

No. 20439

MULTILATERAL

Convention on co-operation for the restructuring of the Latin American Institute for Educational Communication. Concluded at Mexico City on 31 May 1978

Authentic texts: Spanish, English, Portuguese and French.

Registered by Mexico on 28 October 1981.

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Convention de coopération pour la restructuration de l'Institut latino-américain de la communication éducative. Conclue à Mexico le 31 mai 1978

Textes authentiques : espagnol, anglais, portugais et français.

Enregistrée par le Mexique le 28 octobre 1981.

CONVENTION¹ FOR COOPERATION BETWEEN THE COUNTRIES OF LATIN AMERICA AND THE CARIBBEAN WHICH SHALL HEREAFTER BE REFERRED TO AS "MEMBER STATES", FOR THE PURPOSE OF RESTRUCTURING THE LATIN AMERICAN INSTITUTE FOR EDUCATIONAL COMMUNICATION WHICH SHALL HEREAFTER BE REFERRED TO AS "ILCE", IN ACCORDANCE WITH THE FOLLOWING

Considering

That the Latin American Institute of Educational Cinematography, whose headquarters is located in Mexico, was founded on May 30, 1956, in compliance with a resolution passed by the General Conference of UNESCO held in Montevideo, Uruguay, in 1954², and with the support of all the countries in Latin America, in order to contribute towards the improvement of education through the use of audiovisual aids and resources;

That in 1969, in response to an internal assessment as well as to the needs of the region, said Institute changed its name to the Latin American Institute for Educational Communication or "ILCE";

That for twenty-two years the ILCE served the countries of the region in the production of audiovisual materials geared to support education and the training of human resources;

¹ Came into force provisionally from 31 May 1978 for the following signatory States, in accordance with article 31:

<i>States</i>	<i>States</i>
Bolivia	Haiti
Colombia	Honduras
Costa Rica	Mexico
Ecuador	Panama
El Salvador	Paraguay
Guatemala	Venezuela

Subsequently, the Convention came into force definitively in respect of the following two States on 8 February 1979, the date of deposit with the Government of Mexico of the second instrument of ratification, in accordance with article 31:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Ecuador	17 October 1978
Mexico	8 February 1979

Thereafter, the Convention came into force definitively in respect of the following States, upon the deposit with the Government of Mexico of their instruments of ratification, in accordance with article 31:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
El Salvador	11 January 1980
(With effect from 11 January 1980.)	
Panama	16 June 1980
(With effect from 16 June 1980.)	
Costa Rica	12 November 1980
(With effect from 12 November 1980.)	

Furthermore, the Convention came into force provisionally for the following State upon signature:

<i>State</i>	<i>Date of signature</i>
Nicaragua	20 April 1981
(With provisional effect from 20 April 1981.)	

² United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eighth Session, Montevideo, 1954, Resolutions*.

That, in virtue of the evolution of the media, the new problems posed by education in the countries that belong to the region, and the different approaches and patterns that said countries have followed in their systems, it is necessary to restate the objectives and scope of the activities conducted by the ILCE;

That the meeting of the ILCE's Executive Board, held on March 16, 1977, deemed it essential to establish new forms of cooperation and conceptions common to all the countries of the region, by means of new approaches, patterns and programmes concerned with educational communication in the region;

That UNESCO had been collaborating in the financing of the ILCE and that, in accordance with the decisions arrived at by the Nineteenth General Conference of UNESCO held in 1976,¹ this international organism is geared towards supporting regional cooperation based on specific programmes and projects;

That the countries of Latin America and the Caribbean are aware of the need to reinforce the work which the ILCE has been carrying out, and for that reason believe that it would be appropriate to reorganize said Institute by modifying its legal structure and adapting its goals so that it may devote itself to diverse aspects of technology and communication for educational and cultural purposes.

To this end, the parties concerned have resolved to sign the following:

CONVENTION

CHAPTER I. LEGAL STRUCTURE AND OBJECTIVES

Article one. The Latin American Institute for Educational Communication (ILCE) is an international organism which has an autonomous management, legal capacity and its own patrimony, and is devoted to serving the countries of Latin America and the Caribbean in those fields which are within the competence of the Institution.

Article two. The objectives of the ILCE shall be to ensure regional cooperation in the research, experimentation, production and distribution of audiovisual materials; the preparation and training of human resources in the field of educational technology; the collection of audiovisual materials and documents; and any others that are in the interests of its Member States.

CHAPTER II. AIMS AND FUNCTIONS

Article three. The ILCE, in coordination with its Member States, will have the following aims and functions:

1. To collect, arrange, and analyze all pertinent data in order to attain its objectives.
2. To draw up and organize its work plans and programmes.
3. To train human resources in the fields of educational technology and communication for educational and cultural purposes.
4. To produce and distribute audiovisual materials, with preference being given to the countries in the region.
5. To cooperate in the field of educational communication for the benefit of the countries in the region.

Article four. In the field of audiovisual documentation, the ILCE will perform the following functions:

¹ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Nineteenth Session, Nairobi, 1976*, vol. 1: *Resolutions*.

1. To collect and make available to all the countries in the region, audiovisual materials on educational, scientific, and cultural topics.
2. To exchange information regarding audiovisual materials with the countries in the region.
3. To compile a list of the existing legal provisions concerning the utilization of audiovisual materials on a regional basis.
4. To conduct negotiations by means of agreements for technical cooperation with officials, organisms and institutions of other countries, for the purpose of obtaining audiovisual materials.
5. To set up subregional centers in the fields within its competence.

Article five. Insofar as the production and distribution of educational audiovisual materials is concerned, the ILCE will perform the following functions:

1. To produce and distribute audiovisual materials in order to meet the specific needs posed by the region.
2. To cooperate with authorities and institutions in order to strengthen the production of educational audiovisual materials at the national and subregional level, making available the collection of audiovisual materials it has, as well as to establish and operate subregional or national centers, at the request of the governments of the Member States.
3. To coordinate its activities with the corresponding subregional and national centers, for the purposes of designing, producing, and exchanging materials.
4. To conduct research and experimentation on related topics.
5. To be informed with regards to the kinds of audiovisual materials being produced by the countries of the region and to distribute said materials in countries in other regions, providing that an agreement is reached beforehand.

Article six. In terms of training human resources, the ILCE shall have the following duties:

1. To train human resources in all aspects of communication for educational and cultural purposes and educational technology, in order to meet regional needs.
2. To provide advice at the request of the Member States concerning the training of human resources, the production, organization and management of educational technology, and the establishment and operation of subregional and national audiovisual centers.

Article seven. In terms of the activities involving regional cooperation, the ILCE shall have the following duties:

1. To encourage the systematic use of educational technology and the media in regional and subregional plans for cooperation geared towards developing educational and cultural programmes.
2. To conduct studies and provide information on the appropriate use of educational technology and the media in the promotion of open education or education at a distance, job training, and cultural dissemination.
3. To conduct studies and provide information, on a regional basis, concerning the transfer of technology, research, training, and the production of materials to be used in communication for educational and cultural purposes.
4. To assist—when requested to do so—in the establishment of policies on communication for educational and cultural purposes in the countries of the region.
5. To make known new developments in educational technology in the fields within its competence.

CHAPTER III. BODIES

Article eight. The bodies of the ILCE are the Executive Board and the Head Office. Advisory committees shall be set up, whenever necessary, for specific matters.

CHAPTER IV. ON THE EXECUTIVE BOARD

Article nine. The Executive Board is the supreme body of the ILCE, and is made up of the Members by Right, who are the representatives that have been accredited by the governments of the countries which have signed and ratified this Convention.

Article ten. In addition to the Members by Right, observers and special guests shall be allowed to take part in the Meetings of the Executive Board, if a proposal to that effect has been made by the Director General of the ILCE and/or the governments of the Member States, in consultation with the Chairman of the Executive Board in office at that time.

Article eleven. Each Member State shall have the right to speak and to cast one vote in the meetings of the Executive Board. Observers and special guests shall only have the right to speak.

Article twelve. The decisions of the Executive Board shall be made according to a majority of votes of the Member States in attendance.

In order to have the right to vote and to be elected to any post, a Member State is required to be up to date in the payment of its dues at the time in which the meeting is held.

Member States which are not up to date in the payment of their dues shall be allowed to vote when, in the judgment of the Executive Board, there are special circumstances involved.

Article thirteen. The authorities of the Executive Board are: the Chairman, the Vice-Chairman, and the Secretary.

Article fourteen. The Chairmanship shall be alternating. The Chairman shall be elected by a ballot held in a plenary session of the Executive Board. The Vice-Chairmanship will be granted to the person named by the Executive Board in a plenary session, at the proposal of the government of the country in which the ILCE's headquarters is located.

The Secretary shall be the Director General of the ILCE.

Article fifteen. The Executive Board shall meet in a regular annual session, preferably in the last three-month period of the calendar year.

It may meet in a Special Session convened by the Chairman of the Executive Board, at the request of at least three Member States or on the initiative of the country in which the headquarters is located.

In either case, the call for a meeting shall be made in writing, with sufficient notice being given.

Article sixteen. The Executive Board has the following functions:

1. To approve and amend this Convention.
2. To name, accept the resignation of and remove from office, the Director General and the Deputy Director of the ILCE.
3. To approve the contributions of the Member States.
4. To authorize the Director General to draw up and negotiate specific plans for collaboration with the Member States, other countries and organizations, institu-

tions, and foundations which operate on an international, regional, or subregional basis.

5. To authorize the negotiations in which the Director General takes part for the purpose of obtaining funds.
6. To consider, analyze, and approve or reject—when appropriate—the annual reports of activities and financial statements submitted by the Director General, the latter duly audited after a report has been made by the comptroller.
7. To study and approve the budget proposals and work programmes of the ILCE that are submitted by the Director General.
8. To study the possibility of decentralizing the functions of the ILCE so as to establish branch offices in other countries of the region.
9. To approve the regulations of the Institute and of its bodies.
10. To study and make decisions regarding all the matters which are within its competence.

Article seventeen. The Executive Board shall have all the general and special powers that it requires in order to perform its functions.

CHAPTER V. ON THE HEAD OFFICE

Article eighteen. The Head Office is the executive and administrative body of the ILCE; it shall have at its disposal all the services and offices that it needs in order to fulfill its duties and exercise its powers.

Article nineteen. The duties and powers of the Head Office are as follows:

1. To complete agreements and resolutions; to take action on any recommendations submitted to it by the Executive Board.
2. To draw up and submit to the Executive Board for its consideration, the plans and programme and budget of the ILCE.
3. To direct the execution of the plans and programme and budget of the ILCE that have been approved by the Executive Board.
4. To carry out the relevant negotiations for the establishment of specific conventions and agreements for collaboration with Member States, other countries, and organizations that operate on an international, regional, and subregional basis.
5. To conduct studies and take steps, with the approval of the Executive Board, for the purpose of obtaining funds to carry out plans and programmes.
6. To prepare drafts of the regulations of the Institute and its bodies.
7. To draw up and submit to the Executive Board for its consideration, the Annual Report of Activities and the Financial Statements of the ILCE.
8. To act as Secretary of the Executive Board.
9. To study and make decisions regarding all the matters that are not reserved for the Executive Board.

Article twenty. The management of the Head Office shall be the responsibility of the Director General. In addition there will be a Deputy Director.

Article twenty-one. The Director General and the Deputy Director shall be appointed by the Executive Board for a period of three years and can be reelected only one time.

Special regulations and the statute concerning personnel will outline the functions, powers, organization, structure, and administrative systems and procedures of the ILCE.

CHAPTER VI. ON THE OFFICIAL RECOGNITION OF STUDIES

Article twenty-two. In accordance with their respective bodies of laws, the Member States shall consider the possibility of granting official recognition to the studies completed by their citizens in the ILCE.

CHAPTER VII. HEADQUARTERS

Article twenty-three. The headquarters of the ILCE shall be located in Mexico City, Federal District, without this eliminating the possibility of establishing branch offices in other countries, in accordance with the needs that are posed by programmes carried out by the ILCE.

CHAPTER VIII. FINANCING

Article twenty-four. The monies with which the activities of the ILCE are to be funded come from the following sources:

1. The regular annual contributions of the Member States, as determined by the Executive Board.
The regular annual dues of the Member States can be paid in the following manner:
 - (a) A percentage of the total amount due should be remitted, in U.S. currency, to the ILCE Headquarters.
 - (b) The remainder of the amount due can be deposited in local currency within the country in question, for the purpose of carrying out specific programmes.
2. Income that has been allotted in the budget to programmes:
 - 2.1. Contributions resulting from bilateral agreements made with the signatory States, for specific tasks and activities.
 - 2.2. Contributions made by other countries, organisms, institutions, and foundations, to be used in specific programmes.
3. Its own earnings; donations and bequests; property and real estate that are allotted to it for this purpose; subsidies; any other assets that it acquires by any other means.

CHAPTER IX. PRIVILEGES AND IMMUNITIES

Article twenty-five. The ILCE will enter into an agreement with the Government of the country in which its headquarters is located concerning the legal situation of the Institute and the privileges and immunities granted to its officials. Said agreement, which will be approved by the Executive Board, shall also specify the conditions for its termination.

Article twenty-six. During their stay in the territory of a Member State for the purpose of attending meetings or participating in other activities, the representatives of any Member State shall have the privileges and immunities that they require in order to perform their functions.

During their stay in the territory of a Member State, the Director General, Deputy Director and officials of the ILCE shall enjoy the benefits of the privileges and immunities they require in order to perform their functions, in accordance with the legislation and practices in force in that Member State.

Article twenty-seven. Fellowship holders and professors from Member States who attend or teach courses in the ILCE shall receive any help they need to arrange their legal stay in the country.

CHAPTER X. MODIFICATION

Article twenty-eight. This Convention may be modified by the Executive Board in the event that there is a consensus of at least two thirds of the Member States and an explicit call to meeting has been made.

CHAPTER XI. FINAL PROVISIONS

Article twenty-nine. This Convention, which has been signed by the countries in attendance, may be signed at a later date by any other Latin American or Caribbean State in the Ministry of Foreign Affairs of Mexico, [the] country in which the headquarters of the Institute is located. Said Ministry will notify all Member States as well as the Director General of the ILCE regarding each new signature.

Article thirty. This Convention shall be ratified in accordance with the respective procedures set down in the constitutions of the countries forming part of Latin America and the Caribbean. The original document, which exists in equally authentic versions in the Spanish, English, Portuguese, and French languages, shall be deposited in the Ministry of Foreign Affairs of Mexico, which shall send certified copies of the same to the governments for the purposes of ratification. The documents whereby it is ratified shall be deposited in said Ministry, which shall notify all Member States and the Director General of the ILCE regarding each document deposited there.

Article thirty-one. This Convention will go into effect the day on which it has been ratified by two of the governments of the States making up the ILCE. Insofar as the remaining States are concerned, it will go into effect in the order in which they deposit their documents attesting to ratification.

The States whose governments are to ratify this Convention shall be considered provisional members of the Institute until such time as they acquire the status of Member States, by means of the deposit of the document attesting to ratification.

Article thirty-two. This Convention will remain in force for an indefinite period of time. Any Member State may withdraw from the Institute and denounce this document at any time, providing that it supplies written notice to the trustee, who will inform the Member States and the Director General of the ILCE. Such withdrawal and denouncement will go into effect one hundred and eighty days after the notification has been received by the trustee.

Article thirty-three. In the event that a Member State withdraws, the Director General and said Member State will settle all accounts as is necessary within the term of one hundred and eighty days set down in the preceding article.

Mexico City, Federal District, May 31, 1978.

Bolivia	ALFREDO AGUIRRE SILES	Colombia	HÉCTOR ABAD GÓMEZ
Costa Rica	OSCAR AGUILAR BULGARELLI	Ecuador	EDUARDO GRANJA GARCÉS
El Salvador	CARLOS HERRERA REBOLLO	Guatemala	DOROTEO MONTERROSO

Haiti	EDWIDGE KERNISAN	Honduras	CRISTÓBAL RODRÍGUEZ ROSALES
Mexico	MANUEL MADRAZO GARAMENDI	Panama	LEONARDO KAM
Paraguay	MABEL PALACIOS MORINGO	Venezuela	MERCEDES DE VILLALOBOS
