



United Nations  
Educational, Scientific and  
Cultural Organization

Organisation  
des Nations Unies  
pour l'éducation,  
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Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

Организация  
Объединенных Наций по  
вопросам образования,  
науки и культуры

منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
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## Chairperson of the ICPRCP

H. E Stakey Mutumba Simataa  
President of the General Conference  
Chairperson of the Open Ended Working  
Group on Governance, procedures and  
working methods of the governing bodies  
of UNESCO

20 January 2017

Ref.: CLT/HER/MHM/17/135

Dear Mr President,

Allow me to refer to your letters of 6 April and 17 October 2016 last regarding the follow-up to the requirements set by the General Conference in its **38C/Resolution 101** concerning governance, procedures and working methods of the governing bodies of UNESCO.

In this regard, I am pleased to inform you that, as recommended by this Resolution, an item on governance was inscribed on the agenda of the twentieth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (hereinafter referred to as ICPRCP), which took place from 29 to 30 September 2016 in UNESCO's Headquarters. The item reflected on the follow-up of the Recommendations by the External Auditor and described the measures undertaken by the ICPRCP to improve their governance. In this regard, I am pleased to inform you about the result of the discussions.


Member States took note of the efforts and steps already undertaken with a view to improve and streamline the working methods of the Committee. It is worth noting that the Executive Board, in its 197th session, recommended the Director General to start the implementation of Recommendations 1, 11 and 13 of the External Auditor's report; this recommendation was endorsed by the General Conference through Resolution 38 C/101. During the abovementioned session of the ICPRCP, several Member States raised the issue on whether the ICPRCP should report exclusively on the implementation of the abovementioned Recommendations. Moreover, members of the ICPRCP expressed their concern about reducing the frequency of meetings, which might have consequences on their efficiency and productivity.

I also took good note of the wish of the Working Group on governance to receive a summary of main factual information on intergovernmental programmes, committees and organs to allow Member States to hold effective deliberations on their governance.

In this regard, I am pleased to transmit to you herewith the fact sheet containing the requested main factual information on the ICPRCP.

Please find also attached Decision 20.COM/7 adopted by the ICPRCP on this matter, as well as document ICPRCP/16/20.COM/7 on governance which was presented to the ICPRCP in its 20th session. As you will see from the decision attached, the ICPRCP appreciated the efforts and steps already undertaken with a view to improve and streamline the working methods of the ICPRCP in line with General Conference Resolution 38 C/101.

Please accept, dear Mr President, the assurances of my highest consideration.

  
Mr Zoltán Visy  
Chairperson of ICPRCP  
Rókus u. 2.  
H - 7624, Pecs  
Hungary

## FACT SHEET

### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

#### 1. Committee/Institute/Convention/Commission/Programme

The **Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation** with members elected by the General Conference.

##### a. Mandate and objectives

- seeking ways and means of facilitating bilateral negotiations for the restitution or return of cultural property to its countries of origin. In this connection, the Committee may also submit proposals with a view to mediation or conciliation to the Member States concerned;
- promoting multilateral and bilateral cooperation with a view to the restitution and return of cultural property to its countries of origin;
- encouraging the necessary research and studies for the establishment of coherent programmes for the constitution of representative collections in countries whose cultural heritage has been dispersed;
- fostering a public information campaign on the real nature, scale and scope of the problem of the restitution or return of cultural property to its countries of origin;
- guiding the planning and implementation of UNESCO's programme of activities with regard to the restitution or return of cultural property to its countries of origin;
- encouraging the establishment or reinforcement of museums or other institutions for the conservation of cultural property and the training of the necessary scientific and technical personnel;
- promoting exchanges of cultural property in accordance with the Recommendation on the International Exchange of Cultural Property;
- reporting on its activities to the General Conference of UNESCO at each of its ordinary sessions.

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

b. Do you have specific goals for the work foreseen in the current biennium?

As reflected in Document ICPRCP/16/20.COM/5, more and more frequently States are negotiating cases of return and restitution bilaterally. Consequently, the Committee is less solicited on this issue. Moreover, Member States, in accordance with Article 2(5) of the Statutes, may wish to consider inviting representatives among academics and/or experts on matters related to the return and restitution of cultural objects to the sessions of the Committee which can lead to improving the discussions substantially. It may also allow the Committee to further develop other actions as provided in Article 4 of the Statutes, that is, encouraging the necessary research and studies for the establishment of coherent programmes for the constitution of representative collections in countries whose cultural heritage has been dispersed. In the light of above, the Committee, through its decision 20.COM 5, decided to allocate one day, during its ordinary Sessions, to a forum of discussions to ensure exchange of good practices and promotion of multilateral and bilateral cooperation with a view to the restitution and return of cultural property to its countries of origin. The works of the ICPRCP for the present biennium have been refocused accordingly.

c. Number of members and length of mandate periods for members.

The Committee is composed of **22 UNESCO Member States** elected for a period of 4 years by the General Conference. The term of office of members of the Committee extends from the end of the ordinary session of the General Conference during which Members are elected until the end of its second subsequent ordinary session. Members of the Committee shall be immediately eligible for re-election.

d. Are the members organized by electoral groups?

Yes, the composition of the Committee takes into account equitable geographical distribution and appropriate rotation, as well as the representative character of those States in respect of the contribution they are able to make to the restitution or return of cultural property to its countries of origin (Article 2 Statute of ICPRCP)

e. Intergovernmental or personal capacity/expert capacity of members

Intergovernmental capacity

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

f. Have chairperson or/and Members States received introduction to the work and working methods?

Briefings to the work are organized by the Secretariat for the Chairperson and Rapporteur regularly before the sessions of the Committee and on a daily basis during the sessions. Additionally, constant communication is maintained between the Secretariat and the Chairperson.

g. Are Observers authorized to participate and/or take the floor?

Any Member State which is not a member of the Committee or any Associate Member of UNESCO which is concerned by an offer or a request for restitution or return of cultural property shall be invited to take part, without the right to vote. Representatives of the International Council of Museums (ICOM) and the Organization for Museums, Monuments and Sites of Africa (OMMSA) shall also take part in meetings of the Committee, in an advisory capacity. Representatives of the United Nations and other organizations in the United Nations system may take part in meetings of the Committee without the right to vote.

h. Meeting frequency and length

The Committee holds an ordinary plenary session at least once and not more than twice every two years. Extraordinary sessions shall be convened by decision of the Committee itself, or at the request of ten of its members.

i. How many languages are interpreted during the meetings?

Meeting interpreted in 5 languages (French, English, Spanish, Arabic, and Russian)

j. Where do the meetings take place?

UNESCO Headquarters, unless decided to meet elsewhere by the majority of Members.

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QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

k. Overall budget, including corresponding funding sources broken down as follows:

	<b>RP (including additional appropriations)</b>	<b>Other sources</b>
<b>Organizing meetings</b>	38 773	
<b>Operational activities</b>	N/A	
<b>UNESCO staff (approximate budget in lump sum) (figures related to former CHP staff working on governance of ICPRCP)</b>	79 204	

2. **Bureau (if any)**

Number of members, mandate period, number of times for possible re-election

At the beginning of the first session, the Committee shall elect a Chairperson, four vice-chairpersons and a Rapporteur; these form the Committee's Bureau. The Committee elects a new Bureau whenever its own membership is changed by the General Conference. The members of the Bureau who are representatives of Member States of UNESCO shall remain in office until a new Bureau has been elected. Members of the Bureau are eligible for re-election to the same posts, but the total period for which they serve shall not exceed two consecutive terms of office.

a. Intergovernmental or personal capacity/expert capacity?

Chairperson and rapporteur in personal capacity – vice persons elected in intergovernmental capacity.

b. Meetings frequency and length?

Meetings of the Bureau may be convened in between sessions of the Committee at the request of the Committee itself, of the Chairman of the Committee or of the Director-General of UNESCO. The Bureau may, if the Chairperson deems it appropriate, be consulted by correspondence, including electronic consultation.

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c. Are observers allowed to participate and/or speak?

N/A

d. Interpretation during the meetings?

No

e. How many languages interpreted during the meetings?

No interpretation

f. Where do the meetings take place?

Not established, common practice at UNESCO Headquarters.

g. Are minutes of the meetings of the Bureau prepared? Are the minutes distributed and to whom?

N/A

**3. Rules of procedure**

a. **Who adopts the rules of procedure?**

The Committee shall adopt its Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the members present and voting.

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QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

### **b. Preparation of meeting**

i. Who decides agenda?

The provisional agenda, prepared by the Secretariat in consultation with the Chairperson, is adopted in the beginning of the session.

ii. When are documents sent out?

The agenda must be submitted 60 days in advance.

iii. Are they sent out in paper form?

The documents are published online. Additional paper copies are available during the sessions.

iv. Can you opt out of receiving printed documents?

N/A

v. Who decides the timetable?

Provisional timetable set by the Secretariat in consultation with the Chairperson, in specific cases in consultation with the Bureau members.

vi. Who convenes the meeting?

The ordinary sessions of the Committee shall be convened by the Secretariat of the Committee in accordance with the instructions of the Bureau.



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vii. Do you open up for video meetings?

N/A

viii. Can there be extraordinary sessions?

Yes

i. If yes: how?

Extraordinary sessions shall be convened by decision of the Committee itself, or at the request of ten of its members. The place and date of extraordinary sessions shall be determined by the Secretariat of the Committee after consultations with the Chairman, unless they have been decided on by the Committee itself.

ix. Do you appoint sub groups or sub committees?

i. If so for what duration and for which tasks?

The Committee may set up ad hoc subcommittees for studying certain problems related to its activities. The terms of reference of the ad hoc subcommittees and working groups shall be defined by the Committee. The ad hoc subcommittees and working groups shall meet in accordance with the decisions of the Committee or its Bureau, and shall themselves elect their Chairman, Vice-Chairman and, if necessary, Rapporteur.

**c. Decision-making**

i. Who prepare draft decisions?

Draft decisions are prepared by the Secretariat on the basis of working documents. Committee Members can amend these decisions; during the session in the Decision-Making process.

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

ii. Until when can member states suggest new draft decision or amendments?

Member states can suggest new draft decisions or amendments until the adoption of the decision corresponding to the agenda item. However, no additional changes can be made once the decisions are adopted by the Committee.

iii. Are observers allowed to participate and/or speak?

Observers are allowed to participate and speak without a right to vote.

iv. How are decisions adopted?

The Committee shall adopt such decisions and recommendations as it may deem appropriate.

#### **4. Relation to General Conference and Executive Board and to other intergovernmental organs**

a. Do you formally submit proposals for the program and budget of UNESCO (C/5)?

a. If yes, how?

Governing bodies as such are not submitting proposals for the C/5.

b. How do you follow-up the General Conference's resolutions?

Follow-up of General Conference's Resolutions is ensured in the framework of the implementation of the ICPRCP through relevant items under discussion on the Agenda. For specific requests addressed by General Conference to the ICPRCP, follow-up is ensured through inscription of a specific item on the Agenda (e.g follow-up of 38C/Resolution 101).

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

c. Do you give input to the Executive Board in your field of competence?

Regular inputs are provided to the Executive Board via contribution to working Documents and/or elements of answers/discussions during debates.

d. Do you report on your activities to the General Conference and/or to the Executive Board more than once during each four year programme period?

The Committee shall be responsible for reporting on its activities to the General Conference of UNESCO at each of its ordinary sessions.

e. How do you follow-up the Executive Board decisions?

Follow-up of Executive Board decisions is ensured in the framework of the implementation of the ICPRCP through relevant items under discussion on the Agenda. For requests by the Executive Board addressed specifically to the ICPRCP, follow-up is ensured through inscription of a specific item on the Agenda.

f. Does a specific framework exist to collaborate with other international and intergovernmental bodies?

One of the functions of the Subsidiary Committee to the 1970 Convention is to “initiate and maintain co-ordination with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation in relation to capacity building measures combating illicit traffic in cultural property”.

**5. Any others comments regarding the governance of international and intergovernmental bodies**

**6. Please provide the reference and if possible hyperlink to the relevant statutory documents, including General Conference Resolutions establishing the bodies and relevant Executive Board decisions**

- ICPRCP Rules of Procedure: <http://unesdoc.unesco.org/images/0008/000823/082384e.pdf>
- ICPRCP Statutes: <http://unesdoc.unesco.org/images/0014/001459/145960e.pdf>



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**INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE  
RETURN OF CULTURAL PROPERTY TO ITS COUNTRIES OF ORIGIN  
OR ITS RESTITUTION IN CASE OF ILLICIT APPROPRIATION**

**Twentieth Session  
Paris, UNESCO Headquarters, Room II  
29 - 30 September 2016**

**DECISIONS**

## DECISION 20.COM/2

*The Committee,*

1. Having taken note of the changes in the composition of the *Committee*, as a result of the election which took place during the 38 session of the General Conference:
2. Elects *Mr Zsolt VISY (Hungary)* as Chairperson of the Committee;
3. Elects *Mr Collins CHIPOTE (Zambia)* as Rapporteur of the Committee;
4. Elects Argentina, Egypt, Japan, and Turkey, as Vice-Chairpersons of the Committee.

## DECISION 20.COM/3

*The Committee,*

1. Having considered document ICPRCP/16/20.COM/3/Rev,
2. Adopts the agenda, as amended, contained in the aforementioned document.

## DECISION 20.COM/5

*The Committee,*

1. Having considered document ICPRCP/16/20.COM/5,
2. Takes note with appreciation of the Report of the Secretariat on the follow-up of the recommendations and decisions adopted during the 19th session in 2014;
3. Recalls its Decision 19.COM 4 (7) concerning strengthening the role of the Committee and decides to allocate one day, during its ordinary Sessions, to a forum of discussions to ensure exchange of good practices and promotion of multilateral and bilateral cooperation with a view to the restitution and return of cultural property to its countries of origin;
4. Requests the Secretariat, in consultation with Member States, to prepare a report on the working methods of the ICPRCP and present options to increase the efficiency and role of the Committee, in 2017 to be discussed at its next session.
5. Recalls its Recommendation 19.COM 6 (2) concerning list of mediators and conciliators; and encourages Member States to designate experts and to submit their *curriculum vitae* to the Secretariat;
6. Recalls its Recommendation 19.COM8 concerning the issue of the Parthenon Sculptures and expresses its continuing concern on the issue, and invites both sides to find a mutually acceptable solution.

7. Invites Member States to consider Mediation and Conciliation procedures for their claims in the matter of Return and Restitution of cultural property;
8. Strongly encourages Member States to conduct bilateral negotiations on the return and restitution of cultural property and submit to the Secretariat information on ongoing bilateral negotiations as well as on the successful conclusion of such cases;
9. Invites Member States and Observers to provide human and financial resources to the Secretariat to ensure the sustainability of the Committee's work;
10. Revisits its Recommendation 19.COM 4 (5 (c)) and, instead of creating of a new database, invites the Secretariat to assess the possibility of initiating a partnership based on UNESCO rules and procedures, and which ensures Member States' supervision on the database, with the University of Geneva in order to consolidate ArThemis database on return and restitution cases, and determine the resources that the Fund of the Committee should allocate to support its development;
11. Reminds Member States that keeping this database comprehensive and up to date could be only achieved by the information to be provided by Member States;
12. Further encourages States to submit to the Secretariat contact information on experts and academics in their country specialized in return and restitution of cultural property.

**DECISION: 20.COM/7**

*The Committee,*

1. Having examined document ICPRCP/16/20.COM/7,
2. Takes note of the efforts and steps already undertaken with a view to improve and streamline the working methods of the Intergovernmental Committee;
3. Decides to transmit, as requested, document ICPRCP/16/20.COM/7, as well as relevant Decisions adopted on this subject and its discussions at its Twentieth Session to the Chairperson of the open-ended Working Group on governance, procedures and working methods of the governing bodies of UNESCO, pursuant to Resolution 38 C/Resolution 101 of the General Conference.

**DECISION 20.COM/12**

*The Committee,*

1. Having examined document 20.COM/12,
2. Thanks the Secretariat for the presentation of this research, and takes note of its analysis;

3. Requests the Secretariat to update the document in accordance with the most recent developments when needed and present these updates to the Committee; and also requests the Secretariat to organize awareness raising activities on the implication of free ports on the art market trade and risk of illicit trafficking of cultural property, as well as on good practices adopted in the fight against the illegal aspects of this increasing phenomenon;
4. Invites Member States to review their national legislation, as appropriate, in order to improve the protection of cultural property located in free ports and avoid the risk of its illicit trafficking, also keeping in mind the provisions of the 1970 Convention and its Operational Guidelines;
5. Encourages Member States to create or strengthen customs and police units dedicated to the protection of cultural heritage and the fight against the illicit trafficking of cultural property;
6. Invites Member States to consider becoming contracting Party of the International Convention on the Simplification and Harmonization of Customs Procedures (the Revised Kyoto Convention) and its Annexes.
7. Recommends to include the question of free ports in the agenda of the next session of the Meeting of the States Parties to the 1970 Convention, and the next session of its Subsidiary Committee, to take note and discuss the issue of free ports and risks of illicit trafficking in cultural property.

#### **DECISION 20.COM/14**

*The Committee,*

1. Decides to hold its 21st session in May 2018;
2. Requests the Secretariat to include an agenda item at the next session of the Committee in 2018, concerning the possible amendment of the Rules of Procedure of the Committee;
3. Invites UNESCO Member States and Associate Members to submit to the Secretariat proposals in English and/or in French for the amendment of the Rules of Procedure of the Committee by 8 January 2018 at the latest;
4. Also requests the Secretariat to submit a draft document containing proposals for amendments of the Rules of Procedure of the Committee for possible adoption at its next session.

## RECOMMENDATION ON THE PARTHENON SCULPTURES

*The Committee,*

Acknowledging relevant UNESCO recommendations expressing its continuing concern for a solution to the issue of the Parthenon Sculptures;

1. Acknowledges the ongoing cooperation between Greece and the United Kingdom on cultural matters and expresses the wish that it should continue with a view to concluding the ongoing discussions in respect of the reunification of the Parthenon Sculptures;
2. Notes that Greece invites the United Kingdom to collaborate with Greece in exhibiting all the Parthenon Sculptures in their respective collections in the Acropolis Museum;
3. Also notes that the Acropolis Museum proposes a collaboration with the British Museum on the study, as appropriate, of all surviving detached fragments from the Parthenon, for the purposes of scientifically assessing the process of reconstitution of all fragments with the surviving sculptural decoration of the monument;
4. Takes note of the successful digital 3D scanning of the Parthenon Frieze realized by the Acropolis Museum in collaboration with the British Museum, which is to be continued with a 3D scanning of the metopes and the pediment figures of the Parthenon;
5. Takes note of the Acropolis Museum's invitation to the British Museum to meetings in 2016 and 2017 in order to advance further collaboration on Parthenon studies, which the British Museum warmly accepts;
6. Acknowledges that an official letter was sent in August 2013 by UNESCO to the United Kingdom government and the British Museum, inviting them to explore the possibility of the United Kingdom agreeing to the procedure foreseen in the Mediation and Conciliation Rules of Procedure (adopted in 2010) within the framework of the ICPRCP;
7. Thoughtfully takes note of the fact that, in March 2015, the United Kingdom government and the Trustees of the British Museum informed UNESCO in separate letters respectively that they did not believe that the application of the mediation procedure would substantially carry forward the debate and that they had decided respectfully to decline the request;
8. Calls upon Greece and the United Kingdom to intensify their efforts with a view to reaching a satisfactory settlement of this long-standing issue;
9. Invites the Director-General to assist in convening the necessary meetings between Greece and the United Kingdom with the aim of reaching a mutually acceptable solution to the issue of the Parthenon Sculptures.





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**INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF  
CULTURAL PROPERTY TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION  
IN CASE OF ILLICIT APPROPRIATION**

**Twentieth Session**  
**UNESCO Headquarters, Room II**  
**29-30 September 2016**

**Item 7 of the provisional agenda:**

**Follow-up to the Recommendations of the  
External Auditor's "Report on the governance of  
UNESCO and dependent funds, programmes  
and entities"**

This Document is presented pursuant to 38 C/Resolution 101, by which the General Conference of UNESCO invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning the follow-up to the recommendations of the External Auditor's "*Report on the governance of UNESCO and dependent funds, programmes and entities*" contained in Document 38 C/23.

**Decision required:** paragraph 12

## **I. BACKGROUND**

1. The 37th session of the General Conference (2013), by its 37 C/Resolution 96, requested the External Auditor to conduct an audit of the governance of UNESCO as a follow-up to the United Nations Joint Inspection Unit's recommendations concerning the methods of work of UNESCO's intergovernmental bodies. In this Resolution, the General Conference invited all governing bodies, intergovernmental programmes, committees and organs established by conventions "to perform a self-assessment covering the overall relevance of their work in relation to their specific terms of reference as well as the efficiency and effectiveness of their meetings, including the impact and utility of experts' time; the outcome of these self-assessments should be reported by January 2015".
2. As requested by 37 C/Resolution 96, a self-assessment questionnaire was circulated to the Chairpersons of the governing entities of the 1970 Convention, who held this position in 2013-2014, to coordinate the comments by Committee members and States Parties.
3. The results of the questionnaire were included in the External Auditor's Report which was discussed by the 197th session of the Executive Board (197 EX/28. Rev and 197 EX/28. INF). The Executive Board recommended to the 38th session of the General Conference to establish an open-ended working group to further discuss the recommendations of the audit report.

## **II. WORKING GROUP ON GOVERNANCE, PROCEDURES AND WORKING METHODS OF THE GOVERNING BODIES OF UNESCO**

4. At its 38th session, in 2015, the General Conference, after having examined document 38 C/23, reaffirmed the need for a holistic and comprehensive reform of UNESCO, particularly of its governing bodies, in order to ensure greater effectiveness and efficiency in governance and to improve strategic decision making in the Organization, and indicated that this reform shall be Member State-driven. By its 38 C/Resolution 101, the General Conference decided to establish an open-ended working group on governance, procedures and working methods of the governing bodies of UNESCO, building on the recommendations of the Executive Board.
5. Pursuant to 38 C/Resolution 101, the mandate of the Working Group is to examine the governance, procedures and working methods of the governing bodies of UNESCO on the basis of the views and proposals received from Member States, the External Auditor's *Report on the Governance of UNESCO and dependent Funds, Programmes and entities*, relevant evaluations and audits by the Internal Oversight Service, as well as previous decisions and resolutions related to governance. The Working Group aims at providing a set of recommendations, along with their likely impact and financial implications, to be examined by the General Conference at its 39th session in 2017.
6. The Working group held two meetings respectively on 17 February and 1 April 2016. Some more meetings have been scheduled before the Working Group's recommendations are submitted to the 202<sup>nd</sup> session of the Executive Board (2017) which will transmit them – with its own comments - to the 39th session of the General Conference. The Informal Summary of Contributions from Member States emanating from the meetings of the open-ended Working Group that have already been held is included in Annex I of the present document.

7. Furthermore, by 38 C/Resolution 101, the General Conference invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning the follow-up to the recommendations of the External Auditor's report contained in document 38 C/23, to improve their governance by concrete measures, and to report on their proposals to the Chairperson of the open-ended Working Group.

### **III. RECOMMENDATIONS OF THE EXTERNAL AUDITOR'S "REPORT ON THE GOVERNANCE OF UNESCO AND DEPENDENT FUNDS, PROGRAMMES AND ENTITIES"**

8. An Executive Summary of the Auditor's Report on the Governance of UNESCO and dependent funds, programmes and entities can be found in Annex I of Document 38 C/23 attached as Annex II to the present Document.
9. Regarding Recommendation No 3 (part ii) the following should be noted:
  - ***"Accelerate the shortening of sessions" and "make annual meetings biennial, and biennial meetings quadrennial"***. The Intergovernmental Committee may wish to consider rationalizing the agenda of future sessions and change the periodicity of the meetings. The latter, however, would imply a change in its Statute and its Rules of Procedure.
  - ***"Group meetings together"***. The possibility of organizing the Intergovernmental Committee and the Subsidiary Committee of the Meeting of State Parties to the 1970 Convention (hereafter referred to as "Subsidiary Committee") back to back has been addressed on several occasions. Consequently, efforts have been undertaken by the Secretariat in this regard and both the 20<sup>th</sup> session of the Intergovernmental Committee and the 4<sup>th</sup> session of the Subsidiary Committee take place during the same week (26-30 September 2016, UNESCO HQ). It is also worth noting that the recent creation of the Subsidiary Committee of the Meeting of the States Parties to the 1970 Convention (2012) has led to a revision of role of the Intergovernmental Committee. In this regard document ICPRCP/16/20.COM/5 of the twentieth session of the Intergovernmental Committee presents a series of proposals in order to maximize the synergies between both Committees and avoid duplicating efforts.
  - ***"Make more use of teleconferences"***. It should be noted that while the use of teleconferences for small meetings can be envisaged, and is already frequently used, it would be difficult to implement it for larger statutory meetings for practical reasons (i.e.: time difference between States, organization of debates, of voting processes and procedures, etc...).
  - ***"Convene essential meetings only and finance them through the regular budget"***. By essence, statutory meetings are mandatory, hence, essential. They are, in principle, financed through the UNESCO Regular Budget. Member States, however, provide sometimes additional support, crucial in view of the current financial constraints faced by UNESCO.
  - ***"Reducing the number of meeting participants", "shortening agendas by prioritizing and delegating minor decisions" "increase the delegation of authority to the bureau"***. Such decisions lie with Member States who may

wish to: consider reducing the number of their representatives to statutory meetings; consider further rationalizing agendas of future sessions; consider delegating minor decisions to the bureau as well as modifying the level of delegation within the respective Governing Bodies. In this regard, it should be underlined that such decisions may imply a revision of the Rules of Procedure of the Intergovernmental Committee.

- **“Simplify and improve the dissemination of results”**. The dissemination of results (i.e; Decisions and Recommendations of the Intergovernmental Committee) has been already simplified in the recent years. Decisions are sent electronically to Member States as well as uploaded on relevant webpages.

10. Regarding Recommendation No. 7: **“The External Auditor recommends: drawing up a draft governance code in 2016, under the supervision of the Bureau of the Executive Board, that harmonizes and systematizes the Rules of procedure, texts and practices of the governing bodies of all UNESCO universe entities”**:

- Part (i) of this Recommendation concerns the systematisation of the Rules of Procedure of “the governing bodies of all UNESCO universe entities” and hence would entail a revision of the texts of the Rules of Procedure of each of the Governing Bodies. In this regard, it is to be noted that such a revision lies with the Governing Body concerned which is responsible for amending and adopting its own Rules of Procedure. Therefore, the harmonization and systematization of the Rules of Procedure, texts and practices of the governing bodies of all “UNESCO universe entities” would have, if such a proposal is approved, to be undertaken in two steps: firstly, at the level of the Body concerned and secondly on a common basis at the level of all Governing Bodies.

11. Regarding Recommendation No. 8: **“The External Auditor recommends: (i) examining means of introducing a screening system for individual candidates for the offices of chair and vice-chair of governing bodies, based on robust and transparent criteria of competence; (ii) adopting a resolution to limit the total length of consecutive terms of office (e.g. to four years) for the same delegate in a governing body so that delegates can gain sufficient experience but the bodies can at the same time be periodically renewed; (iii) that Member States candidates for a seat on a governing body undertake to nominate a full member or alternate with sufficient experience in that body’s field; (iv) introducing mandatory training for the offices of chair and vice-chair of a governing body, tailored to the experience of the new officers”**:

- This Recommendation suggests the introduction of new rules regarding the designation/election of Chairs and vice-Chairs of Governing Bodies, limitation of length of terms of office as well as requirements for such tenure. In this regard, such provisions would be included accordingly in the Rules of Procedure of each Governing Body. However, as indicated above, it should be underlined that amendments/revisions of the texts of the Rules of Procedure of each of the Governing Bodies lies with the Governing Body concerned who is responsible for amending and adopting its own Rules of Procedure.

12. Intergovernmental Committee may wish to adopt the following decision:

**DRAFT DECISION: ICPRCP/16/20.COM/7**

*The Intergovernmental Committee,*

1. Having examined Document ICPRCP/16/20.COM/7,
2. Takes note of the efforts and steps already undertaken with a view to improve and streamline the working methods of the Intergovernmental Committee in line with the Recommendation by the External Auditor in this matter;
3. Decides to transmit, as requested, Document ICPRCP/16/20.COM/7 as well as relevant decisions adopted on this subject at its twentieth session to the Chairperson of the open ended Working Group on the Governance Procedures and Working Methods of the Governing Bodies;