



United Nations
Educational, Scientific and
Cultural Organization

Executive Board

Hundred and ninety-fifth session

195 EX/35

PARIS, 17 October 2014
Original: English

Item 35 of the revised provisional agenda

INVITATIONS TO THE INTERGOVERNMENTAL MEETING (CATEGORY II) RELATED TO A DRAFT RECOMMENDATION ON THE PROTECTION AND PROMOTION OF MUSEUMS AND COLLECTIONS

SUMMARY

Pursuant to the “Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution”, and in accordance with Article 21 of the “Regulations for the general classification of the various categories of meetings convened by UNESCO”, as well as pursuant to 36 C/Resolution 46, 190 EX/Decision 11, 191 EX/Decision 8, 37 C/Resolution 43 on a preliminary study of the technical, legal and museological aspects of the desirability of a new standard-setting instrument on the protection and promotion of museums and collections (documents 190 EX/11, 191 EX/8 and 37 C/47, and final conclusions of the July 2012 expert meeting on the protection and promotion of museums and collections), the Director-General submits to the Executive Board proposals concerning decisions to be taken by the Executive Board regarding invitations to an intergovernmental meeting of experts (category II) to be convened to examine a draft text of a Recommendation on the protection and promotion of museums and collections.

The financial and administrative implications are clarified in paragraph 9 of the present document.

Action expected of the Executive Board: proposed decision in paragraph 10.

I. INTRODUCTION

1. The Executive Board, at its 190th session, took note of the results of the Expert Meeting on the Protection and Promotion of Museums and Collections, held in Rio de Janeiro (Brazil), from 11 to 14 July 2012, and requested “the Director-General to conduct consultations, in close cooperation with Member States and the International Council of Museums (ICOM), and to undertake an independent preliminary study, with extrabudgetary resources, on the desirability, the technical and legal aspects, the scope, rationale, added value, and administrative and financial implications of a new standard-setting instrument on the protection and promotion of museums and collections, for examination by the Executive Board at its 191st session, with a view to inscribing this item on the agenda of the 37th session of the General Conference” (190 EX/Decision 11).

2. Pursuant to 190 EX/Decision 11, two independent preliminary studies on the technical, legal and museological aspects of the desirability of a new standard-setting instrument on the protection and promotion of museums and collections, were conducted in collaboration with ICOM. The Director-General also undertook close consultations with Member States, by circulating the two studies to all Member States by e-mail on 16 January 2013. The observations of the 10 Member States who replied, as well as the preliminary studies may be found at the dedicated web link [“Protection and Promotion of Museums and Collections”](#).

3. The General Conference at its 37th session adopted 37 C/Resolution 43 and “invite[d] the Director-General to prepare, under extrabudgetary funding, in close cooperation with ICOM, and in consultation with Member States, a preliminary text of a new non-binding instrument on the protection and promotion of various aspects of the role of museums and collections, to complement existing standard-setting instruments, in the form of a recommendation, and to submit the text to it at its 38th session”.

4. In accordance with Article 10, 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 (the “Rules of Procedure”), a preliminary report of the Director-General was sent for comments to Member States, by a circular letter (CL/4076) dated 11 September 2014.

5. Pursuant to 37 C/Resolution 43 and in accordance with Article 10, paragraph 4, of the Rules of Procedure, the Director-General will convene an intergovernmental meeting of experts (category II) to prepare a draft Recommendation, which will be submitted to the General Conference at its 38th session. In accordance with Article 21 of the Regulations for the general classification of the various categories of meetings convened by UNESCO (the “Regulations”), the Director-General submits to the Executive Board proposals concerning invitations to the intergovernmental meeting of experts (category II), in the annex to the present document.

Category of meeting

6. Pursuant to Article 18 of the Regulations, this meeting falls under the category of “intergovernmental meetings other than international conferences of States” (category II), at which the chief participants represent their governments.

Participants

7. In accordance with the Regulations, it is for the Executive Board to decide on the invitations to the meeting, on the basis of the list submitted to it in the annex to this document.

Timetable

8. The Director-General proposes to convene the meeting in Paris, at the UNESCO Headquarters, for two days, in the first half of 2015 and four months before the opening of the 38th session of the General Conference. A final text of the draft Recommendation must be

submitted to Member States at least 70 days before the opening of that session of the General Conference.

Financial and administrative implications

9. Taking into account 37 C/Resolution 43, which specifies that the preparation of the draft Recommendation should be conducted under extrabudgetary funding, the Director-General proposes to use the Funds-in-Trust generously allocated by the Government of Brazil for that purpose. Nevertheless, States are invited to consider making voluntary extrabudgetary contributions to support the funding of this meeting and related activities in order to meet all costs that will be incurred.

Proposed draft decision

10. Having examined this document and its annex, the Executive Board may wish to adopt the following draft decision:

The Executive Board,

1. Recalling 37 C/Resolution 43, by which the General Conference invited the Director-General to prepare a preliminary text of a new non-binding standard-setting instrument on the protection and promotion of various aspects of the role of museums and collections to complement existing standard-setting instrument, in the form of a recommendation, and to submit the text to it at its 38th session (2015),
2. Having examined document 195 EX/35,
3. Decides that:
 - (a) invitations to participate in the intergovernmental meeting of experts (category II) to examine the draft Recommendation on the protection and promotion of museums and collections in the light of the comments received by Member States on the preliminary report, will be sent to all Member States and Associate Members of UNESCO;
 - (b) invitations to designate observers to the intergovernmental meeting of experts (category II) will be sent to the States mentioned in paragraph (b) of the annex of document 195 EX/35;
 - (c) invitations to designate observers to the intergovernmental meeting of experts (category II) will be sent to the organizations of the United Nations system with which UNESCO has concluded mutual representation agreements and which are listed in paragraph (c) of the annex of document 195 EX/35;
 - (d) invitations to send observers to the intergovernmental meeting of experts (category II) will be sent to the organizations, foundations and institutions listed in paragraphs (d), (e), and (f) of the annex of document 195 EX/35;
4. Authorizes the Director-General to send out invitations to the entities listed in paragraph (g) of the annex of document 195 EX/35, and to any other entities she may deem useful for advancing the work of the intergovernmental meeting of experts (category II), notifying the Executive Board thereof.

ANNEX

The Director-General's proposals concerning invitations to the intergovernmental meeting of experts (category II) are listed below:

(a) Member States and Associate Members (Article 21.1 and 21.2 of the Regulations)

In accordance with Article 21, paragraph 1, of the Regulations, the Executive Board, on the Director-General's proposal and subject to the existing regulations applicable, (i) shall decide on the Member States and Associate Members whose governments are to be invited to this category of meeting (category II); and (ii) 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;

1. In accordance with Article 21, paragraph 2, of the Regulations, Member States and Associate Members not invited under Article 21, paragraph 1, of the Regulations, may send observers to the meeting.
2. In accordance with Article 23 of the Regulations, the governments of the Member States and Associate Members or other territories that are invited to participate have the right to vote.

(b) Non-Member States (Article 21.3 of the Regulations)

Under Article 21, paragraph 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.

The Director-General proposes that States that are not members of UNESCO but are members of at least one of the organizations of the United Nations system be invited to send observers. At the time of preparation of this document those States were the following: Holy See, Liechtenstein.

In addition, the Director-General proposes that the Executive Board invite to the meeting, as observers, any States that become members of any of the organizations of the United Nations system before the opening of the meetings.

(c) International organizations (Article 21.4)

Under Article 21, paragraph 4, of the Regulations, the following organizations of the United Nations system, with which UNESCO has concluded mutual representation agreements, may send representatives to the meeting:

- Food and Agriculture Organization (FAO)
- International Labour Organization (ILO)
- International Telecommunication Union (ITU)
- United Nations (UN), its Funds, Programmes, Specialized Agencies and Regional Commissions
- United Nations Human Settlements Programme (UN-Habitat)
- United Nations Industrial Development Organization (UNIDO)
- United Nations Institute for Training and Research (UNITAR)
- United Nations Office on Drug and Crime (UNODC)
- United Nations University (UNU)
- United Nations World Tourism Organization (WTO)
- United Nations World Trade Organization (WTO)
- World Health Organization (WHO)

- World Intellectual Property Organization (WIPO)

(d) Organization of the United Nations system with which UNESCO has not concluded mutual representation agreements (Article 21.5 (a))

Pursuant to Article 21, paragraph 5 (a), of the Regulations, the Director-General proposes that the following organization of the United Nations system with which UNESCO has not concluded mutual representation agreements be invited to send observers to the meeting:

- World Bank

(e) Other intergovernmental organizations (Article 21, paragraph 5 (b))

Pursuant to Article 21, paragraph 5 (b), of the Regulations, the Director-General proposes that the following intergovernmental organizations be invited to send observers to the meeting:

- African Union (OAU)
- Asian Development Bank (ADB)
- Council of Europe (CE)
- European Investment Bank
- European Union (EU)
- Inter-American Development Bank
- International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)
- International Institute for the Unification of Private Law (UNIDROIT)
- International Organization for Migration (IOM)
- INTERPOL
- Islamic Educational, Scientific and Cultural Organization (ISESCO)
- Organization for Economic Co-operation and Development (OECD)
- Organization of Ibero-American States for Education, Science and Culture
- South-East Asian Ministers of Education Organization (SEAMEO)
- World Customs Organization (WCO)

(f) International non-governmental organizations (Article 21, paragraph 5 (c))

Pursuant to Article 21, paragraph 5 (c), of the Regulations, the Director-General proposes that the following non-governmental organizations (NGOs) be invited to send observers to the meeting, in accordance with the Directives concerning UNESCO's partnership with non-governmental organizations:

- International Council on Monuments and Sites (ICOMOS)
- International Council of Museums (ICOM)
- International Federation of Landscape Architects (IFLA)
- International Federation of Library Associations and Institutions (IFLA)
- World Monuments Fund

(g) Other entities

Pursuant to point 4 of the draft decision proposed by 195 EX/35, the Director-General proposes that the following foundations and other similar institutions be invited to send observers to the meeting:

- Aga Khan Trust for Culture
- Asia Europe Museum Networks (ASEMUS)
- Ecole du patrimoine africain

- European Cultural Foundation
- Ford Foundation
- Foundation of France
- J. Paul Getty Foundation
- International Committee of the Blue Shield (ICBS)
- Pacific Islands Museum Association (PIMA)
- Prince Claus Fund
- Rockefeller Foundation
- World Federation of Friends of Museums (WFFM)