

**No. 16842**

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**MULTILATERAL**

**Convention on the Agency for Cultural and Technical  
Co-operation (with annexed Charter of the Agency for  
Cultural and Technical Co-operation). Concluded at  
Niamey on 20 March 1970**

*Authentic text: French.*

*Registered by the Niger on 11 July 1978.*

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**MULTILATÉRAL**

**Convention relative à l'Agence de coopération culturelle et  
technique (avec, en annexe, la Charte de l'Agence de  
coopération culturelle et technique). Conclue à Niamey  
le 20 mars 1970**

*Texte authentique: français.*

*Enregistrée par le Niger le 11 juillet 1978.*

[TRANSLATION—TRADUCTION]

CONVENTION<sup>1</sup> ON THE AGENCY FOR CULTURAL AND TECHNICAL CO-OPERATION

The States parties to this Convention,

Aware of the ties of solidarity uniting them through the use of the French language,

Considering that international co-operation is a deep-seated aspiration of peoples and constitutes a prerequisite for progress,

Considering that the promotion and dissemination of national cultures is a necessary step towards mutual understanding and friendship among the peoples of the world in order to facilitate the access and contribution of all peoples to universal civilization,

<sup>1</sup> Came into force on 31 August 1970, the date when definitive signatures had been affixed, or instruments of ratification or accession had been deposited with the Government of the Niger as the depositary, or the Government of France as the host country to the Agency, on behalf of the following 10 States, in accordance with articles 5 and 6:

<i>State</i>	<i>Date of definitive signature (s) or of deposit of instrument of ratification (r) or accession (a) with the Government of the Niger (N) or of France (F)</i>	
Benin . . . . .	20 March	1970 s (N)
Chad . . . . .	20 March	1970 s (N)
Gabon . . . . .	20 March	1970 s (N)
Senegal . . . . .	20 March	1970 s (N)
(An instrument of ratification was subsequently deposited with the Government of the Niger on 4 October 1972.)		
Upper Volta . . . . .	20 March	1970 s (N)
(An instrument of ratification was subsequently deposited with the Government of the Niger on 13 October 1970.)		
Niger . . . . .	5 May	1970 r (N)
Monaco . . . . .	23 July	1970 r (F)
France . . . . .	27 July	1970 r (F)
Togo . . . . .	4 August	1970 r (F)
Mali . . . . .	31 August	1970 r (N)

Subsequently, the Convention came into force for the following States on the date of deposit of the instruments of ratification or accession with the Government of the Niger as the depositary, or the Government of France as the host country to the Agency, on behalf of the following States, in accordance with article 5:

<i>State</i>	<i>Date of deposit of instrument of ratification (r) or accession (a) with the Government of the Niger (N) or of France (F)</i>	
Canada . . . . .	7 October	1970 r (N)
(With effect from 7 October 1970.)		
Ivory Coast . . . . .	7 June	1971 r (N)
(With effect from 7 June 1971.)		
Belgium . . . . .	4 August	1971 r (F)
(With effect from 4 August 1971.)		
Mauritius . . . . .	5 August	1971 r (F)
(With effect from 5 August 1971.)		
Rwanda . . . . .	10 July	1974 r (N)
(With effect from 10 July 1974.)		
Zaire . . . . .	9 February	1977 a (F)
(With effect from 9 February 1977.)		

Considering that cultural and technical co-operation is particularly fruitful when it brings together peoples belonging to different civilizations,

Wishing to promote and disseminate the respective cultures of each of the Member States on a basis of equality,

Anxious to safeguard the authority of the co-operation bodies already in existence between the Contracting Parties,

Considering that the final resolution adopted at the Conference held at Niamey from 17 to 20 February 1969 proclaimed that this co-operation should be achieved with respect for the sovereignty of States and national or official languages and in an endeavour to promote and disseminate the cultures of each country or group of countries represented in the Agency,

Considering that the final resolution of Niamey recommended that the Governments represented should establish an agency for cultural and technical co-operation,

Accepting these principles with a view to co-operating with each other and with all other interested parties to promote and disseminate their cultures,

Have agreed to draw up the Convention on the Agency for Cultural and Technical Co-operation, and the Charter of that Agency.

#### *Article 1. PURPOSES AND PRINCIPLES*

The purpose of the Agency for Cultural and Technical Co-operation, hereinafter referred to as the "Agency", shall be to promote and disseminate the cultures of the High Contracting Parties and to intensify cultural and technical co-operation among them. The Agency should be the expression of a new solidarity and an additional factor in bringing together peoples through a permanent dialogue between civilizations.

The High Contracting Parties agree that this co-operation shall be carried out with respect for the sovereignty of States and their individuality.

#### *Article 2. FUNCTIONS*

The Agency, in order to achieve its purpose, shall perform the following functions:

- (a) Assist Member States in promoting and disseminating their respective cultures;
- (b) Encourage or facilitate the pooling of a proportion of the financial resources of the member countries to implement cultural and technical development programmes of value to all the members or a number of them and call upon Member States to provide the human and technical resources needed for that purpose;
- (c) Organize and facilitate measures to provide Member States with the necessary resources, particularly for the training of teachers and specialists in the French language and culture;
- (d) Encourage a mutual acquaintance among the peoples concerned through appropriate information methods;

- (e) Assist in the formation, among peoples, of enlightened public opinion concerning the cultures of the countries represented in the Agency;
- (f) Perform any other function connected with the purposes of the Agency which may be entrusted to it by the General Conference.

### *Article 3. MOTTO*

The Agency shall adopt as its motto: "Equality, Complementarity, Solidarity".

### *Article 4. MEMBER STATES AND ASSOCIATED STATES*

The Convention provides for two categories of States: Member States and Associated States.

### *Article 5. SIGNATURE, RATIFICATION AND ACCESSION*

1. Any State which has French as its official language or one of its official languages, or any State which makes habitual and regular use of the French language, may become a party to this Convention by means of:

- (a) Signature not subject to ratification or approval,
- (b) Signature subject to ratification,
- (c) Accession within three years following the entry into force of this Convention.

2. Ratification or accession shall take effect with the deposit of an official instrument for that purpose with the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established. These Governments shall transmit copies of the instrument to all the members.

3. After the expiry of the time-limit specified in paragraph 1 of this article, any State admitted as a member of the Agency, in accordance with the provisions of article 3, paragraph 2, of the Charter, may become a party to this Convention by notifying its accession to the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established.

### *Article 6. ENTRY INTO FORCE*

This Convention shall enter into force on the date by which ten States have become parties to it, in accordance with the provisions of article 5, paragraph 1.

### *Article 7. APPLICABLE LAW*

The Agency shall be governed by this Convention, the Charter annexed thereto (hereinafter referred to as the "Charter"), the financial regulations, the staff rules and other regulations and decisions duly adopted by the organs of the Agency.

### *Article 8. PRIVILEGES AND IMMUNITIES*

(1) The Agency shall have legal personality. In particular, it shall have the right to enter into contracts, to acquire and dispose of movable and immovable property, and to appear in court.

(2) The Secretary-General shall, on behalf of the Agency, and in agreement with the Governments concerned, take all necessary steps to ensure that the Agency is accorded the privileges and immunities necessary for its operation.

### *Article 9. DENUNCIATION*

(1) Any State which is a party to this Convention may denounce it by so informing the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established at least six months before the date of the next meeting of the General Conference of the Agency.

The denunciation shall take effect six months after the date on which it is received by one of the aforesaid Governments.

The State concerned shall, however, continue to be liable to the Agency for payment of the financial contributions it undertook to provide but has not yet provided.

(2) Denunciation of this Convention by one or more Governments which are parties to the Convention shall in no way affect its validity with respect to other parties.

However, in the event that the number of Contracting Parties falls below a minimum of ten, the States which remain bound by the Convention shall agree upon the measures to be taken.

### *Article 10. AMENDMENTS*

1. This Convention may be amended by unanimous agreement between the Contracting States, which shall notify their acceptance of any amendment to the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established.

2. Amendments shall enter into force thirty days after the deposit of the last notification of acceptance of such amendments. Any State which has not entered an objection within a time-limit of one year shall be considered to have accepted the amendment.

### *Article 11. REGISTRATION*

Upon the entry into force of this Convention, the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established shall have it registered with the Secretary-General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized for the purpose, have signed this Convention.

DONE at Niamey, on 20 March 1970, in a single copy to be deposited in the archives of the Government of the Republic of the Niger which shall issue certified copies to all the signatory or acceding Governments.

Belgium

ALBERT PARISIS  
(Minister of French Culture)  
Subject to ratification

Burundi

FRANÇOIS KISAMARE  
(Minister of Education and Culture)  
Subject to ratification

Cambodia

Cameroon

ZACHEE MONGO SOO  
(Minister of Education, Youth and Culture)  
Subject to ratification

Canada

GÉRARD PELLETIER  
Secretary of State of Canada  
Subject to ratification

JULIEN CHOUINARD

Secretary-General of the Government of Quebec,  
Deputy Minister of the Executive Council

ARMAND SAINTONGE

Deputy Minister of Education of New Brunswick

MARK LARRATT-SMITH

Special Office of the Premier of Ontario

RÉAL TEFFAINE

Special Advisor to the Premier of Manitoba

Ivory Coast

GUEDE LOROUGNON  
(Minister of National Education)  
Subject to ratification

## Democratic Republic of the Congo

Dahomey

SPERO ADOTEVI

(Commissioner General for Youth and Culture)

France

PIERRE BILLECOCQ

(Secretary of State for National Education)  
Subject to ratification

Gabon

Dr. BENJAMIN NGOUBOU

(Minister of Education)

Upper Volta

M. LANKOANDE

(Minister of National Education)

Laos

Lebanon

Luxembourg

M. DUPONG

(Minister of National Education)  
Subject to ratification

Madagascar

GABRIEL RAMALANJOANA

(Commissioner General for Youth and Sports)  
Subject to ratification

Mali

YAYA BAGAYOKO

(Minister of Education)  
Subject to ratification

Morocco

## Mauritius

GAÉTAN DUVAL

(Minister for Foreign Affairs)  
Subject to ratification

## Monaco

RENÉ NOVELLA

(Director of National Education)  
Subject to ratification

## Niger

HAROU KOUKA

(Minister of National Education)  
Subject to ratification

## Rwanda

CLAVER IYAMULEMYE

(General Secretary, Ministry of Education)  
(*Initialed*)

## Senegal

EMILE BADIANE

(Minister of Co-operation)

## Chad

DIKOA GARANDI

(Minister of National Education and Culture)

## Togo

BENOIT MALOU

(Minister of National Education)  
Subject to ratification

## Tunisia

CHEDLY KLIBI

(Minister of Cultral Affairs)  
Subject to ratification

## Republic of Viet Nam

TRAN VAN LAM

(Minister for Foreign Affairs)  
Subject to ratification



## ANNEX TO THE CONVENTION ESTABLISHING THE AGENCY FOR CULTURAL AND TECHNICAL CO-OPERATION

### CHAPTER OF THE AGENCY FOR CULTURAL AND TECHNICAL COOPERATION

#### *Article 1. OBJECTIVES*

The essential purpose of the Agency is the affirmation and development of multilateral co-operation among its members in the fields of education, culture, science and technology, and hence to bring peoples closer together.

It shall carry out its activities with absolute respect for the sovereignty of States, languages and cultures, and shall observe the strictest neutrality in ideological and political matters.

It shall co-operate with the various international and regional organizations and shall take account of all existing forms of technical and cultural co-operation.

#### *Article 2. FUNCTIONS*

The Agency for Co-operation shall perform tasks pertaining to study, information, co-ordination and action.

To that end, the Agency, acting through its organs, shall be empowered to carry out, together or separately, all activities necessary for, appropriate to or consonant with the pursuit of its objectives, and shall have the following powers:

- (a) To draw up periodically and disseminate inventories of the resources of the French-speaking world in all the fields within its competence;
- (b) To propose, as necessary, the pooling of a proportion of the intellectual, technical and financial resources of its members to carry out development programmes useful for all its members or several of them;
- (c) To establish appropriate facilities to ensure the broadest and speediest possible dissemination, among all the members, of information, particularly in the fields of science, education and technology;
- (d) To make available to members additional facilities for basic training and advanced training;
- (e) To contribute to the development of joint instruments for scientific and technical research and for improving research and communications;
- (f) To serve as a permanent centre for meetings and exchanges among specialists in various disciplines and national officials in major sectors of educational, cultural, scientific and technical activity;
- (g) To encourage or promote co-ordination of the efforts and resources of all members, particularly in the advanced sectors of research, technology, education and communications, and in the study of development problems;
- (h) To encourage a mutual acquaintance between the peoples through the use of mass communications media, through education and through innovative exchange arrangements;
- (i) To facilitate full access of Governments to sources of bilateral and international co-operation and, where appropriate, to implement specific programmes of multilateral assistance;
- (j) To endeavour to maintain full liaison with organizations or associations operating within the field of activity of the Agency and ensure the greatest possible co-ordination and best possible results of all initiatives;
- (k) To carry out any other function in conformity with the goals of the Agency which may be entrusted to it by the General Conference.

*Article 3. MEMBER STATES AND PARTICIPATING GOVERNMENTS*

1. All States which are parties to the Convention shall be members of the Agency.

2. Any State which has not become a party to the Convention under the conditions laid down in article 5, paragraph 1, of the Convention may become a member of the Agency if it is admitted as a member by the General Conference.

3. With full respect for the sovereignty and international competence of Member States, any Government may be admitted as a participating Government to the institutions, activities and programmes of the Agency, subject to the approval of the Member State in whose territory the participating Government concerned exercises its authority and in accordance with the procedures agreed upon between that Government and the Government of the Member State.

4. Any member Government of the Agency may withdraw from it by denouncing the Convention under the conditions specified in article 9 of the Convention.

Similarly, any other member may withdraw from the Agency by so informing the Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established, at least six months before the next meeting of the General Conference. The withdrawal shall take effect six months after the date of such notification.

However, the member concerned shall be required to pay the total amount of contributions owed by it.

*Article 4. OBSERVERS, ASSOCIATES AND CONSULTANTS*

1. Any Government of a State which is not a party to the Convention may, at its request, be admitted by the General Conference as an observer.

2. Any State wishing to be associated with certain activities of the Agency may conclude an agreement with the Agency establishing the procedures for its participation in those activities.

3. The General Conference may confer the title of consultant on any international organization or any non-governmental international association which so requests and whose activities are in accord with those of the Agency.

4. The nature and extent of the rights and obligations of observers and consultants shall be determined by this Charter and by the General Conference.

*Article 5. ORGANS*

The Agency shall consist of:

1. The General Conference;
2. The Administrative Council;
3. The Programme Committee;
4. The Consultative Council;
5. The Secretariat;
6. Any other subsidiary body which the General Conference may consider necessary for the proper functioning of the Agency.

*GENERAL CONFERENCE**Article 6. COMPOSITION*

The General Conference shall consist of all the members of the Agency.

Observers and consultants shall participate in sessions of the General Conference and may be heard, provided that there is no objection, but shall not have the right to vote.

*Article 7. POWERS*

The General Conference shall be the supreme organ of the Agency.

Its principal functions shall be to:

1. Direct the activities of the Agency;
2. Approve the work programme;
3. Monitor financial policy and consider and approve the budget and the financial regulations of the Agency;
4. Decide upon the admission of new members in implementation of article 3, paragraphs 2 and 3, of this Charter;
5. Decide upon the admission of observers and consultants and determine the nature of their rights and obligations, taking account of article 6 above;
6. Establish the scale of contributions;
7. Establish any subsidiary body necessary for the proper functioning of the Agency;
8. Appoint the Secretary-General and Under-Secretaries-General, the members of the Programme Committee, of which it shall establish the number, and also the designated members of the Consultative Council;
9. Decide upon the composition of other subsidiary bodies of the Agency;
10. Amend this Charter;
11. If necessary, appoint liquidators for the Agency;
12. Move the headquarters of the Agency;
13. Take all measures necessary to achieve the aims of the Agency.

*Article 8. MEETINGS*

1. The General Conference shall meet at least once every two years on the date set by it at its previous session or at the request of at least half the members of the Agency addressed to the President-in-Office of the Conference.

2. Each member shall be represented by a delegation at the ministerial level, including, if possible, representatives of offices concerned with the Agency.

3. The General Conference shall elect its President and the other officers at the beginning of each meeting; they shall remain in office until the next Conference.

4. It shall adopt its rules of procedure.

5. It shall decide on the place and date of its next session.

*Article 9. VOTES*

1. Each member shall have one vote in the General Conference.

2. All decisions of the Conference shall be adopted by a nine-tenths majority of the members present and voting, an abstention not being counted as a vote.

## ADMINISTRATIVE COUNCIL

*Article 10. COMPOSITION*

Each member shall be represented on the Administrative Council by a person who is technically qualified in the fields of activity of the Agency.

This representative may be accompanied by an alternate and by advisers.

When the Secretary-General's term of office comes to an end, he shall be entitled to participate, without the right to vote, in the deliberations of the Administrative Council.

#### *Article 11. FUNCTIONS*

The Administrative Council shall be the executive body of the General Conference and shall report to it on the development of the programmes of the Agency and on the use of its budgetary resources in accordance with the decisions of the Conference.

Its main functions shall be to:

1. Monitor the implementation of decisions taken by the General Conference and the conduct of the activities of the Agency in accordance with those decisions;
2. Study the work programme of the Agency and make appropriate recommendations thereon to the General Conference;
3. Consider the financial reports and budget estimates;
4. Give opinions to the General Conference on the financial policy of the Agency;
5. Make proposals to the General Conference regarding the policy of the Agency;
6. Consider and adopt the provisional agenda of meetings of the General Conference, which shall be submitted to it by the Secretariat;
7. Perform any other function that may be entrusted to it by the General Conference.

#### *Article 12. MEETINGS*

1. The Administrative Council shall meet at least once a year on the date set by it or at the request of at least one third of its members addressed to the Chairman-in-Office of the Council.

2. The Administrative Council shall elect its Chairman and the other officers at the beginning of each meeting; they shall remain in office until the next session of the Council.

3. The Administrative Council shall adopt its rules of procedure.

4. It shall decide on the place and date of its next meeting.

#### *Article 13. VOTES*

The decisions of the Administrative Council shall be adopted by a two-thirds majority of the members present and voting, an abstention not being counted as a vote.

### PROGRAMME COMMITTEE

#### *Article 14. COMPOSITION*

The Programme Committee shall consist of a maximum of fifteen persons, who are specialists in co-operation techniques and who shall be selected and appointed by the General Conference on the basis of a personal and comprehensive knowledge of the questions coming within the competence of the Agency.

#### *Article 15. FUNCTIONS*

The Programme Committee shall be primarily responsible for assisting the General Conference in defining the nature of the operations of the Agency and the means of executing its work programme.

To that end, it shall advise the Secretariat in its task of planning the activities of the Agency and shall consider the projects drawn up by the Agency. The Secretariat shall convene all or part of the Programme Committee, as necessary and at least once a year, at the most suitable time.

#### CONSULTATIVE COUNCIL

##### *Article 16*

###### *(A) Composition*

The Consultative Council shall consist of:

1. *Ex officio* members: any international organization or any non-governmental international association upon which the General Conference confers the title of consultant may designate a representative to the Consultative Council;
2. Designated members: persons known for their competence and achievements in a field of activity of the Agency may be called upon by the General Conference to serve on the Consultative Council.

###### *(B) Functions*

The main function of the Consultative Council shall be to ensure effective co-operation between the Agency, international organizations and non-governmental international associations whose tasks and activities accord with those of the Agency. In this context, it shall be called upon to give opinions and make suggestions to the General Conference and the Secretariat on guidelines for the Agency, on its work programme and the procedures for its implementation.

###### *(C) Procedure*

1. The Consultative Council shall meet once a year.
2. The Consultative Council shall elect its Chairman for the session and the other officers at the beginning of each meeting.
3. The Consultative Council shall adopt its rules of procedure.
4. The Consultative Council shall set the date of its next meeting after consultation with the Secretariat.

#### SECRETARIAT

##### *Article 17*

1. The Secretariat shall consist of the Secretary-General and the Under-Secretaries-General. The Secretariat shall be assisted by the administrative and technical personnel needed for the proper functioning of the Agency.

2. The Secretary-General and the Under-Secretaries-General shall be appointed by the General Conference for a term of four years under conditions to be approved by the Conference.

Their term of office shall be twice renewable.

3. The Secretary-General and the Under-Secretaries-General shall be jointly responsible for the management of the Agency. The Secretary-General shall preside over the meetings of the Secretariat. He shall represent the Agency in official dealings.

4. The Secretary-General shall automatically be secretary of the General Conference, of the Administrative Council, of the Consultative Council and of all subsidiary bodies of the Agency. He may delegate his functions.

5. The Secretariat shall be responsible for the preparation of the work programme of the Agency and its execution.

6. The Secretariat shall prepare the budgetary estimates and financial reports of the Agency.

7. The Secretariat shall appoint the staff of the Agency in accordance with the organizational plans approved by the General Conference. The staff rules shall be submitted to the General Conference for approval. In the allocation of posts, the geographical composition of the Agency must be taken into account.

8. The responsibilities of the Secretary-General, of the Under-Secretaries-General and of the staff shall be exclusively international in nature. In the performance of their duties, they shall not request or receive instructions from any Government or from any authority external to the Agency. They shall refrain from any action which might compromise their status as international civil servants. All members of the Agency shall undertake to respect the international nature of the responsibilities of the Secretary-General, of the Under-Secretaries-General and of the staff and shall not seek to influence them in the discharge of their responsibilities.

#### *Article 18. REGIONAL OFFICES*

The General Conference may, in due time, establish offices in the various geographical regions represented within the Agency. The Conference shall decide, on the proposal of the Administrative Council, on the place, composition, functions and method of financing of these regional offices.

#### *Article 19. BUDGET AND EXPENDITURE*

1. Every two years, the Secretariat shall prepare the financial reports and budget estimates of the Agency and submit them to the Administrative Council. The Administrative Council shall consider the financial reports and budget estimates and transmit them to the General Conference together with the recommendations it considers appropriate.

2. The financial reports and budget estimates shall be prepared by the Secretariat in accordance with the financial regulations adopted by the General Conference.

3. The expenses of the Agency shall be apportioned among the members according to a scale to be established by the General Conference. The contribution of observers shall be established by the General Conference.

4. The Secretary-General, with the authorization of the Administrative Council, may accept any gifts, legacies and grants offered to the Agency by Governments, public or private institutions or individuals. The administration of such funds by the Secretariat shall be governed by the financial regulations of the Agency.

#### *Article 20. WORKING LANGUAGE*

The working language of the Agency and of all its organs shall be French.

#### *Article 21. HEADQUARTERS*

The headquarters of the Agency for Cultural and Technical Co-operation shall be established in Paris.

It may be moved by a decision of the General Conference.

#### *Article 22. DISSOLUTION AND LIQUIDATION*

1. The Agency shall be considered dissolved and liquidated in either of the following cases:

- (a) If all the parties to the Convention except one have denounced the Convention;
- (b) If the General Conference decides to dissolve the Agency. Thereafter the Agency shall be deemed to exist only for the purposes of its liquidation.

2. In the event of dissolution of the Agency, its affairs shall be wound up by liquidators appointed in accordance with the Charter, who shall proceed to realize the assets of the Agency and extinguish its liabilities. The surplus or deficit shall be apportioned on a *pro rata* basis in accordance with the respective contributions.

#### Article 23. INTERPRETATION

All decisions concerning the interpretation of this Charter shall be taken by the General Conference on the basis of unanimity of the members present and voting, an abstention not being counted as a vote.

#### Article 24. AMENDMENTS TO THE CHARTER

This Charter may be amended in accordance with article 7, paragraph 10. The Government of the country which hosted the Constituent Conference or the Government of the country in which the headquarters of the Agency is established shall notify all the members and the Secretariat of any amendments made to this Charter.

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