

No. 14696

MULTILATERAL

Agreement concerning the Latin American Faculty of Social Sciences (FLACSO) constituting modification of the agreement of 18 June 1971 (with official English, French and Portuguese translations). Concluded at Quito on 30 April 1975

Authentic text: Spanish.

Registered by the United Nations Educational, Scientific and Cultural Organization on 1 April 1976.

MULTILATÉRAL

Accord sur la Faculté latino-américaine de sciences sociales (FLACSO) constituant modification de l'Accord du 18 juin 1971 (avec traductions officielles en langues anglaise, française et portugaise). Conclu à Quito le 30 avril 1975

Texte authentique : espagnol.

Enregistré par l'Organisation des Nations Unies pour l'éducation, la science et la culture le 1^{er} avril 1976.

[OFFICIAL ENGLISH TRANSLATION — TRADUCTION ANGLAISE OFFICIELLE]

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

PREAMBLE

The High Contracting Parties,

1. Recalling the creation in 1957 of the Latin American Faculty of Social Sciences in Santiago, 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 (UNESCO) at its ninth session, held in New Delhi, in November of 1956,

2. Stressing the importance of the contribution of this institution through its schools and institutes to the development in all Latin America of teaching and research in the social sciences since its inception to date,

3. 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 providing technical assistance and advisory services when necessary,

4. Resolved to give 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 approving the following agreement:

Article I. NATURE AND PURPOSES

1. The Latin American Faculty of Social Sciences, hereinafter referred to as "FLACSO", is an international organization, regional and autonomous in nature, established by the countries of Latin America and the Caribbean to promote teaching and research in the field of the social sciences.

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

3. The authentic regional and autonomous nature of FLACSO is ensured by the recruitment of its permanent staff of teachers which will be, as far as possible, made up of Latin American specialists; by its teaching and research programme,

¹ Came into force on 30 April 1975, the date when the full FLACSO member States indicated hereafter had approved it in their special General Assembly held at Quito from 28 to 30 April 1975, in accordance with paragraph 1 of its transitory provision:

Chile
Costa Rica

Cuba
Ecuador

Mexico
Panama

This Agreement, adopted by Resolution No. 1 of the Special General Assembly of the Latin American Faculty of Social Sciences, constitutes a modified text of the Agreement concerning the Latin American Faculty of Social Sciences (FLACSO), concluded at Paris on 18 June 1971.*

* United Nations, *Treaty Series*, vol. 829, p. 169.

which will take into account the scientific and social needs of the region; by the selection of its students from among Latin American graduates of Latin American universities; by the scholarships granted, as far as possible, according to an adequate cultural and geographic representation of the whole region, and by the support, participation and financing given to it by the Latin American governments.

4. Latin American States may be members of FLACSO if they are members of UNESCO. Latin American States that have acceded to this Agreement according to the provisions of Article XIV are full members of FLACSO.

5. The executive office of FLACSO will be located where it establishes its General Secretariat. To ensure its regional function, FLACSO may carry out its activities in any of the Latin American countries and, to such end, it is authorized to establish academic offices and programmes in the countries of the region.

Article II. FUNCTIONS

1. The main functions of FLACSO are:

- a) to ensure the training of specialists in the social sciences in Latin America through postgraduate and specialization courses;
- b) to carry out research;
- c) to spread by all adequate means and with government support in the Latin American region knowledge in each discipline of the social sciences, especially the results of its own research;
- d) to promote the exchange of materials for the teaching of social sciences in Latin America;
- e) to co-operate with existing national university institutions and similar educational and research organizations in Latin America in order to encourage the necessary co-operation in its particular field. To this effect, it will seek the co-operation of international, regional and national organizations, both governmental and non-governmental; and
- f) in general, it undertakes all academic activities related to the social sciences conducive to the development and integration of the countries of the Latin American region.

Article III. GOVERNING BODIES OF FLACSO

1. The main governing bodies of FLACSO are:

- a) the General Assembly,
- b) the Higher Council, and
- c) the General Secretariat.

Article IV. THE GENERAL ASSEMBLY

1. The General Assembly is the highest organ of FLACSO and it is made up of one representative from each full Member State, designated by the Government of that State, with the right of voice and vote. Latin American States that have not yet acceded to the present Agreement are members of the Assembly with observer status, and each of the respective governments may appoint a Delegate who may participate in the debates with the right of voice. The States, institutions, organizations and centres that co-operate with FLACSO may be invited to send observers to the Assembly. Likewise, social scientists who have served as President, Secretary-General, Director of a school, institution or office of FLACSO may also be asked to participate as observers.

2. The General Assembly must hold a regular session every two years, and the Higher Council of FLACSO shall notify the Latin American Governments of the place and date, and send them the provisional agenda for the meeting, four months in advance.

3. The General Assembly may meet in a special session at the request of a majority of the full Member States, or when so decided by the Higher Council by a majority of votes or the unanimous vote of the Member States represented thereon.

4. The General Assembly has the following duties:

- a) to define the general policy of the institution and the relationship of FLACSO as an international legal entity with the Member States;
- b) to receive from the Higher Council—through the Secretary-General—and to approve the activity reports, the financial report and statements of accounts of FLACSO for the period since the last General Assembly, as well as the programme of activities and the overall budget for the next two-year period;
- c) to determine the amounts of the contributions to be paid by each Member State;
- d) to determine the number of, and to elect, the members of the Higher Council for a period of two years;
- e) to elect the President of FLACSO, who shall hold office for a period of two years and be eligible for an additional term. The person elected must be a Latin American social scientist;
- f) to elect, from among the candidates presented by the Higher Council, the Secretary-General of FLACSO, who shall hold office for a period of two years and be eligible for an additional term. The person elected must be a Latin American social scientist;
- g) to authorize the Higher Council and the General Secretariat of FLACSO to take decisions on such specific matters as the Assembly may deem appropriate;
- h) to draw up its own by-laws.

Article V. THE HIGHER COUNCIL

1. The Higher Council is an auxiliary organ of the General Assembly, acting as a liaison instrument between FLACSO and the Member States, and is composed of the following persons:

- a) the President of FLACSO, who serves as Chairman of the Council and has the right of vote only in the event of a draw in the voting;
- b) the Representatives, designated by their governments, of the Member States elected by the General Assembly. The number of States represented is determined every two years by the General Assembly, but will never be less than four;
- c) Latin American social scientists of high academic standing, appointed in a personal capacity by the General Assembly. Their number will be determined by the General Assembly and will not be less than three;
- d) the Secretary-General of FLACSO, who serves as Secretary of the Council with the right of voice.

2. The Higher Council holds regular meetings at least once a year, on the date and at the place determined by the President of FLACSO. It may also hold special meetings with the approval of a majority of its members, at the request of a Member State, or of the President, or of the Secretary-General.

3. The Higher Council has the following specific duties:

- a) to take cognizance of and approve the general guidelines of the academic policy of FLACSO, at the request of the General Secretariat;
- b) to establish the headquarters of the General Secretariat;
- c) to approve the creation of new schools and institutes of FLACSO, as well as the establishment of academic offices and programmes;
- d) to receive from the General Secretariat an annual progress report on the activities of FLACSO and approve the yearly effective budget of FLACSO, within the framework established by the Assembly;
- e) to review the relations of FLACSO with the Member States, the various agreements and programmes entered into by FLACSO with governmental agencies, both national and international, and with the social science institutions and centres of the region;
- f) to settle any conflicts that may arise concerning responsibility, pursuant to the provisions of the corresponding by-law;
- g) to submit to the General Assembly the names of candidates for the post of Secretary-General of FLACSO. The candidate appointed shall be a Latin American specialist in social sciences;
- h) to designate the Directors of schools and institutes on the proposal of the Secretary-General;
- i) to designate an interim President, Secretary-General, or social scientist member of the Council, in the event of the absence or impediment of the incumbent;
- j) to establish, on the proposal of the General Secretariat, the titles, degrees, diplomas and certificates to be awarded by FLACSO in accordance with its academic programmes;
- k) to submit, every two years, to the General Assembly a progress report on the work of the Faculty;
- l) to approve the respective by-laws of the General Secretariat, the schools, institutes and academic branches of FLACSO;
- m) to carry out all the tasks assigned to it by the General Assembly;
- n) to draw up its own by-laws.

4. The President of FLACSO has the following duties:

- a) to preside over the Higher Council of FLACSO, organizing its work;
- b) to perform the duties entrusted to him by the General Assembly or the Higher Council.

Article VI. THE GENERAL SECRETARIAT

1. The General Secretariat is responsible for the central management and administration of FLACSO, and it is composed of:

- a) the Secretary-General;
- b) the Directive Committee.

2. The Secretary-General has the following specific duties:

- a) to preside over the Directive Committee;
- b) to conduct negotiations with the universities and other cultural institutions for the purpose of arranging academic exchange agreements, for approval by the Directive Committee;
- c) to maintain contacts with the governments of the full Member States and also with the Latin American countries that have not yet acceded to this Agreement,

- to ensure their effective participation in the life of the Faculty and to obtain from them all institutional and financial support for the work of FLACSO;
- d) to conduct negotiations with the governments of other regions and also with national and international institutions with a view to obtaining their institutional and financial support for the activities of FLACSO and, given the case, to propose the drafts of the respective agreements to the Directive Committee;
 - e) to engage in negotiations conducive to the creation of offices, in consultation with the Directive Committee, and to submit the corresponding proposals to the Higher Council for its approval;
 - f) to designate the personnel for the executive branch and to authorize the appointment of the senior academic and administrative staff on the proposal of the Directors of the schools and institutes, subject to prior international competition, pursuant to the provisions of the corresponding regulations;
 - g) to draw up, in consultation with the Directive Committee, the reports of the Faculty to be submitted to the Higher Council and to the General Assembly for approval;
 - h) to co-ordinate and supervise the execution of the resolutions of the Higher Council and of the Directive Committee;
 - i) to exercise the legal representation of FLACSO whenever required.

3. The Directive Committee of FLACSO is composed of the Secretary-General and the Directors of the schools and institutes. The Directors of the offices participate at least once a year in the deliberations of the Directive Committee with the right of voice and vote; and, in particular, when the Secretary-General considers the matters under discussion concerning their branch to be of fundamental importance.

The Directive Committee is responsible for approving the academic, administrative and financial plans and programmes of the Faculty within the general lines approved by the General Assembly and the Higher Council. It is also responsible for the designation of the Directors of offices and programmes.

Article VII. THE SCHOOLS AND INSTITUTES

1. The schools and institutes are the academic units of FLACSO; they are subject to the decisions of the governing bodies and responsible for generating and performing the academic work undertaken by the Faculty in compliance with its objectives. The division of FLACSO into units meets organizational and academic requirements. The units must be fully co-ordinated among themselves, as far as possible designing and executing programmes in close collaboration.

2. The schools and institutes organize their Academic Council in accordance with their own by-laws, approved by the Higher Council.

3. The Academic Councils are responsible for drawing up, executing and evaluating the plans and programmes of their respective units, according to the standards established by this Agreement.

4. The Directors of schools and institutes designated by the Secretary-General with the approval of the Higher Council preside over the Academic Councils and are in charge of the academic and administrative management of their respective units, within the framework established by this Agreement.

5. The Directors of schools and institutes are appointed for two years and may be re-elected for an additional term.

Article VIII. THE ACADEMIC OFFICES

1. The academic offices are set up when the Higher Council considers that the nature of the programme of activities of FLACSO in a given country requires a decentralized management.

2. The establishment of academic offices is approved by the Higher Council, either on the initiative of a Government or of the General Secretariat, and in accordance with the availability of resources.

3. The academic offices organize their own Academic Council, pursuant to the by-laws approved by the Higher Council.

4. The Academic Councils have the following duties: to draw up, execute and evaluate the plans and programmes of their respective offices according to the standards established by this Agreement.

5. Each academic office has a Director designated by the Directive Committee of FLACSO who presides over the respective Academic Council and is in charge of the academic and administrative management of the corresponding office, within the framework established by this Agreement.

6. The Directors of the academic offices are appointed for two years and may be re-elected for an additional term.

7. The Directors of the academic offices shall establish, with the approval of the Secretary-General, the manner of ensuring suitable relations with the Government of the respective country.

Article IX. OFFICERS, EMPLOYEES AND STUDENTS

1. FLACSO organizes its personnel in accordance with the categories and standards established by the General Secretariat.

2. The General Secretariat, in consultation with the administrative personnel, shall establish a suitable system for its representation at both central and academic office levels.

3. The students of FLACSO are an integrant thereof. Their representation is governed by special by-laws established by the General Secretariat in accordance with the provisions of Articles VII and VIII.

4. All the members of FLACSO are responsible under the provisions of this Agreement and the terms of their respective work contract. Such responsibility shall be exacted as follows:

- a) the Secretary-General, the Directors of schools and institutes and the Directors of the academic offices of FLACSO are answerable to the authorities by whom they were appointed;
- b) FLACSO professors, research workers and students are answerable to the Director of their respective unit of the Faculty or to the Director of the academic office to which they have been assigned;
- c) administrative personnel is answerable to the Secretary-General or to the Director of the academic office to which it has been assigned.

Article X. FINANCE

1. The financial resources of FLACSO are made up principally as follows:

- a) by the annual contributions of the Member States, which shall be proportional to their respective contributions to the budget of UNESCO. The amount of the quotas shall be determined by the General Assembly in accordance with the provisions of Article IV.4 (c);

- b) by the supplementary annual contributions of the countries hosting FLACSO offices and programmes, according to the provisions of their respective agreements;
- c) by subsidies, final or temporary contributions, donations and legacies granted by governments, institutions and private individuals.

2. In order to ensure the smooth operation of FLACSO, a fund for operations shall be established; the nature, amount and purpose of this fund shall be determined by the General Assembly.

3. At the beginning of each financial year, the Secretary-General of FLACSO shall notify the Governments the state of their contributions.

4. Any modification in the amount of the quotas of the Member States must be approved by a majority of two-thirds of the General Assembly.

Article XI. LEGAL STATUS AND IMMUNITIES

1. FLACSO is a legal entity enjoying full legal status, privileges and immunities in the territory of each of its Member States, in accordance with the legislation in force therein and international procedures.

Article XII. RELATIONS WITH OTHER ORGANIZATIONS AND CENTRES

1. In accordance with its nature and purposes, FLACSO shall concert its action with that of governmental and non-governmental international organizations engaged in related activities as well as with government agencies, universities and national social centres of the region. Accordingly, FLACSO shall seek to establish agreements with such organizations and centres to create a pattern of efficient co-operation which may even include association agreements.

2. In particular, FLACSO shall consider itself especially bound to connect with national social science centres, not only for the task of establishing its general policy but also for decisions concerning its programmes and offices. To meet this requirement, FLACSO shall sponsor periodic consultations with such centres, in addition to the exchange programmes it may undertake with any of them.

3. Likewise, the Member States are recommended to endeavour that their representatives on the various governing organs of FLACSO should be persons connected with social science activities in their respective countries.

Article XIII. REFORMS

This Agreement may be modified by the General Assembly by a decision taken by a majority of two-thirds of full Member States.

Article XIV. DURATION, ACCESSION AND DENUNCIATION

1. This Agreement shall continue in force as long as at least three Member States accede to it.

2. Accession and denunciation shall be governed by the following rules:

- a) the Agreement may not be signed with reservations and shall remain open for acceptance by the Latin American Member States of UNESCO;
- b) acceptance of this Agreement by the States which at this date are not full members shall be effected by deposit of the respective instrument with the Director-General of UNESCO and the corresponding notification to the President of FLACSO;

- c) the Director-General of UNESCO shall inform all the States Parties to this Agreement, as well as the United Nations, of any new acceptances received. The Secretary-General of FLACSO shall likewise inform the organizations that co-operate with the institution;
- d) pursuant to the provisions of Article 102 of the Charter of the United Nations, this Agreement shall be registered with the United Nations Secretariat; and
- e) full FLACSO Member States may denounce this Agreement in accordance with their sovereign decision. Notification of this denunciation shall be addressed to the President of FLACSO and to the Director-General of UNESCO and it shall take effect one year from the date on which the latter receives notice thereof, so as to guarantee the development of the activities planned in accordance with the existing agreements.

TRANSITORY PROVISION

1. This amendment of the "Agreement concerning the Latin American Faculty of Social Sciences (FLACSO)" shall enter into force the moment it is approved by this General Assembly meeting in Quito from April 28 through 30, 1975. The President of the Assembly shall communicate the amended text to the Director-General of UNESCO, who shall send certified copies thereof to all the States Parties to this Agreement and also to the United Nations Secretariat.

2. The next regular General Assembly shall take place two years from the date of the special General Assembly held in Quito from April 28 through 30, 1975.

3. The President, the Secretary-General and the Members of the Higher Council elected at the special General Assembly held in Quito from April 28 through 30, 1975, shall hold office until the next regular General Assembly of the Faculty takes place.

4. Solely for this once, this Special General Assembly meeting in Quito from April 28 through 30, 1975, shall directly elect the Secretary-General of FLACSO.

5. Provisions regarding the contracts and working conditions of the personnel currently employed in FLACSO shall be respected, apart from the provisions of Article VI.2 (e) and Article IX.1.

The undersigned representatives, duly authorized to this effect, sign the present amendment to the previous Agreement entered into on 18 June 1971.

DONE at Quito on the thirtieth day of April 1975, in the Spanish language, in one copy. This copy, and also the official translations in the English, French and Portuguese languages which are to be presented by the General Secretariat, shall be deposited in the archives of UNESCO. Certified copies thereof shall be delivered to all the States Parties to this Agreement and to the United Nations Secretariat, where it shall also be registered in accordance with the provisions of Article 102 of the United Nations Charter.

Representative of the Republic of Costa Rica:

RODRIGO ALFARO RAMOS

Representative of the Republic of Cuba:

RITA TERESITA SOLÍS FERREIRO

Representative of the Republic of Chile:

ALEJANDRO MEDINA LOIS

Representative of the Republic of Ecuador:

GONZALO ABAD ORTÍZ

Representative of Estados Unidos Mexicanos:

RODOLFO STAVENHAGEN

Representative of the Republic of Panama:

HUGO GIRAUD
