

**Comments of the Office of International Standards and Legal Affairs (LA)
on the draft revised Statutes of the International Advisory Committee (IAC),
the draft revised General Guidelines for Memory of the World (MoW) Programme,
and the draft MoW Code of Ethics**

Following the decision of the Executive Board at its 204th session (April 2018) on the draft action plan for the comprehensive review of the Memory of the World (MoW) Programme, the draft Statutes, General Guidelines and Code of Ethics were transmitted by the Secretariat of the MoW Program to LA in May 2018. LA's comments and observations on these documents were communicated to the MoW Secretariat in June 2018.

Introductory remarks

In order to allow for the most complete overview possible, it would have been desirable to review all instruments of the MoW Programme, and not only the three documents referenced above. In this context, it would have been preferable to include also other components of the MoW Programme, such as the Rules of Procedure of the International Advisory Council and the Register Companion, among the documents undergoing review.

For the sake of optimization of the review process, there would have been merit in having LA associated to the discussions with the experts of the International Advisory Council, which started in October 2015. This would have allowed legal input to be considered and integrated from the very beginning of the revision process. In this regard, it is recalled that in May 2017, LA provided input and comments on the revision of the Statutes of the International Advisory Council at the request of the Secretariat of the MoW Programme.

General comments on the three draft documents

Inconsistencies have been noted in various aspects of the documents. In particular, the relationship between the different levels of the MoW Programme and the three Registers appears less clear in the new version of the General Guidelines than in the previous version.

In the three documents, the concept of subsidiary bodies, subcommittees, national and regional committees still appears confused and would merit further clarification.

It is important to continue to reflect on the relationship of the above-mentioned entities and to review and harmonize the texts to strengthen coherence.

Specific comments on the three draft documents

Draft revised Statutes of the International Advisory Council

As mentioned above, LA provided its comments and revisions on the April 2017 version of the draft revised Statutes of the International Advisory Council in May 2017. Therefore, in June 2018, LA was able to simply recall its comments of 2017 and make a number of additional remarks. LA's comments of 2018 were communicated in a version with track changes, as was done also with its comments in 2017.

Draft revised General Guidelines

It is worth noting that this is the first time that LA has been consulted on the General Guidelines that were originally adopted in 1995 and have not been revised since 2002.

The quality, consistency and clarity of the current revised version of the General Guidelines need to be improved. In this regard, it should be noted that the 2002 version of the General Guidelines appears to explain more clearly the structure of the IAC and entities, the three Registers and the MoW Programme more generally.

In addition, there are differences in structure and wording (e.g., Appendix 4 and Sections 6.5 and 6.6) that may well create difficulties of interpretation, especially the section relating to nominations. It is essential to ensure consistency in the various texts.

The sections dealing with the use of the logo of the MoW Programme (e.g. Section 4.10 and 5.10.6 as well as Appendix 9) and publications (Section 5.3) should be reviewed to ensure consistency. In particular, it is important to verify whether the MoW Programme guidelines on logo use are in conformity with the *Directives concerning the use of the name, acronym, logo and Internet domain names of UNESCO* (adopted in 2007 by the General Conference at its 34th session).

Draft Code of Ethics

With regard to the Code of Ethics, LA simply wished to recall that this Code of Ethics does not apply to Secretariat staff, an opinion shared by the Ethics Office.