

No. 11

**UNITED NATIONS
and
UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION**

**Protocol concerning the entry into force of the Agreement
between the United Nations and the United Nations Edu-
cational, Scientific and Cultural Organization. Signed in
New York, on 3 February 1947**

*English and French official texts communicated by the Secretary-General of
the United Nations. The filing and recording took place on 3 February
1947.*

**ORGANISATION DES NATIONS UNIES
et
ORGANISATION DES NATIONS UNIES POUR
L'EDUCATION, LA SCIENCE ET LA CULTURE**

**Protocole relatif à l'entrée en vigueur de l'Accord conclu
entre les Nations Unies et l'Organisation des Nations
Unies pour l'Education, la Science et la Culture. Signé
à New-York, le 3 février 1947**

*Textes officiels anglais et français communiqués par le Secrétaire général
de l'Organisation des Nations Unies. Le classement et l'inscription au
répertoire ont eu lieu le 3 février 1947.*

No. 11. PROTOCOL CONCERNING THE ENTRY INTO FORCE OF THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION. SIGNED IN NEW YORK ON 3 FEBRUARY 1946

Article 57 of the Charter of the United Nations provides that specialized agencies established by inter-governmental 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. Article 63 of the Charter provides that the Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations, and specifies that such agreements shall be subject to approval by the General Assembly.

Article X of the Constitution of the United Nations Educational, Scientific and Cultural Organization provides that the Organization shall be brought into relation with the United Nations. This relationship shall be effected through an agreement with the United Nations under Article 63 of the Charter.

The Economic and Social Council, during its first session in January-February 1946, adopted a resolution establishing a Committee of the Council on Negotiations with Specialized Agencies. This Committee was directed to enter into negotiations as early as possible with the United Nations Educational, Scientific and Cultural Organization.

The Executive Committee of the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization agreed at its meeting in London on 19 March 1946 to appoint four representatives of the Executive Committee as a Delegation to negotiate an Agreement bringing the United Nations Educational, Scientific and Cultural Organization into relationship with the United Nations.

Negotiations between the Committee on Negotiations with Specialized Agencies of the Economic and Social Council and the Negotiating Delegation of the United Nations Educational, Scientific and Cultural Organization took place in New York on 3 June 1946 and resulted in an Agreement. This Agreement was signed on 4 June 1946 by Sir A. Ramaswami Mudaliar, President of the Economic and Social Council and Chairman of the Com-

mittee on Negotiations with Specialized Agencies, and Mr. Roger Seydoux, Member of the Executive Committee and Chairman of the Negotiating Delegation of the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization.

On 21 June 1946, the Economic and Social Council, during its second session, unanimously recommended the Agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization to the General Assembly for its approval. On 5 July 1946 the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization recommended the Agreement to the General Conference of the United Nations Educational, Scientific and Cultural Organization for its approval.

On 3 October 1946, the Economic and Social Council, during its third session, recommended to the General Assembly that it authorize the Secretary-General to offer to the United Nations Educational, Scientific and Cultural Organization to replace Article XI of the Agreement with that Organization, which deals with relations with the International Court of Justice, by an article which will extend to the United Nations Educational, Scientific and Cultural Organization the same procedure in this respect as is specified in the Agreements with the other specialized agencies. This recommendation was accepted by both the General Assembly of the United Nations and the General Conference of the United Nations Educational, Scientific and Cultural Organization, and Article XI of the Agreement was revised accordingly.

Article XXII of the Agreement provides that it 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.

The Agreement as a whole was approved by the General Assembly of the United Nations on 14 December 1946 and by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 6 December 1946.

The Agreement accordingly came into force on 14 December 1946.

A copy of the authentic text of the Agreement is attached hereto.

IN FAITH WHEREOF we have appended our signatures this third day of February, one thousand nine hundred and forty-seven, to two original copies of the present Protocol, the text of which consists of versions in the

English and French languages which are equally authentic. One of the original copies will be filed and recorded with the Secretariat of the United Nations and the other will be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization.

Trygve LIE

*Secretary-General of the
United Nations*

Julian HUXLEY

*Director-General of the United
Nations Educational, Scientific and
Cultural Organization*

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

1. Article 57 of the Charter of the United Nations provides that specialized agencies, established by inter-governmental 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, sub-paragraph 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:

Article 1

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.

¹ Came into force 14 December 1946, by the approval by the General Assembly of the United Nations.

Article II

ADMISSION OF STATES NOT MEMBERS OF THE UNITED NATIONS

Applications submitted by States not members of the United Nations for admission to the United Nations Educational, Scientific and Cultural Organization shall be immediately transmitted by the secretariat of the Organization to the Economic and Social Council of the United Nations (hereinafter called the Council). The Council may recommend the rejection of such applications and any such recommendations shall be accepted by the Organization. If, within six months of the receipt of an application by the Council, no such recommendation has been made, the application shall be dealt with according to article II, paragraph 2, of the constitution of the Organization.

Article III

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 IV

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 V

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 co-ordination 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 co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations, fully effective. In particular, it agrees to participate in, and to co-operate with, any body or bodies which the Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

Article VI

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 VII

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 co-ordinating 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 VIII

ASSISTANCE TO THE SECURITY COUNCIL

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate 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 IX

ASSISTANCE TO THE TRUSTEESHIP COUNCIL

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate 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 X

NON-SELF-GOVERNING TERRITORIES

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate 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 XI

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 authorized 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 XII

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 XIII

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 co-ordination, 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 co-operate 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) Co-operate 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) Co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

Article XIV

STATISTICAL SERVICES

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

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 XIII, 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 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 co-ordination 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 co-operate 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 VII, VIII, or IX 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, inter-governmental or non-governmental organization, 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 to 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.
