



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property

Extra MSP

C70/13/Extra.MSP/3
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Limited distribution

Extraordinary Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO, Paris, 1970)

Paris, UNESCO Headquarters, Room XI
1 July 2013

Item 3 of the provisional agenda:

Election of the 18 members of the Subsidiary Committee to the Meeting of States Parties

Decision required: paragraph 9

I. Background and distribution of seats

1. Pursuant to Article 14.4 of the Rules of Procedure of the Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (hereinafter “the 1970 Convention”), the members of the Subsidiary Committee shall be elected by the Meeting of States Parties.

2. Contrary to the practice in force for other conventions falling under UNESCO’s Culture Sector, the seats are not distributed among electoral groups in proportion to the number of States Parties from each group. When the Subsidiary Committee was established and the Rules of Procedure of the Meeting of States Parties were adopted at the second Meeting (June 2012), the States Parties specifically decided that the Subsidiary Committee would be composed of 18 members, three per electoral group, in accordance with the principles of equitable geographical representation and rotation (Article 14.4 of the Rules of Procedure referred in the previous paragraph).

Group	I	II	III	IV	V(a)	V(b)	TOTAL
Seats	3	3	3	3	3	3	18

II. Procedure for the election of members of the Subsidiary Committee

3. The Rules of Procedure of the Meeting of States Parties to the 1970 Convention make no provision for the election of the Subsidiary Committee’s members. In line with the practice in force for elections to the intergovernmental committees established by other Culture Sector conventions, the Secretariat proposes that the following rules be applied:

Step 1

Before the vote, and at the latest two days before the beginning of the Meeting, that is, before 5 p.m. on 28 June 2013, those States Parties wishing to stand for election to the Subsidiary Committee shall so inform the Secretariat (convention1970@unesco.org). On the opening of the Meeting, once the list of candidates has been drawn up, it shall be transmitted to the Chairperson.

Step 2

Before the vote, the Chairperson shall appoint two tellers from among the delegations of States Parties present. The Chairperson shall hand to them the list of States entitled to vote and the list of candidate States Parties. He/She shall announce the number of seats to be filled.

Step 3

The Secretariat shall distribute to said delegations one ballot paper bearing the list of all the candidate States.

Step 4

Each delegation shall cast its vote by encircling the names of those States for which it wishes to vote.

Step 5

The tellers shall collect from each delegation the ballot papers and shall count the votes, under the supervision of the Chairperson. Ballot papers on which more names of States have been

circled than there are seats to be filled shall be considered invalid. Empty envelopes and ballot papers on which no names of States have been circled shall be considered abstentions.

Step 6

The three candidates who obtain the most votes in each electoral group shall be declared elected. If two or more candidates obtain the same number of votes, the Chairperson shall hold a second vote. If the second vote does not produce the required result, the Chairperson shall hold a third vote. If the third vote does not produce the required result, the Chairperson shall draw lots to allocate the remaining seats.

Step 7

The Chairperson shall announce the results of the election.

III. Duration of the term of office

4. Pursuant to Article 14.5 of the Rules of Procedure of the Meeting of States Parties to the Convention, the members of the Committee shall be elected for a term of four years. However, the term of office of half of the members of the Committee elected at the first election is limited to two years.

5. With the election of the 18 members of the Committee taking place at the extraordinary Meeting in 2013 – that is, between the second ordinary Meeting which took place in 2012 and the third ordinary Meeting that will take place in 2014 – it will be impossible for the first 18 members of the Committee to have terms of two and four years, aligned on even years. Accordingly, States have two options for the first election:

Option 1: Terms of one year and three years

The first half of the members of the Subsidiary Committee will be renewed at the third ordinary Meeting of States Parties in 2014 (one-year term of office) and the second half of the members of the Subsidiary Committee will be renewed at the fourth ordinary Meeting of States Parties in 2016 (three-year term of office).

Option 2: Terms of three years and five years

The first half of the members of the Subsidiary Committee will be renewed at the fourth ordinary Meeting of States Parties in 2014 (three-year term of office) and the second half of the members of the Subsidiary Committee will be renewed at the fifth ordinary Meeting of States Parties in 2016 (five-year term of office).

6. It is for the States Parties to decide which option would be the most useful for the conduct of their work. However, since the Committee members' main task will be to start discussions about the draft operational guidelines, it would probably be more desirable and effective to grant, on an exceptional basis, the first elected members of the Subsidiary Committee a non-shortened term of office, of three or five years. It would thus be possible to maintain the working dynamic created in the newly-elected Committee so as to ensure the best possible follow-up to the initial considerations regarding the operational guidelines.

7. When the States Parties have made a decision on this matter, the Chairperson shall draw lots to determine the nine members of the Committee whose term will be renewed in 2014 or 2016, according to the option chosen by the States Parties.

8. Consequently, every two years, the ordinary Meeting of States Parties shall renew half of the members of the Committee in accordance with Article 14.5 of the Rules of Procedure.

IV. Draft resolution Extra.MSP 2

9. The Extraordinary Meeting of States Parties may wish to adopt the following resolution:

The Extraordinary Meeting of States Parties,

1. Having examined document C70/13/Extra.MSP/3,
2. Decides to adopt the procedure for the election of members of the Committee proposed in document C70/13/Extra.MSP/3;
3. Recalling Articles 14.4 and 14.5 of the Rules of Procedure of the Meeting of States Parties to the 1970 Convention, adopted at the second Meeting of States Parties to the 1970 Convention, in June 2012,
4. Elects the 18 States Parties listed below as members of the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention:
 - Group I:
 - Group II:
 - Group III:
 - Group IV:
 - Group V(a):
 - Group V(b):
5. Decides, on an exceptional basis, that the first half of the members of the Committee will be renewed at the third Meeting of States Parties (in 2014)/at the fourth Meeting of States Parties (in 2016).

Results of the drawing of lots

Group I	
country	year-year
country	year-year
country	year-year
Group II	
country	year-year
country	year-year
country	year-year
Group III	
country	year-year
country	year-year
country	year-year

Group IV	
country	year-year
country	year-year
country	year-year
Group V(a)	
country	year-year
country	year-year
country	year-year
Group V(a)	
country	year-year
country	year-year
country	year-year