

No. 5715

**CEYLON, REPUBLIC OF CHINA, ECUADOR,
FRANCE, GUATEMALA, etc.**

**Convention concerning the Exchange of Official Publications
and Government Documents between States. Adopted
by the General Conference of the United Nations
Educational, Scientific and Cultural Organization at
its Tenth Session, Paris, 3 December 1958**

Official texts: English, French, Russian and Spanish.

*Registered by the United Nations Educational, Scientific and Cultural Organization
on 15 June 1961.*

**CEYLAN, RÉPUBLIQUE DE CHINE, ÉQUATEUR,
FRANCE, GUATEMALA, etc.**

**Convention concernant les échanges entre États de publi-
cations officielles et documents gouvernementaux.
Adoptée par la Conférence générale de l'Organisation
des Nations Unies pour l'éducation, la science et la
culture à sa dixième session, Paris, 3 décembre 1958**

Textes officiels anglais, français, russe et espagnol.

*Enregistrée par l'Organisation des Nations Unies pour l'éducation, la science et la
culture le 15 juin 1961.*

No. 5715. CONVENTION¹ CONCERNING THE EXCHANGE OF OFFICIAL PUBLICATIONS AND GOVERNMENT DOCUMENTS BETWEEN STATES. ADOPTED BY THE GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AT ITS TENTH SESSION, PARIS, 3 DECEMBER 1958

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 4 November to 5 December 1958, at its tenth session,

Convinced that development of the international exchange of publications is essential to the free exchange of ideas and knowledge among the peoples of the world,

Considering the importance accorded to the international exchange of publications by the Constitution of the United Nations Educational, Scientific and Cultural Organization.

Being aware of the provisions for the exchange of official publications set forth in the Convention for the International Exchange of Official Documents, Scientific and Literary Publications² and in the Convention for the Immediate Exchange of Official Journals, Public Parliamentary Annals and Documents,³ concluded in Brussels on 15 March 1886 and in various regional agreements for the exchange of publications.

¹ In accordance with article 17, the Convention came into force on 30 May 1961, twelve months after the date of deposit of the third instrument of ratification.

Following is the list of States which have deposited their instruments of ratification or acceptance (a) with the Director-General of the United Nations Educational, Scientific and Cultural Organization, indicating the dates of deposit and the dates of entry into force of the Convention for each State :

| <i>State</i> | <i>Date of deposit</i> | <i>Date of entry into force</i> | |
|--|------------------------|-------------------------------------|------|
| Ceylon | 7 December 1959 | 30 May | 1961 |
| Israel | 4 January 1960 | 30 May | 1961 |
| France | 30 May 1960 | 30 May | 1961 |
| Guatemala | 23 November 1960 | 23 November | 1961 |
| Ecuador | 8 February 1961 | 8 February | 1962 |
| Republic of China | 26 April 1961 | 26 April | 1962 |
| United Kingdom of Great Britain and Northern Ireland (with a declaration that the Convention shall extend to the following territories*) : | 1 June 1961 (a) | 1 June | 1962 |

* Jersey, the Bailiwick of Guernsey and the Isle of Man; the Federation of Rhodesia and Nyasaland; Malta; Seychelles; British Solomon Islands Protectorate; Gilbert and Ellice Islands Colony; British Guiana; Bahamas; Bermuda; British Virgin Islands; Jamaica; Trinidad and Tobago; Antigua; St. Lucia; Montserrat; Barbados; St. Vincent; Grenada; Dominica; St. Kitts-Nevis-Anguilla; and the State of Singapore.

² *British and Foreign State Papers*, Vol. 77, p. 888; and League of Nations, *Treaty Series*, Vol. XXIV, p. 213.

³ *British and Foreign State Papers*, Vol. 77, p. 886; and League of Nations, *Treaty Series*, Vol. XXIV, p. 211.

Recognizing the need for a new international convention concerning the exchange of official publications and government between States,

Having before it proposals concerning the exchange of official publications and government documents between States constituting item 15.4.1 on the agenda of the session,

Having decided, at its ninth session, that these proposals should be made the subject of international regulation by way of an international convention,

Adopts, this third day of December 1958, the present Convention.

Article 1

EXCHANGE OF OFFICIAL PUBLICATIONS AND GOVERNMENT DOCUMENTS

The Contracting States express their willingness to exchange their official publications and government documents, on a reciprocal basis, in accordance with the provisions of the present Convention.

Article 2

DEFINITION OF OFFICIAL PUBLICATIONS AND GOVERNMENT DOCUMENTS

1. For the purpose of the present Convention, the following are considered official publications and government documents when they are executed by the order and at the expense of any national governmental authority: parliamentary documents, reports and journals and other legislative papers; administrative publications and reports from central, federal and regional governmental bodies; national bibliographies, State handbooks, bodies of law, decisions of the Courts of Justice; and other publications as may be agreed.

2. However, in the application of the present Convention, the Contracting States shall be free to determine the official publications and government documents which shall constitute exchange material.

3. The present Convention does not apply to confidential documents, circulars and other items which have not been made public.

Article 3

BILATERAL AGREEMENTS

The Contracting States, whenever they deem it appropriate, shall enter into bilateral agreements for the purpose of implementing the present Convention and regulating matters of common concern arising out of its application.

Article 4

NATIONAL EXCHANGE AUTHORITIES

1. In each Contracting State, the national exchange service or, where no such service exists, the central authority or authorities designated for the purpose, shall carry out the functions of exchange.

2. The exchange authorities shall be responsible within each Contracting State for the implementation of the present Convention and of bilateral agreements as referred to in Article 3, whenever appropriate. Each Contracting State shall give its national exchange service or the central exchange authorities the powers required to obtain the material to be exchanged and sufficient financial means to carry out the functions of exchange.

Article 5

LIST AND NUMBER OF PUBLICATIONS FOR EXCHANGE

The list and number of official publications and government documents for exchange shall be agreed between the exchange authorities of the Contracting States. This list and the number of official publications and government documents for exchange may be modified by arrangements between such authorities.

Article 6

METHOD OF TRANSMISSION

Transmissions may be made directly to exchange authorities or to recipients named by them. The method of listing consignments may be agreed between exchange authorities.

Article 7

TRANSPORT CHARGES

Unless otherwise agreed, the exchange authority which undertakes the transmission shall bear the cost thereof as far as destination, but for transport by sea, the cost of packing and carriage shall be paid only as far as the customs office of the port of arrival.

Article 8

RATES AND CONDITIONS OF TRANSPORT

The Contracting States shall take all the necessary measures to ensure that the exchange authorities benefit from the most favourable existing rates and

transport conditions, whatever the means of transport chosen : post, road, rail, inland or sea transport, airmail or air cargo.

Article 9

CUSTOMS AND OTHER FACILITIES

Each Contracting State shall grant its exchange authorities exemption from customs duties for both imported and exported material under the provisions of the present Convention or under any agreement in implementation thereof and shall accord them the most favourable treatment as regards customs and other facilities.

Article 10

INTERNATIONAL CO-ORDINATION OF EXCHANGE

To assist the United Nations Educational, Scientific and Cultural Organization in the performance of the functions concerning the international co-ordination of exchange assigned to it by its Constitution, the Contracting States shall send to the Organization annual reports on the working of the present Convention and copies of bilateral agreements entered into in accordance with Article 3.

Article 11

INFORMATION AND STUDIES

The United Nations Educational, Scientific and Cultural Organization shall publish information received from the Contracting States in conformity with Article 10 and shall prepare and publish studies on the working of the present Convention.

Article 12

ASSISTANCE OF UNESCO

1. The Contracting States may call upon the United Nations Educational, Scientific and Cultural Organization for technical assistance in connexion with any problem arising out of the application of the present Convention. The Organization shall accord such assistance within the limits fixed by its programme and its resources, in particular, for the creation and organization of national exchange services.

2. The Organization is authorized to make, on its own initiative, proposals on these matters to the Contracting States.

Article 13

RELATION TO PREVIOUS AGREEMENTS

The present Convention shall not affect obligations previously entered into by the Contracting States by virtue of international agreements. It shall not be construed as requiring a duplication of exchanges conducted under existing agreements.

Article 14

LANGUAGES

The present Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

Article 15

RATIFICATION AND ACCEPTANCE

1. The present Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization, in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 16

ACCESSION

1. The present Convention shall be open for accession by all States not members of the Organization invited to do so by the Executive Board of the United Nations Educational, Scientific and Cultural Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 17

ENTRY INTO FORCE

The present Convention shall enter into force twelve months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force for each other

State which deposits its instrument of ratification, acceptance or accession, twelve months after the deposit of its instrument of ratification, acceptance or accession.

Article 18

TERRITORIAL EXTENSION OF THE CONVENTION

Any Contracting State may, at the time of ratification, acceptance or accession, or at any time thereafter, declare by notification addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization that the present Convention shall extend to all or any of the territories for whose international relations it is responsible. The said notification shall take effect twelve months after the date of its receipt.

Article 19

DENUNCIATION

1. Each Contracting State may denounce the present Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

Article 20

NOTIFICATIONS

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, States not members of the Organization referred to in Article 16, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 15 and 16 and of the notifications and denunciations provided for respectively in Articles 18 and 19.

Article 21

REVISION OF THE CONVENTION

1. The present Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization, any such revision, however, binding only those States which shall become parties to the revising convention.

2. Should the General Conference adopt a new convention revising the present Convention in whole or in part, and unless the new convention otherwise provides, the present Convention shall cease to be open to ratification, acceptance or accession as from the date when the new revising convention enters into force.

Article 22

REGISTRATION

In accordance with Article 102 of the Charter of the United Nations, the present Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

DONE at Paris, this fifth day of December 1958, in two authentic copies bearing the signatures of the President of the tenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the Archives of the United Nations Educational, Scientific and Cultural Organization and certified true copies of which shall be delivered to all the States referred to in Articles 15 and 16 as well as to the United Nations.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its tenth session which was held in Paris and declared closed the fifth day of December 1958.

IN FAITH WHEREOF we have appended our signatures this fifth day of December 1958.

The President of the General Conference :

Jean BERTHOIN

The Director-General :

Luther H. EVANS