

No. 11861

MULTILATERAL

Agreement concerning the Latin American Faculty of Social Sciences (FLACSO). Concluded at Paris on 18 June 1971

Authentic texts : Spanish, English, French and Portuguese.

Registered by the United Nations Educational, Scientific and Cultural Organization on 10 July 1972.

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Accord concernant la Faculté latino-américaine de sciences sociales (FLACSO). Conclu à Paris le 18 juin 1971

Textes authentiques : espagnol, anglais, français et portugais.

Enregistré par l'Organisation des Nations Unies pour l'éducation, la science et la culture le 10 juillet 1972.

AGREEMENT¹ CONCERNING THE LATIN AMERICAN FACULTY OF SOCIAL SCIENCES (FLACSO)

The High Contracting Parties,

Considering the creation in 1957 of the Latin American Faculty of Social Sciences in Santiago de Chile, following the recommendations of the First Regional Conference on the university teaching of the social sciences in South America, meeting in March of 1956 in Rio de Janeiro, and resolution 3.42 (d) approved by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its ninth session held in New Delhi in November of 1956.

Stressing the importance of the contribution of this institution through its schools of sociology and of political science and public administration to the development in all of Latin America of teaching and research in the social sciences since its creation until today.

Mindful of the fact that the development and integration of Latin America demands an increase in the collaboration of the countries of the region in the field of the social sciences through high level regional institutions which co-operate with the governments, the universities and national institutions in the training of technical personnel and in the granting of technical and scientific assistance inasmuch as it may be needed.

Resolved to give to this institution their complete moral, intellectual and financial support, according to the modalities defined hereafter, have agreed to strengthen the institutionalization of the Latin American Faculty of Social Sciences by the following agreement :

Article I

NATURE AND SEAT

The Latin American Faculty of Social Sciences, hereafter referred to as "FLACSO", is an autonomous regional organization of higher education for teaching and research in the field of social science established by the Latin American States and the Caribbean States in Santiago de Chile under the auspices of the Government of Chile.

¹ Came into force on 19 June 1972, the date when instruments of acceptance by the following three States had been deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization, in accordance with article XIV (3) :

<i>State</i>	<i>Date of deposit</i>
Chile	28 October 1971
Panama	8 February 1972
Cuba	19 June 1972

The authentic autonomous regional character of FLACSO is ensured by the recruitment of its permanent body of teachers which will be, as far as possible, made up of Latin American specialists; by its teaching and research programme, which takes into account the scientific and social needs of the region; by the selection of its students chosen from graduates of the Latin American universities of these countries; by the scholarships granted whenever possible, according to an adequate cultural and geographical representation of the whole region; and by the support, participation and financing given to it by the Latin American Governments.

The members of FLACSO are the Latin American States entering into this agreement, according to the provisions of Article XIV.

Whenever in this agreement the words "Latin America" and "Latin American" are used it is understood that they refer also to the countries of the Caribbean region.

Article II

FUNCTIONS

The main functions of FLACSO are the training of specialists in the social sciences, at a higher level, in Latin America. It undertakes research activities mainly in connexion with its training functions. In the field of cultural development FLACSO pursues the following objectives: (a) to spread by all adequate means at a higher level in the Latin American region knowledge in each discipline of the social sciences entering in its training activities, and also the results of its research; (b) to serve as a centre for the exchange of information on the teaching of the social sciences for Latin America; to co-operate with existing national university institutions in the region, and especially with similar teaching and research organizations in Latin America in order to dispense the assistance and co-operation required in this field. To this effect FLACSO pursues its co-operation with international and regional organizations, both governmental and non-governmental. In general it undertakes all scientific and academic activities related to the social sciences and conducive to the development and integration of the countries in the Latin American region.

Article III

ORGANS OF THE FACULTY

The main organs of FLACSO are:

The General Assembly
Directive Committee
General Secretariat.

Article IV

THE GENERAL ASSEMBLY

1. The General Assembly is the highest organ of FLACSO. It is made up of one representative from each Member State designated by its government.

The Assembly meets at least once every two years in the place indicated by the Secretary-General of FLACSO. It can also meet in extraordinary session by decision of the majority of Member States, or when convened by the Directive Committee of FLACSO, with the approval of one-fifth of the Member States or of the host country.

2. The General Assembly has the following functions :

- (a) To define the general policy of the institution, the relationship of FLACSO, as an international legal entity, with the Member States and to approve the activity reports and the programme that the Directive Committee present to it, through the Secretary-General.
- (b) To approve, in a global way, the budget corresponding to a period of two years, the financial reports and the accounts of FLACSO.
- (c) To determine the amounts of the financial contributions to be paid by each Member State.
- (d) To elect for a period of two years, on the proposal of the Directive Committee the President of FLACSO who will be chosen from among Latin American specialists highly qualified in the field of the social sciences.
- (e) To elect the Secretary-General of FLACSO, according to the provisions of Article VI and in consultation with the host government.
- (f) To decide on the granting of titles, degrees and diplomas.
- (g) To authorize the Directive Committee to take decisions in all specific matters that the Assembly may deem convenient.
- (h) To fix its by-laws.

Article V

THE DIRECTIVE COMMITTEE

1. The Directive Committee is the scientific, administrative and financial organ of FLACSO, made up of the following persons :

- (a) The President of FLACSO;
- (b) The Secretary-General;
- (c) The Directors of the schools and institutes;
- (d) One professor representing each of the schools and institutes of FLACSO designated by the respective Academic Council;

(e) One representative of the government of the host country.

To maintain the regional character of the Institution, the Directive Committee cannot have more than one-third of its active members belonging to the same nationality.

The President of FLACSO presides at the sessions of the Directive Committee and carries out all functions that this Committee may assign him.

It belongs to the Directive Committee to conduct the academic, financial and administrative affairs of the Institution, according to the general policy adopted by the General Assembly; and to co-ordinate the plans of activities and programmes of the schools and institutes and the activities entrusted to their Directors and to the Secretary-General. It also co-ordinates the activities of FLACSO in relation to the schools and centres associated to the Institution.

2. It belongs to the Directive Committee in particular to :

- (a) Determine the broad lines of the teaching and research policy of FLACSO.
- (b) Approve the plans and programmes submitted by the Directors of the respective schools and institutes.
- (c) Define the titles, degrees and diplomas awarded by the Institution, within the norms established by the General Assembly according to Article IV, point (e).
- (d) Propose to the General Assembly the candidate to the post of President of FLACSO.
- (e) Designate the Directors of the schools and institutes on proposal of the respective Academic Councils and according to the regulations adopted by the General Assembly.
- (f) Designate the professors and researchers of the schools and institutes on proposal of the respective Directors.
- (g) Approve the scientific, financial and administrative reports and the budget to be submitted to the General Assembly.
- (h) Designate interim Directors in case of absence or prevention of the incumbents.
- (i) Designate an interim Secretary-General in case of absence or prevention of the incumbent.
- (j) Take those decisions delegated to it by the General Assembly.
- (k) Exercise all powers delegated by the General Assembly.
- (l) Decide on the creation of new schools and institutes in social science and on agreements of co-operation with official entities, universities and other cultural teaching and research organizations in the Latin American region.
- (m) Fix its by-laws.
- (n) In general, deal with all matters concerning the Institution as a whole and not specially belonging to the General Assembly.

The Directive Committee meets in ordinary session at least once a month and in extraordinary session at the request of two of its members. The quorum needed for a session is the absolute majority of the members of the Directive Committee.

Article VI

THE SECRETARY-GENERAL

The Secretary-General of FLACSO is elected by the General Assembly for a period of two years from among the social science professors in the Chilean universities.

It belongs to the Secretary-General of FLACSO to carry out the resolutions of the General Assembly and of the Directive Committee. He is entrusted with the administrative management of the Institution; he is the head of its Secretariat and appoints its personnel; he exercises the functions of President of the Directive Committee in the absence of the incumbent; he is the legal representative of FLACSO. He signs, together with the Director of the respective school or institute, the diplomas awarded according to the decisions of the Academic Councils.

It belongs to the Secretary-General to establish and maintain contacts with the governments of the Member States, the universities and the cultural and financial institutions, national and international, which co-operate with FLACSO, according to the provisions of Article IV, points (a) and (g).

Article VII

THE ACADEMIC COUNCILS

The schools and institutes are autonomous, they set up their own Academic Councils according to by-laws approved by the Directive Committee.

The Academic Council of each school and institute is made up by the Director, the permanent professors of the respective school or institute and the Secretary-General of FLACSO.

It belongs to the Academic Councils to formulate and execute the teaching and research policy of the respective school or institute.

Article VIII

THE DIRECTORS OF THE SCHOOLS AND INSTITUTES

The Directors of the schools and institutes are elected by the Directive Committee according to Article V, 2, (e), for a period of two years.

The Directors undertake all necessary actions to ensure the better operation of their school or institute, inclusive of the signing of agreements with the previous advice and consent of the Directive Committee.

The Directors are in charge of the administrative, financial and academic direction of their respective school or institute, according to the teaching plans and study programmes approved by the competent Academic Council.

Article IX

DIPLOMAS AWARDED BY THE FACULTY

FLACSO, through its Secretary-General and the Director of the respective schools or institutes and with the prior advice of the Directive Committee, awards diplomas, titles and degrees in recognition of the competence of the students in the disciplines covered by their plan of studies, according to the general norms established by the General Assembly and the Directive Committee.

Article X

FINANCE

1. The financial resources of FLACSO derive mainly from :

- (a) The annual contributions of the Member States which are proportional to their respective contributions to the budget of Unesco. The General Assembly will fix the amounts of the contributions according to Article IV, 2 (c).
- (b) A supplementary annual contribution from the Government of Chile, as host country, determined through negotiations between the Directive Committee, and the Chilean Government.

2. Any modification of the amounts mentioned has to be approved by a two-thirds majority of the General Assembly.

3. Chile will pay its contribution directly to FLACSO. The other States party to the present agreement will pay their contributions to FLACSO at the same time that they make their contributions to the budget of ECLA.

4. At the beginning of each fiscal period, the Secretary-General of FLACSO notifies the Member States of the amount of their contributions.

5. In order to ensure the regular functioning of FLACSO, an operations fund is established, the nature and amount of which shall be determined by the General Assembly.

6. The Directive Committee may accept donations, legacies and grants offered to FLACSO by governments, institutions or private persons.

Article XI

LEGAL CAPACITY AND IMMUNITIES

1. FLACSO is an international legal entity enjoying full legal capacity, and the privileges and immunities which are recognized within the territory of each of the Member States according to existing legislation. In the territory of Chile it enjoys the same status as the one obtaining for ECLA, according to the existing legislation in the said country.

2. The Secretary-General of FLACSO undertakes all necessary steps to establish and maintain legal relations with the host country and with the other Latin American States, according to the provisions of paragraph 1 of the present Article and of Article VI, 3.

Article XII

RELATIONS WITH OTHER ORGANIZATIONS

1. FLACSO will enter into special agreements with UNESCO, UNDP, ECLA, ILPES, the Latin American Research Centre in Social Sciences in Rio de Janeiro and with other similar organizations in order to establish the conditions for a close working relationship.

2. FLACSO also collaborates with international non-governmental organizations, corporations, foundations and national university institutions in all matters falling within its competence in order to stimulate co-operation and mutual aid in this field.

Article XIII

REVISION

The present agreement can be modified by the General Assembly by a decision taken by a two-thirds majority of the Member States.

Article XIV

ACCEPTANCE, VALIDITY AND WITHDRAWAL

1. The present agreement cannot be signed with reservations and will remain open to the acceptance on the part of the Latin American States members of Unesco.

2. The acceptance of the present agreement will be made by means of the deposit of the respective instrument in the hands of the Director-General of Unesco.

3. The present agreement will enter into force when the Director-General

of Unesco will have received acceptance instruments from three States. To this end, Unesco will inform the States Parties to this agreement of the date when the present agreement enters into force.

4. The Director-General of Unesco will inform all the States Parties to this agreement as well as the United Nations Organization of the acceptances received. The Secretary-General of FLACSO will likewise inform the organizations which co-operate with the Institution.

5. According to the provisions of Article 102 of the United Nations Charter, the present agreement shall be registered with the United Nations Secretariat.

6. The parties to the present agreement may denounce the agreement any time after a period of five years beginning from the date of its entry into force.

7. This denunciation will become effective six months after the date when it has been notified to the Director-General of Unesco.

8. The party which has denounced the present agreement will continue to bear its financial obligations to the Institution during the fiscal period in which the denunciation is taking effect.

9. In the case of Chile withdrawing from the Institution, the General Assembly shall meet automatically not later than three months after notification of this withdrawal has been received, in order to take appropriate measures.

TRANSITORY DISPOSITIONS

Pending the entry into force of the present agreement, FLACSO shall continue to be ruled by the Statutes adopted in the city of Rio de Janeiro on 15 April 1957, modified in 1969 by the Directive Committee after consultation of the Consultative General Assembly of Member States meeting in November 1968.

During this interim period the Member States shall continue to pay to FLACSO their annual voluntary contributions according to the schedule now in force.

IN TESTIMONY OF WHICH the undersigned, duly authorized to this effect, have signed the present agreement.

MADE in Paris, at the Headquarters of Unesco, the eighteenth day of the month of June of the year nineteen hundred and seventy-one, in Spanish, English, French and Portuguese, all four texts being equally authentic, in one copy deposited in the archives of Unesco. Certified copies of the agreement shall be delivered to all the States Parties to the present agreement and to the Organization of the United Nations.

Argentina :

Barbados :

Bolivia :

Brasil :

Colombia :

Costa Rica :

Cuba : Firma sujeto a ratificación¹
FRANCISCO MARTÍNEZ MORELL

Chile : HUGO ZEMELMAN

Ecuador :

El Salvador :

Guyana :

Haiti :

Honduras :

Jamaica :

Mexico :

Nicaragua :

Panama : CARLOS A. PÉREZ-HERRERA
Embajador Extraordinario y Delegado Permanente²

Paraguay :

Peru :

República Dominicana :

Trinidad y Tabago :

Uruguay :

Venezuela :

¹ Signed subject to ratification — Signé sous réserve de ratification.

² Ambassador Extraordinary and Permanent Representative — Ambassadeur extraordinaire et Représentant permanent.