

Article XVIII

**Inter-agency agreements**

The United Nations Educational, Scientific and Cultural Organization agrees to inform the Council of the nature and scope of any formal

agreement between the Organization and any other specialized agency, intergovernmental or non-governmental organizations, and in particular agrees to inform the Council before any such agreement is concluded.

Article XIX

**Liaison**

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two Organizations. They affirm their intention of taking whatever further measures may be necessary to make this liaison fully effective.
2. The liaison arrangements provided for in the foregoing articles of this agreement shall apply as far as appropriate to the relations between such branch or Regional Offices as may be established by the two Organizations as well as between their central machinery.

Article XX

**Implementation of the agreement**

The Secretary-General and the Director-General may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two Organizations.

Article XXI

**Revision**

This agreement shall be subject to revision by agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization, and shall be reviewed not later than three years after the agreement has come into force.

Article XXII

**Entry into force**

This agreement shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the United Nations Educational, Scientific and Cultural Organization.

# Convention on the Privileges and Immunities of the Specialized Agencies

Adopted by the General Assembly of the United Nations on 21 November 1947, and accepted, together with Annex IV, by the General Conference,<sup>1</sup> effective 7 February 1949.

*Whereas* the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialized agencies, and

*Whereas* consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies,

*Consequently*, by resolution 179(II) adopted on 21 November 1947, the General Assembly has approved the following Convention, which is submitted to the specialized agencies for acceptance and to every Member of the United Nations and to every other state member of one or more of the specialized agencies for accession.

## Article I

### Definitions and scope

#### *Section 1*

In this Convention:

- (i) The words “standard clauses” refer to the provisions of Articles II to IX.
- (ii) The words “specialized agencies” mean:
  - (a) The International Labour Organization;
  - (b) The Food and Agriculture Organization of the United Nations;
  - (c) The United Nations Educational, Scientific and Cultural Organization;

<sup>1</sup>. See 3 C/110, Vol. II, p. 72.

- (d) The International Civil Aviation Organization;
  - (e) The International Monetary Fund;
  - (f) The International Bank for Reconstruction and Development;
  - (g) The World Health Organization;
  - (h) The Universal Postal Union;
  - (i) The International Telecommunication Union; and
  - (j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.
- (iii) The word “Convention” means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with Sections 36 and 38.
  - (iv) For the purposes of Article III, the words “property and assets” shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.
  - (v) For the purposes of Articles V and VII, the expression “representatives of members” shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.
  - (vi) In Sections 13, 14, 15 and 25, the expression “meetings convened by a specialized agency” means meetings: (1) of its assembly and of its executive body (however designated); (2) of any commission provided for in its constitution; (3) of any international conference convened by it; and (4) of any committee of any of these bodies.
  - (vii) The term “executive head” means the principal executive official of the specialized agency in question, whether designated “Director-General” or otherwise.

### *Section 2*

Each state party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with Section 37 shall accord to, or in connection with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with Sections 36 or 38.

## Article II

### **Juridical personality**

#### *Section 3*

The specialized agencies shall possess juridical personality. They shall have the capacity (a) to contract; (b) to acquire and dispose of immovable and movable property; (c) to institute legal proceedings.



## Article III

**Property, funds and assets***Section 4*

The specialized agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

*Section 5*

The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

*Section 6*

The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

*Section 7*

Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) The specialized agencies may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) The specialized agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

*Section 8*

Each specialized agency shall, in exercising its rights under Section 7 above, pay due regard to any representations made by the government of any state party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interest of the agency.

*Section 9*

The specialized agencies, their assets, income and other property shall be:

- (a) Exempt from all direct taxes; it is understood, however, that the specialized agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

- (b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialized agencies for their official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the government of that country;
- (c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

*Section 10*

While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which forms part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, states parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article IV

**Facilities in respect  
of communications**

*Section 11*

Each specialized agency shall enjoy, in the territory of each state party to this Convention in respect of that agency, for its official communications, treatment not less favourable than that accorded by the government of such state to any other government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

*Section 12*

No censorship shall be applied to the official correspondence and other official communications of the specialized agencies.

The specialized agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a state party to this Convention and a specialized agency.

## Article V

**Representatives of members***Section 13*

Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) Inviolability for all papers and documents;
- (c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the state which they are visiting or through which they are passing in the exercise of their functions;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

*Section 14*

In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

*Section 15*

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a Member State for the discharge of their duties shall not be considered as periods of residence.

*Section 16*

Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in

connection with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

*Section 17*

The provisions of Sections 13, 14 and 15 are not applicable in relation to the authorities of a state of which the person is a national or of which he is or has been a representative.

Article VI

**Officials**

*Section 18*

Each specialized agency will specify the categories of officials to which the provisions of this Article and of Article VIII shall apply. It shall communicate them to the governments of all states parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the above-mentioned governments.

*Section 19*

Officials of the specialized agencies shall:

- (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations;
- (c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
- (e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
- (f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country of question.

*Section 20*

The officials of the specialized agencies shall be exempt from national service obligations, provided that, in relation to the states of which they are nationals, such exemption shall be confined to officials of the

specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the state concerned.

Should other officials of specialized agencies be called up for national service, the state concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption of the continuation of essential work.

#### *Section 21*

In addition to the immunities and privileges specified in Sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

#### *Section 22*

Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for the personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

#### *Section 23*

Each specialized agency shall cooperate at all times with the appropriate authorities of Member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connection with the privileges, immunities and facilities mentioned in this Article.

## Article VII

### **Abuses of privilege**

#### *Section 24*

If any state party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that state and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the state and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in

accordance with Section 32. If the International Court of Justice finds that such an abuse has occurred, the state party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

*Section 25*

1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of Section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the government of that country provided that:
2. (i) Representatives of members, or persons who are entitled to diplomatic immunity under Section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.  
(ii) In the case of an official to whom Section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned; and, if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

Article VIII

*Laissez-passer*

*Section 26*

Officials of the specialized agencies shall be entitled to use the United Nations *laissez-passer* in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to use *laissez-passer* may be delegated. The Secretary-General of the United Nations shall notify each state party to this Convention of each administrative arrangement so concluded.

*Section 27*

States parties to this Convention shall recognize and accept the United Nations *laissez-passer* issued to officials of the specialized agencies as valid travel documents.

*Section 28*

Applications for visas, where required, from officials of specialized agencies holding United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of a specialized agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

*Section 29*

Similar facilities to those specified in Section 28 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of a specialized agency.

*Section 30*

The executive heads, assistant executive heads, heads of departments and other officials of a rank not lower than head of department of the specialized agencies, travelling on United Nations *laissez-passer* on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

## Article IX

**Settlement of disputes***Section 31*

Each specialized agency shall make provision for appropriate modes of settlement of:

- (a) Disputes arising out of contracts or other disputes of private character to which the specialized agency is a party;
- (b) Disputes involving any official of a specialized agency who by reason of this official position enjoys immunity, if immunity has not been waived in accordance with the provisions of Section 22.

*Section 32*

All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be

made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

## Article X

**Annexes and application to individual specialized agencies***Section 33*

In the application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in Sections 36 and 38.

*Section 34*

The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

*Section 35*

Draft Annexes I to IX are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in Section I, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

*Section 36*

The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in Section 35.

*Section 37*

The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to Sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of Section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other states members of the specialized



agencies certified copies of all annexes transmitted to him under this Section and of revised annexes transmitted under Section 38.

*Section 38*

If, after the transmission of a final annex under Section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

*Section 39*

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any state to any specialized agency by reason of the location in the territory of that state of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any state party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

*Section 40*

It is understood that the standard clauses, as modified by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under Section 36 (or any revised annex sent under Section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate so as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialized agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

Article XI

**Final provisions**

*Section 41*

Accession to this Convention by a Member of the United Nations and (subject to Section 42) by any state member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

*Section 42*

Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

*Section 43*

Each state party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each state party to this Convention may by a subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

*Section 44*

This Convention shall enter into force for each state party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with Section 37 and the state party has undertaken to apply the provisions of the Convention to that agency in accordance with Section 43.

*Section 45*

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under Section 41 and of subsequent notifications received under Section 43. The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under Section 42.

*Section 46*

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any state, this state will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

*Section 47*

1. Subject to the provisions of paragraphs 2 and 3 of this Section, each state party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification, until such time as a revised convention or annex shall have become applicable to that agency and the said state shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of states shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.
2. Each state party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.
3. Each state party to this Convention may withhold the benefit of this Convention from any specialized agency which ceases to be in relationship with the United Nations.
4. The Secretary-General of the United Nations shall inform all Member states parties to this Convention of any notification transmitted to him under the provisions of this section.

*Section 48*

At the request of one third of the states parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

*Section 49*

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the government of each Member of the United Nations.

## ANNEX IV

**United Nations Educational, Scientific and Cultural Organization**

The standard clauses shall operate in respect to the United Nations Educational, Scientific and Cultural Organization (hereinafter called “the Organization”) subject to the following provisions:

1. Article V and Section 25, paragraphs 1 and 2(I) of Article VII shall extend to the President of the Conference and members of the Executive Board of the Organization, their substitutes and advisers, except that any waiver of the immunity of any such person of the Executive Board under Section 16 shall be by the Executive Board.
2. The Deputy Director-General of the Organization, his spouse and minor children shall also enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic envoys in accordance with international law, which Article VI, Section 21, of the Convention ensures to the executive head of each specialized agency.
3. (i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:
  - (a) Immunity from personal arrest or seizure of their personal baggage;
  - (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
  - (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions.
- (ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

States which, at 1 January 2000,  
have undertaken to apply  
the provisions of the Convention  
on the Privileges and Immunities  
of the Specialized Agencies  
in respect of UNESCO

	<i>Date of coming into effect</i>
Algeria	25 March 1964
Antigua and Barbuda	14 December 1988
Argentina	10 October 1963
Australia	9 May 1986
Austria	21 July 1950
Bahamas	17 March 1977
Bahrain	17 September 1992
Barbados	19 November 1971
Belarus	18 March 1966
Belgium	14 March 1962
Bosnia and Herzegovina	1 September 1993
Botswana	5 April 1983
Brazil	22 March 1963
Bulgaria	13 June 1968
Burkina Faso	6 April 1962
Cambodia	26 September 1955
Cameroon	30 April 1992
Central African Republic	15 October 1962
Chile	7 June 1961
China	11 September 1979
Côte d'Ivoire	28 December 1961
Croatia	8 October 1992
Cuba	13 September 1972

	<i>Date of coming into effect</i>
Cyprus	6 May 1964
Czech Republic	22 February 1993
Democratic Republic of the Congo	8 December 1964
Denmark	25 January 1950
Dominica	24 June 1988
Ecuador	7 July 1953
Egypt	28 September 1954
Estonia	8 October 1997
Fiji	21 June 1971
Finland	31 July 1958
Gabon	30 November 1982
Gambia	1 August 1966
Germany	10 October 1957
Ghana	9 September 1958
Greece	21 June 1977
Guatemala	30 June 1951
Guinea	29 March 1968
Guyana	13 September 1973
Haiti	16 April 1952
Hungary	2 August 1967
India	10 February 1949
Indonesia	8 March 1972
Iran (Islamic Republic of)	16 May 1974
Iraq	9 July 1954
Ireland	10 May 1967
Italy	30 August 1985
Jamaica	4 November 1963
Japan	18 April 1963
Jordan	12 December 1950
Kenya	1 July 1965
Kuwait	7 February 1963
Lao People's Democratic Republic	9 August 1960
Lesotho	26 November 1969
Libyan Arab Jamahiriya	30 April 1958
Lithuania	10 February 1997
Luxembourg	20 September 1950
Madagascar	3 January 1966
Malawi	2 August 1965
Malaysia	29 March 1962
Mali	24 June 1968

	<i>Date of coming into effect</i>
Malta	27 June 1968
Mauritius	18 July 1969
Mongolia	3 March 1970
Morocco	10 June 1958
Nepal	28 September 1965
Netherlands	21 July 1949
New Zealand	25 November 1960
Nicaragua	6 April 1959
Niger	15 May 1968
Nigeria	26 June 1961
Norway	25 January 1950
Pakistan	15 September 1961
Philippines	20 March 1950
Poland	19 June 1969
Republic of Korea	13 May 1977
Romania	15 September 1970
Russian Federation	10 January 1966
Rwanda	15 April 1964
Saint Lucia	2 September 1986
Senegal	2 March 1966
Seychelles	24 July 1985
Sierra Leone	13 March 1962
Singapore	18 March 1966
Slovakia	28 May 1993
Slovenia	6 July 1992
Spain	26 September 1974
Sweden	12 September 1951
Thailand	19 June 1961
the former Yugoslav Republic of Macedonia	11 March 1996
Tonga	17 March 1976
Trinidad and Tobago	19 October 1965
Tunisia	3 December 1957
Uganda	11 August 1983
Ukraine	13 April 1966
United Kingdom of Great Britain and Northern Ireland <sup>1</sup>	16 August 1949

1. By notification deposited on 13 December 1985, the United Kingdom of Great Britain and Northern Ireland informed the Director-General of UNESCO that, following its withdrawal from the Organization, it would withhold from UNESCO the benefits of this Convention. A similar notification was also deposited with the Secretary-General of the United Nations.

	<i>Date of coming into effect</i>
United Republic of Tanzania	29 October 1962
Uruguay	29 December 1977
Uzbekistan	18 February 1997
Yugoslavia	23 November 1951
Zambia	16 June 1975
Zimbabwe	5 March 1991



# Agreement between the Government of the French Republic and the United Nations Educational, Scientific and Cultural Organization regarding the Headquarters of UNESCO and the Privileges and Immunities of the Organization on French Territory

Signed in Paris on 2 July 1954<sup>1</sup>.

The Government of the French Republic and the United Nations Educational, Scientific and Cultural Organization,

*Considering* that by resolution 28 adopted at its 6th session, the General Conference of the United Nations Educational, Scientific and Cultural Organization decided to build the permanent headquarters of the Organization at Paris,

*Considering* further that the Government of the French Republic has for this purpose by contract dated 25 June 1954 granted to the United Nations Educational, Scientific and Cultural Organization the use of such land as is necessary for the establishment of its permanent headquarters and the construction of its buildings, and

*Desiring* to regulate, by this Agreement, all questions relating to the establishment of the permanent headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris and consequently to define its privileges and immunities in France,

*Have appointed* as their representatives for this purpose the following, that is to say:

For the United Nations Educational, Scientific and Cultural Organization (hereinafter called “the Organization”), Mr Luther H. Evans, Director-General;

For the Government of the French Republic, Monsieur Guérin de Beaumont, State Secretary for Foreign Affairs, who have agreed as follows:

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1. Came into force on 23 November 1955 in accordance with Article 32 thereof.

## **Legal personality of the Organization**

- Article 1                   The Government of the French Republic recognizes the legal personality of the Organization and its capacity:
- (a) To contract;
  - (b) To acquire and dispose of movable and immovable property;
  - (c) To be party to judicial proceedings.

## **The permanent Headquarters of the Organization**

- Article 2                   The permanent Headquarters of the Organization (hereinafter called "Headquarters") shall comprise the land described and defined in Annex A of this Agreement, and all the buildings that are or may be in future built thereon.
- Article 3                   The Government of the French Republic agrees to take all necessary measures to ensure that the Organization shall have full and uninterrupted use of the land and buildings which constitute its Headquarters.
- Article 4
1. The Government of the French Republic grants to the Organization the right of free radio communication on French territory in the manner defined in Annex III of the International Telecommunication Convention made at Buenos Aires in 1952, for broadcasting its programmes and for participation in the radio network to be established between the United Nations and its specialized agencies.
  2. Special agreements to be negotiated between the Organization and the appropriate French authorities, and, if necessary, between the Organization and international institutions concerned, will set out the terms upon which the aforesaid broadcasts and radio communications are to be made.
- Article 5
1. The Headquarters shall be under the control and authority of the Organization.
  2. The Organization shall have the right to make internal regulations applicable throughout Headquarters in order to enable it to carry out its work.
  3. Subject to the provisions of the preceding paragraph, the laws and regulations of the French Republic shall apply at Headquarters.

- Article 6
1. Headquarters shall be inviolable. Agents and officials of the French Republic shall not enter Headquarters to discharge any official duty save with the consent or at the request of the Director-General and in accordance with conditions approved by him.
  2. The execution of legal process, including the seizure of private property may take place in Headquarters only with the consent of and under conditions approved by the Director-General.
  3. Without prejudice to the terms of this Agreement, the Organization shall not permit its Headquarters to become a refuge from justice for persons against whom a penal judgement has been made or who are pursued *flagrante delicto*, or against whom a warrant of arrest or a deportation order has been issued by the competent French authorities.
- Article 7
1. The Government of the French Republic undertakes to protect Headquarters and to maintain order in its immediate vicinity.
  2. At the request of the Director-General and in accordance with his instructions, the French authorities shall make available whatever police force may be necessary to maintain order within Headquarters.
- Article 8
1. The appropriate French authorities shall endeavour, within the limits of their powers, on equitable terms, and in accordance with requests made by the Director-General of the Organization, to provide public services such as postal, telephone and telegraph service, electricity, water and gas supplies, public transport, drainage, collection of refuse, fire protection and snow removal.
  2. Subject to the provisions of Article 10, the Organization shall be granted, in respect of tariffs charged for public services supplied by the French Government or public bodies under its control, such reductions as are granted to French administrative services.
  3. In case of *force majeure* involving a partial or total suspension of public services, the Organization shall receive, for its requirements, priority equal to that received by the French administrative services.

## Access to Headquarters

- Article 9
1. The competent French authorities shall not impede the transit to or from Headquarters of any persons having official duty at Headquarters or invited there by the Organization.

2. For this purpose the French Government undertakes to authorize the entry into France without delay and without charge for visas, of the following persons for the term of their duty or mission with the Organization:
  - (a) Representatives of Member States, including alternates, advisers, experts and secretaries at sessions of the various organs of the Organization or at conferences and meetings called by it;
  - (b) Members of the Executive Board of the Organization, alternates, advisers and experts;
  - (c) Permanent delegates of Member States accredited to the Organization, deputies, advisers and experts;
  - (d) Officials and experts of the Organization and of the United Nations and the specialized agencies;
  - (e) Members of the governing bodies and officials of non-governmental organizations having consultative status, the offices of which are at Headquarters;
  - (f) The families – spouses and dependent children – of the above-mentioned persons;
  - (g) All those invited on official business by the General Conference, the Executive Board or the Director-General of the Organization;
  - (h) Representatives of non-governmental organizations having consultative status, representatives of the press, radio, cinema and of other information agencies who are accredited to the Organization, after consultation with the French Government and provided that the persons concerned have not been previously prohibited from entering French territory.
3. Without prejudice to any special immunities which they may enjoy, the persons mentioned in paragraph 2 may not, during the whole period in which they are performing their duties or missions, be compelled by the French authorities to leave French territory, save where they have abused the privileges accorded to them in respect of their visits by carrying out activities unconnected with their duties or missions with the Organization and subject to the following provisions.
4. No measures for the expulsion from French territory of the persons mentioned in paragraph 2 may be taken without the approval of the Minister for Foreign Affairs of the Government of the French Republic. Before giving his approval, the Minister for Foreign Affairs shall consult the authorities mentioned hereafter.
5. The authorities mentioned in the preceding paragraph are:
  - (a) In any case concerning the representative of a Member State or his family – the Government of the Member State concerned;

- (b) In any case concerning a member of the Executive Board or his family – the Chairman of the Executive Board;
  - (c) In the case of any other persons – the Director-General of the Organization.
6. Persons who enjoy diplomatic privileges and immunities by virtue of this Agreement may not be required to leave French territory save in accordance with the procedure customarily applicable to diplomats accredited to the Government of the French Republic.
  7. It is understood that the persons referred to in paragraph 2 are not exempt from any reasonable application of the rules governing quarantine and public health.

## **Arrangements for communication**

### Article 10

1. Without prejudice to the provisions of Article 4 and in so far as is compatible with any international conventions, regulations and arrangements to which it is party, the Government of the French Republic shall grant to the Organization for communication by post, telephone, telegraph, radio-telephone, radio-telegraph and radio-photo-telegraph, terms at least as favourable as those granted by it to other governments, including diplomatic missions, as regards priorities, tariffs and taxes on mail, cablegrams, telegrams, radio-telegrams, photo-telegrams, telephone calls and other communications and also as regards charges payable for press and radio communications.
2. The Government of the French Republic shall grant full facilities to the Director-General of the Organization and his principal officials for press or radio statements.

### Article 11

1. The official correspondence of the Organization shall be inviolable.
2. The official statements of the Organization shall not be subject to censorship. This immunity extends to publications, films, negatives, photographs, and visual and sound recordings addressed to or dispatched by the Organization, and also material displayed at exhibitions which it may organize.
3. The Organization may make use of codes and may dispatch and receive correspondence by courier or pouch. Courier and pouch services shall be accorded the same privileges and immunities as diplomatic couriers and pouches.

## Property, funds and assets

- Article 12                   The Organization, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process, except in so far as in any particular case the Organization has expressly waived immunity or where a waiver is implied by contract. It is, however, understood that no waiver shall extend to any measure of execution.
- Article 13                   Should the Organization set up offices or occupy conference rooms outside Headquarters but inside France, these premises shall be inviolable, in accordance with the conditions of Article 6.
- Article 14                   1.     The property and assets of the Organization wherever located and by whomsoever held shall be immune from search, confiscation, requisition, expropriation or any other form of constraint, either executive, administrative or legislative.  
2.     The archives of the Organization and, in general, all documents belonging to or held by it shall be inviolable wherever they are located.
- Article 15                   1.     The Organization, its assets, income and other property shall be exempt from all direct taxation. The Organization shall, however, pay taxes charged for services rendered.  
2.     The Organization shall be exempt:  
      (a) From all duty and taxes, other than taxes for services rendered, collected by the customs authorities, and from all prohibitions and restrictions on imports and exports in respect of articles imported by it for official use. It is understood, however, that articles imported free of duty may not be transferred to other parties on French territory, save on conditions to be agreed upon between the Organization and the competent French authorities;  
      (b) From all duty and taxes, except taxes payable for services rendered, collected by the customs authorities, and from all prohibitions and restrictions on imports and exports in respect of publications, cinematograph films, photographic slides and documents which the Organization may import or publish in the course of its official activities.
- Article 16                   The Organization shall pay, under general laws and regulations, all indirect taxes which form part of the cost of goods sold and services rendered. Nevertheless, any such taxes levied in respect of purchases made or activities undertaken officially by the Organization may be reimbursed by lump sums to be agreed between the Organization and the French Republic.

- Article 17
1. The Organization may, without being subject to any financial control, regulations or moratoria:
    - (a) Receive and hold funds and foreign exchange of all kinds and operate accounts in all currencies;
    - (b) Freely transfer its funds and foreign exchange within French territory and from France to another country and vice versa.
  2. The competent French authorities shall grant all facilities and assistance to the Organization with a view to obtaining the most favourable conditions for all transfers and exchanges. Special arrangements to be made between the French Government and the Organization shall regulate, if necessary, the application of this Article.
  3. In exercising its rights under this Article, the Organization shall take account of all representations made by the Government of the French Republic in so far as it considers that these can be complied with without prejudice to its own interests.

## **Diplomatic privileges, immunities and facilities**

- Article 18
1. Representatives of Member States of the Organization at sessions of the various organs of the Organization and at conferences and meetings called by it; members of the Executive Board, alternates, permanent delegates accredited to the Organization and their deputies shall enjoy, during their stay in France on official duty, such privileges, immunities and facilities as are accorded to diplomats of equal rank belonging to foreign diplomatic missions accredited to the Government of the French Republic.
  2. These privileges, immunities and facilities shall extend to the spouses and children under 21 of the above-mentioned persons.
  3. Only the heads of delegations of Member States to the General Conferences of the Organization, the Chairman of the Executive Board and permanent delegates accredited to the Organization with the rank of ambassador or minister plenipotentiary shall be assimilated to heads of diplomatic missions.
- Article 19
1. Without prejudice to the provisions of Articles 23 and 24, the Director-General and the Deputy Director-General of the Organization shall, during their residence in France have the status accorded to the heads of foreign diplomatic missions accredited to the Government of the French Republic.
  2. Without prejudice to Articles 22 and 24, the directors of departments, the heads of services and bureaux and officials defined in

Annex B of this Agreement, and the spouses and dependent children of the persons designated in paragraphs 1 and 2 of this Article shall be accorded during their residence in France the privileges, immunities and facilities and other courtesies accorded to members of foreign diplomatic missions in France.

3. The persons mentioned in paragraphs 1 and 2 of this Article may not, if they are of French nationality, claim immunity in the French courts in respect of judicial proceedings concerning matters extraneous to their official duties.

Article 20                   The Organization shall, in due course, communicate to the Government of the French Republic the names of the persons mentioned in Articles 18 and 19.

Article 21                   The immunities provided for in Articles 18 and 19 are accorded in the interests of the Organization and not for the personal benefit of the individuals themselves. Such immunities may be waived by the Government of the state concerned in respect of its representatives and their families; by the Executive Board in respect of its members and their families and of the Director-General and his family; and by the Director-General in respect of the other officials of the Organization mentioned in Article 19, and their families.

## **Officials and experts**

Article 22                   Officials governed by the provisions of the Staff Regulations of the Organization:

- (a) Shall be immune from legal process in respect of all activities performed by them in their official capacity (including words spoken or written);
- (b) Shall be exempt from all direct taxation on salaries and emoluments paid to them by the Organization;
- (c) Subject to the provisions of Article 23, shall be exempt from all military service and from all other compulsory service in France;
- (d) Shall, together with their spouses and the dependent members of their families, be exempt from immigration restrictions and registration provisions relating to foreigners;
- (e) Shall, with regard to foreign exchange, be granted the same facilities as are granted to members of diplomatic missions accredited to the Government of the French Republic;



- (f) Shall, together with their spouses and dependent members of their families, be accorded the same facilities for repatriation as are granted to members of diplomatic missions accredited to the Government of the French Republic in time of international crisis;
- (g) Shall, provided they formerly resided abroad, be granted the right to import free of duty their furniture and personal effects at the time of their installation in France;
- (h) May temporarily import motor cars free of duty, under customs certificates without deposits.

## Article 23

1. French officials of the Organization are not exempt from military service or any other obligatory service in France. Nevertheless, those whose names have, by reason of their duties, been placed upon a list compiled by the Director-General and approved by the French authorities, may, in case of mobilization, be assigned to special duties in accordance with French law.
2. These authorities shall, on the request of the Organization and in case of a call-up for national service applicable to other officials of French nationality, grant such temporary deferments as may be necessary to avoid the interruption of essential work.

## Article 24

Privileges and immunities are granted to officials in the interests of the Organization and not for the personal benefit of the individuals themselves. The Director-General shall agree to waive the immunity granted to an official in any case in which he considers that such immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.

## Article 25

1. While performing their functions or engaged on mission on behalf of the Organization, experts other than the officials mentioned in Articles 19 and 22 shall, in so far as is necessary for the effective discharge of their functions, and also during journeys made in the course of duty or for the period of their missions, be granted the under-mentioned privileges and immunities:
  - (a) Immunity from personal arrest and seizure of personal baggage, except if caught in the act of committing an offence. The competent French authorities shall, in such cases, immediately inform the Director-General of the Organization of the arrest or of the seizure of baggage;
  - (b) Immunity from judicial process in respect of all acts done by them in the performance of their official functions (including words spoken or written). Such immunity shall continue

- notwithstanding that the persons concerned are no longer performing official functions for the Organization or on mission on its behalf;
- (c) The same facilities concerning the regulation of foreign exchange as those accorded to officials of foreign governments on temporary official mission.
2. The Director-General of the Organization shall agree to waive the immunity of an expert in any case in which he considers that this can be done without damage to the interests of the Organization.

Article 26 The Organization shall constantly cooperate with the competent French authorities for the proper administration of justice, the due carrying out of police regulations and in order to avoid any possible abuse arising out of the exercise of the immunities and facilities provided for in this Agreement.

### ***Laissez-passer***

Article 27 United Nations *laissez-passer* held by officials of the Organization shall be recognized and accepted by the Government of the French Republic as valid travel documents.

### **Settlement of disputes**

Article 28 The Organization shall make provision for appropriate modes of settlement of:

- (a) Disputes arising out of contracts or other disputes in private law to which the Organization is party;
- (b) Disputes involving any official of the Organization who, by reason of his official position, enjoys immunity if this immunity has not been waived by the Director-General.

Article 29 1. Any dispute between the Organization and the Government of the French Republic concerning the interpretation or application of this Agreement, or any supplementary agreement, if it is not settled by negotiation or any other appropriate method agreed to by the parties, shall be submitted for final decision to an arbitration tribunal composed of three members; one shall be appointed by the Director-General of the Organization, another by the Minister

for Foreign Affairs of the Government of the French Republic and the third chosen by these two. If the two arbitrators cannot agree on the choice of the third, the appointment shall be made by the President of the International Court of Justice.

2. The Director-General or the Minister of Foreign Affairs may request the General Conference to ask an advisory opinion of the International Court of Justice on any legal question raised in the course of such proceedings. Pending an opinion of the Court, the two parties shall abide by a provisional decision of the arbitration tribunal. Thereafter, this tribunal shall give a final decision, taking into account the advisory opinion of the Court.

## General provisions

Article 30 The provisional Agreement of 10 March 1947 between the Government of the French Republic and the Organization shall terminate on the entry into force of this Agreement.

- Article 31
1. This Agreement is made in accordance with the provisions of Section 39 of the Convention on the Privileges and Immunities of the Specialized Agencies, which provides for special agreements between a state and a specialized agency for the carrying out of the provisions of the above-mentioned Convention, taking into account the particular needs of an agency at its headquarters.
  2. The accession of the Government of the French Republic to the Convention on the Privileges and Immunities of the Specialized Agencies shall not be deemed to modify the application of the provisions of this Agreement.
  3. It is, however, understood that, should that Convention be revised, the Minister for Foreign Affairs of the Government of the French Republic and the Director-General of the Organization shall confer with a view to deciding what necessary amendments should be made to this Agreement.
  4. All amendments to the provisions of this Agreement must be submitted to the competent authorities of the Organization and to the Government of the French Republic. No such revision shall come into force save in accordance with the procedure set out in Article 32.

Article 32 This Agreement and any amendment made thereto shall come into force on the exchange of the instrument of ratification by the Government

of the French Republic and the notification of approval by the Organization.

Done at Paris on 2 July 1954, in two copies in the French and English languages, both texts being equally authoritative.

#### ANNEX A

The permanent Headquarters of the Organization is established on an area of 30,350 square metres of land, situated in Paris in the 7th *arrondissement*, between Place de Fontenoy, Avenue de Saxe, Avenue Ségur, Avenue de Suffren and Avenue de Lowendal. This area was granted to the Department of Foreign Affairs by decree dated 22 December 1952 and let to the Organization by lease dated 25 June 1954 and is designated by the area coloured pink on the plan annexed to the said lease.

#### ANNEX B

The officials of the Organization who shall benefit from the provisions of Article 19, paragraph 2, are, in addition to the directors of departments and heads of services and bureaux, the following:

- (a) Officials in a grade equivalent or superior to grade P-5;
- (b) As a transitional measure, those officials who, under the provisional Headquarters Agreement entered into by the Government of the French Republic and the Organization, enjoyed the privileges and immunities accorded to members of diplomatic missions in France;
- (c) Officials in grades corresponding to the grades of officials of any other intergovernmental institution to whom the Government of the French Republic may grant diplomatic privileges and immunities by a Headquarters Agreement.

# List of Member States and Associate Members of UNESCO at 1 January 2000

## Member States

Afghanistan	4 May 1948
Albania	16 October 1958
Algeria	15 October 1962
Andorra	20 October 1993
Angola	11 March 1977
Antigua and Barbuda	15 July 1982
Argentina	15 September 1948
Armenia	9 June 1992
Australia	4 November 1946
Austria	13 August 1948
Azerbaijan	3 June 1992
Bahamas	23 April 1981
Bahrain	18 January 1972
Bangladesh	27 October 1972
Barbados	24 October 1968
Belarus	12 May 1954
Belgium	29 November 1946
Belize	10 May 1982
Benin	18 October 1960
Bhutan	13 April 1982
Bolivia	13 November 1946
Bosnia and Herzegovina	2 June 1993
Botswana	16 January 1980
Brazil	4 November 1946

**Member States**

Bulgaria	17 May 1956
Burkina Faso	14 November 1960
Burundi	16 November 1962
Cambodia	3 July 1951
Cameroon	11 November 1960
Canada	4 November 1946
Cape Verde	15 February 1978
Central African Republic	11 November 1960
Chad	19 December 1960
Chile	7 July 1953
China	4 November 1946
Colombia	31 October 1947
Comoros	22 March 1977
Congo	24 October 1960
Cook Islands	25 October 1989
Costa Rica	19 May 1950
Côte d'Ivoire	27 October 1960
Croatia	1 June 1992
Cuba	29 August 1947
Cyprus	6 February 1961
Czech Republic	22 February 1993
Democratic People's Republic of Korea	18 October 1974
Democratic Republic of the Congo	25 November 1960
Denmark	4 November 1946
Djibouti	31 August 1989
Dominica	9 January 1979
Dominican Republic	4 November 1946
Ecuador	22 January 1947
Egypt	4 November 1946
El Salvador	28 April 1948
Equatorial Guinea	29 November 1979
Eritrea	2 September 1993
Estonia	14 October 1991
Ethiopia	1 July 1955
Fiji	14 July 1983
Finland	10 October 1956
France	4 November 1946
Gabon	16 November 1960
Gambia	1 August 1973
Georgia	7 October 1992

**Member States**

Germany	11 July 1951
Ghana	11 April 1958
Greece	4 November 1946
Grenada	17 February 1975
Guatemala	2 January 1950
Guinea	2 February 1960
Guinea-Bissau	1 November 1974
Guyana	21 March 1967
Haiti	18 November 1946
Honduras	16 December 1947
Hungary	14 September 1948
Iceland	8 June 1964
India	4 November 1946
Indonesia	27 May 1950
Iran (Islamic Republic of)	6 September 1948
Iraq	21 October 1948
Ireland	3 October 1961
Israel	16 September 1949
Italy	27 January 1948
Jamaica	7 November 1962
Japan	2 July 1951
Jordan	14 June 1950
Kazakhstan	22 May 1992
Kenya	7 April 1964
Kiribati	24 October 1989
Kuwait	18 November 1960
Kyrgyzstan	2 June 1992
Lao People's Democratic Republic	9 July 1951
Latvia	14 October 1991
Lebanon	4 November 1946
Lesotho	29 September 1967
Liberia	6 March 1947
Libyan Arab Jamahiriya	27 June 1953
Lithuania	7 October 1991
Luxembourg	27 October 1947
Madagascar	10 November 1960
Malawi	27 October 1964
Malaysia	16 June 1958
Maldives	18 July 1980
Mali	7 November 1960

**Member States**

Malta	10 February 1965
Marshall Islands	30 June 1995
Mauritania	10 January 1962
Mauritius	25 October 1968
Mexico	4 November 1946
Micronesia (Federated States of)	19 October 1999
Monaco	6 July 1949
Mongolia	1 November 1962
Morocco	7 November 1956
Mozambique	11 October 1976
Myanmar	27 June 1949
Namibia	2 November 1978
Nauru	17 October 1996
Nepal	1 May 1953
Netherlands	1 January 1947
New Zealand	4 November 1946
Nicaragua	22 February 1952
Niger	10 November 1960
Nigeria	14 November 1960
Niue	26 October 1993
Norway	4 November 1946
Oman	10 February 1972
Pakistan	14 September 1949
Palau	20 September 1999
Panama	10 January 1950
Papua New Guinea	4 October 1976
Paraguay	20 June 1955
Peru	21 November 1946
Philippines	21 November 1946
Poland	6 November 1946
Portugal	12 March 1965
Qatar	27 January 1972
Republic of Korea	14 June 1950
Republic of Moldova	27 May 1992
Romania	27 July 1956
Russian Federation	21 April 1954
Rwanda	7 November 1962
Saint Kitts and Nevis	26 October 1983
Saint Lucia	6 March 1980
Saint Vincent and the Grenadines	15 February 1983



**Member States**

Samoa	3 April 1981
San Marino	12 November 1974
Sao Tome and Principe	22 January 1980
Saudi Arabia	4 November 1946
Senegal	10 November 1960
Seychelles	18 October 1976
Sierra Leone	28 March 1962
Slovakia	9 February 1993
Slovenia	27 May 1992
Solomon Islands	7 September 1993
Somalia	15 November 1960
South Africa	12 December 1994
Spain	30 January 1953
Sri Lanka	14 November 1949
Sudan	26 November 1956
Suriname	16 July 1976
Swaziland	25 January 1978
Sweden	23 January 1950
Switzerland	28 January 1949
Syrian Arab Republic	16 November 1946
Tajikistan	6 April 1993
Thailand	1 January 1949
the former Yugoslav Republic of Macedonia	28 June 1993
Togo	17 November 1960
Tonga	29 September 1980
Trinidad and Tobago	2 November 1962
Tunisia	8 November 1956
Turkey	4 November 1946
Turkmenistan	17 August 1993
Tuvalu	21 October 1991
Uganda	9 November 1962
Ukraine	12 May 1954
United Arab Emirates	20 April 1972
United Kingdom of Great Britain and Northern Ireland	1 July 1997
United Republic of Tanzania	6 March 1962
Uruguay	8 November 1947
Uzbekistan	26 October 1993
Vanuatu	10 February 1994
Venezuela	25 November 1946

Viet Nam	6 July 1951
Yemen	2 April 1962
Yugoslavia	31 March 1950
Zambia	9 November 1964
Zimbabwe	22 September 1980

**Associate Members**

Aruba	20 October 1987
British Virgin Islands	24 November 1983
Cayman Islands	30 October 1999
Macau	25 October 1995
Netherlands Antilles	26 October 1983



United Nations Educational,  
Scientific and Cultural Organization

# Basic Texts

2000 edition

## Corrigendum

Page 100

### Financial Regulations

Article 5.6 should read as follows:

“Contributions to the budget shall be assessed partly in United States dollars and partly in euros ...”  
the rest of the Article remaining unchanged.

Page 108

### ANNEX

### **Additional Terms of Reference Governing the Audit**

Paragraph 5 should read as follows:

- “5. The External Auditor shall express and sign an opinion on the financial statements of the Organization. The opinion shall include the following basic elements:
- (a) The identification of the financial statements audited;
  - (b) A reference to the responsibility of the Director-General and the responsibility of the External Auditor;
  - (c) A reference to the audit standards followed;
  - (d) A description of the work performed;
  - (e) An expression of opinion on the financial statements as to whether:
    - (i) the financial statements present fairly the financial position as at the end of the period and the results of the operations for the period;
    - (ii) the financial statements were prepared in accordance with the stated accounting policies;
    - (iii) the accounting policies were applied on a basis consistent with that of the preceding financial period;
  - (f) An expression of opinion on the compliance of transactions with the Financial Regulations and legislative authority;
  - (g) The date of the opinion;
  - (h) The name and position of the External Auditor;
  - (i) Should it be necessary, a reference to the report of the External Auditor on the financial statements.”