

No. 5995

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

Convention concerning the International Exchange of Publications. 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 11 December 1961.

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

Convention concernant les échanges internationaux de publications. 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 11 décembre 1961.

No. 5995. CONVENTION¹ CONCERNING THE INTERNATIONAL EXCHANGE OF PUBLICATIONS. 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,²

Recognizing the need for a new international convention concerning the exchange of publications,

¹ In accordance with the provisions of article 16, the Convention came into force on 23 November 1961, twelve months after the date of the deposit of the third instrument of ratification, acceptance or accession, in respect of the following States on behalf of which the instruments of ratification or acceptance (a) were deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization on the dates indicated :

Israel	4 January	1960
France	30 May	1960
Guatemala	23 November	1960

It shall enter into force twelve months after the deposit in respect of the following States on behalf of which the instruments of ratification or acceptance were deposited on the dates indicated :

Ecuador	8 February	1961
Republic of China	26 April	1961
United Kingdom of Great Britain and Northern Ireland (with a declaration extending the application of the Convention to the following territories : Jersey, the Bailiwick of Guernsey and the Isle of Man ; the Federation of Rhodesia and Nyassaland ; Antigua ; Bahamas ; Barbados ; British Virgin Islands ; Bermuda ; British Guiana ; Grenada ; Jamaica ; Montserrat ; St. Kitts-Nevis-Anguilla ; St. Vincent ; Trinidad ; British Solomon Islands Protectorate ; Gilbert and Ellice Islands Colony ; Brunei ; St. Lucia ; Dominica ; and the State of Singapore)	1 June	1961 (a)
Italy	2 August	1961 (a)

² United Nations, *Treaty Series*, Vol. 4, p. 275 ; Vol. 18, p. 383 ; Vol. 21, p. 336 ; Vol. 34, p. 382 ; Vol. 43, p. 336 ; Vol. 45, p. 319 ; Vol. 53, p. 407 ; Vol. 68, p. 261 ; Vol. 98, p. 264 ; Vol. 126, p. 346 ; Vol. 161, p. 360 ; Vol. 166, p. 363 ; Vol. 172, p. 326 ; Vol. 190, p. 376 ; Vol. 191, p. 358 ; Vol. 213, p. 369 ; Vol. 243, p. 302 ; Vol. 250, p. 289 ; Vol. 253, p. 307 ; Vol. 256, p. 326 ; Vol. 257, p. 359 ; Vol. 300, p. 298 ; Vol. 307, p. 300 ; Vol. 316, p. 271 ; Vol. 353, p. 308 ; Vol. 383, p. 310 ; Vol. 387, p. 322 ; Vol. 393, p. 307, and Vol. 415.

Having before it proposals concerning the international exchange of publications 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 PUBLICATIONS

The Contracting States undertake to encourage and facilitate the exchange of publications between both governmental bodies and non-governmental institutions of an educational, scientific and technical, or cultural nature, which are non-profit-making in character, in accordance with the provisions of the present Convention.

Article 2

SCOPE OF THE EXCHANGE OF PUBLICATIONS

1. For the purpose of the present Convention, the following publications may be considered appropriate articles to be exchanged, for use but not for resale, between the bodies and institutions referred to in Article 1 of the present Convention :

- (a) publications of an educational, legal, scientific and technical, cultural and informational nature, such as books, newspapers and periodicals, maps and plans, prints, photographs, microcopies, musical works, Braille publications and other graphic material ;
- (b) publications covered by the 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 on the third day of December 1958.¹

2. The present Convention in no way affects exchanges carried out under the 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 on the third day of December 1958.

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

¹ United Nations, *Treaty Series*, Vol. 398, p. 9, and Vol. 402, p. 371.

Article 3

EXCHANGE SERVICES

1. The Contracting States may entrust the national exchange service or, where no such national exchange service exists, the central exchange authority or authorities with the following functions in connexion with the development and co-ordination of the exchange of publications among bodies and institutions referred to in Article 1 of the present Convention :

- (a) facilitating the international exchange of publications, in particular by transmitting, when appropriate, the material to be exchanged ;
- (b) supplying advice and information on exchange possibilities for bodies and institutions at home and abroad ;
- (c) encouraging, when appropriate, the exchange of duplicate material.

2. However, when it is deemed undesirable to centralize in the national exchange service or in central authorities the development and co-ordination of exchanges among bodies and institutions referred to in Article 1 of the present Convention, any or all of the functions enumerated in paragraph 1 of the present article may be entrusted to other authority or authorities.

Article 4

METHOD OF TRANSMISSION

The transmission may be made either directly between the bodies and institutions concerned, or through the national exchange service or exchange authorities.

Article 5

TRANSPORT CHARGES

When transmissions are made directly between exchange partners, the Contracting States shall not be required to bear the cost thereof. If the transmission is made through the exchange authority or authorities, the Contracting States shall bear the cost of the transmission 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 6

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 7

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 8

INTERNATIONAL CO-ORDINATION OF EXCHANGE

To assist the United Nations Educational, Scientific and Cultural Organization in the performance of the functions assigned to it by its Constitution concerning the international co-ordination of exchange, 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 12.

Article 9

INFORMATION AND STUDIES

The United Nations Educational, Scientific and Cultural Organization shall publish information received from the Contracting States in application of Article 8 and shall prepare and publish studies on the working of the present Convention.

Article 10

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 this matter to the Contracting States.

Article 11

RELATION TO PREVIOUS AGREEMENTS

The present Convention shall not affect obligations previously entered into by the Contracting States by virtue of international agreements.

Article 12

BILATERAL AGREEMENTS

Whenever necessary or desirable, the Contracting States shall enter into bilateral agreements for the purpose of supplementing the present Convention and regulating matters of common concern arising out of its application.

Article 13

LANGUAGES

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

Article 14

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 15

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 16

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 17

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 18

DENUNCIATIONS

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 19

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 15, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 14 and 15 and of the notifications and denunciations provided for respectively in Articles 17 and 18.

Article 20

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 21

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 14 and 15 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
