



United Nations  
Educational, Scientific and  
Cultural Organization

## UNDERWATER CULTURAL HERITAGE 7 MSP

UCH/19/7.MSP/10  
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UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
AND CULTURAL ORGANIZATION

CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

MEETING OF STATES PARTIES

Seventh session  
Paris, UNESCO Headquarters, Room IV  
20-21 June 2019

**Item 10 of the Provisional Agenda:**

**Consideration of the Change of Rules of Procedures, Statutes of the STAB and Financial Regulations of the Special Account**

This document contains a draft resolution on proposed changes to the Rules of Procedure of the Meeting of States Parties, Statutes of the Scientific and Technical Advisory Body (STAB) and Financial Regulations of the Special Account for the Underwater Cultural Heritage.

**Resolution required:** Paragraph 11.

### **Proposed changes to the Rules of Procedure of the Meeting of States Parties and to the Statutes of the Scientific and Technical Advisory Body (STAB)**

1. In its [Resolution 10b / MSP 6](#) the Meeting of States Parties, recalling the Resolution [38 C/Resolution 101](#) of the General Conference of UNESCO on governance, procedures and working methods of the governing bodies of UNESCO, stressed the need to update and harmonize the Rules of Procedure of the cultural conventions of UNESCO in order to further enhance the synergies between them.
2. The 6<sup>th</sup> session of the Meeting of States Parties therefore requested the Secretariat to include an item on the agenda of its 7<sup>th</sup> session concerning the possible amendment or revision of its Rules of Procedure. The Meeting also invited States Parties to submit to the Secretariat proposals for the amendments of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention.
3. The Secretariat summarized the proposals, and submitted the draft to the Bureau, and the States Parties before transferring the consolidated proposed amendments of the Rules of Procedure for final consideration to the 7<sup>th</sup> session of the Meeting of States Parties.
4. The Secretariat had received four proposals for amendments in a first round, sent out on 8 January 2018, of a consultation of the States Parties to the Convention (Madagascar, Mexico, Romania, and Palestine). Two more contributions followed in a second round of consultations (France, Mexico), sent out on 5 April 2019 and ending on 30 April 2019.
5. The STAB further proposed in its eight session in 2018 amendments to the Rules of Procedures of the Meeting of States Parties, which are also affecting its own statutes (see [Recommendation 6 / STAB 8](#)). These also require endorsement by the Meeting of the States Parties at its 7th session.

### **Proposed revisions to the Financial Regulations of the Special Account for Underwater Cultural Heritage**

6. The Underwater Cultural Heritage Fund (“the Fund”) is managed as a Special Account pursuant to Article 1.1 of its Financial Regulations, adopted by [UCH/09/2.MSP/220/8](#). The resources of the Fund consist of voluntary contributions as regulated in Article 4 of the same Financial Regulations. States Parties, institutions and private entities are invited to provide support to the Convention by contributing to the Fund or by providing direct financial and technical support to projects concerning the protection of the Underwater Cultural Heritage. The resources under the Fund are used on the basis of the Operational Guidelines adopted by the Meeting of States Parties.
7. In 2017, the Executive Board requested the Director-General to propose the alignment of the Financial Regulations of the Special Accounts with governing bodies such as the Conventions to the new standard texts adopted at its 200th session (see [201 EX/Decision 24.I](#), and [paragraph 11 \(a\) of Document 201 EX/24](#)). Annex 3 of the document at hands shows the proposed changes for the Financial Regulations of the Special Account for the Underwater Cultural Heritage, submitted for consideration and endorsement by the Meeting of the States Parties.
8. The proposed revisions achieve the requested alignment.
9. At its 7<sup>th</sup> session, the Meeting is invited to consider the proposed revisions to the Financial Regulations of the Special Account for the Underwater Cultural Heritage. The approved document will then be submitted for information to the Executive Board at its 207th session in autumn 2019.

10. The Secretariat recalls that the Special Account has not yet received any funding. Member States are therefore encouraged to contribute to the Account. As no financial movements are recorded under the Special Account, the Secretariat has not provided any financial report.
11. The Meeting of States Parties may wish to adopt the following resolution:

**DRAFT RESOLUTION 10 / MSP 7**

The Meeting of States Parties, in its seventh session,

1. *Having examined* document UCH/19/7.MSP/10 and its annexes,
2. *Recalling* [Resolution 10b / MSP 6](#) and [Recommendation 6 / STAB 8](#),
3. *Thanks* the States Parties, the members of the Scientific and Technical Advisory Body as well as the Secretariat for their contributions;
4. *Adopts* the proposed changes to the Rules of Procedure of the Meeting of States Parties and to the Statutes of the Scientific and Technical Advisory Body, as set out in the Annex to the present resolution;
5. *Approves* the proposed revisions to the Financial Regulations of the Special Account for the Underwater Cultural Heritage, as presented in Annex 3 of document UCH/19/7.MSP/10.

## ANNEX 1



# RULES OF PROCEDURE OF THE MEETING OF STATES PARTIES TO THE CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

## Summary of proposed Amendments<sup>1</sup>

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### I. PARTICIPATION

#### Rule 1- Participation

The representatives of all States Parties to the Convention on the Protection of the Underwater Cultural Heritage (hereinafter referred to as “the Convention”) adopted by the General Conference on 2 November 2001, may take part, with the right to vote, in the work of the Meeting of States Parties (hereinafter referred to as “the Meeting”).

**[2. States Parties are encouraged to give priority to specialists in underwater archaeology in choosing their representatives (Mexico)]**

#### Rule 2 - Representatives and observers

- 2.1 The representatives of Member States of UNESCO not parties to the Convention and of permanent observer missions to UNESCO may participate in the work of the Meeting as observers, without the right to vote, and subject to Rule 11.3.
- 2.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations, which have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international non-governmental organizations invited by the Director-General, may participate in the work of the Meeting, without the right to vote, and subject to Rule 11.3.

### II. FUNCTIONS AND RESPONSIBILITIES OF THE MEETING OF STATES PARTIES

#### Rule 3 - Functions and responsibilities of the Meeting of States Parties

The functions and responsibilities of the Meeting of States Parties shall be, *inter alia*:

- (a) to elaborate, discuss and approve the Operational Guidelines for the Convention;
- (b) to elect members to the Scientific and Technical Advisory Body (hereinafter referred to as “the Advisory Body”), nominated by States Parties;
- (c) to adopt and amend the statutes of the Advisory Body;

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<sup>1</sup> Proposed amendments are highlighted in bold square brackets, followed by the name of the State/Organ proposing the amendment.

- (d) to receive and examine reports by the States Parties to the Convention, as well as their requests for advice;
- (e) to examine reports submitted to it by the Advisory Body;
- (f) to examine, discuss and decide on recommendations submitted to it by the Advisory Body;
- (g) to seek means for raising funds and to take the necessary measures to this end,
- (h) to take all other measures it considers necessary to further the objectives of the Convention.

#### **Rule 4 - Subsidiary bodies**

- 4.1 The Meeting may establish such subsidiary bodies, as it deems necessary for its purposes.
- 4.2 It shall define the composition and the terms of reference (including mandate and duration of office) of such subsidiary bodies at the time of their establishment. These bodies are composed of States Parties.
- 4.3 Each subsidiary body shall elect its Chairperson and, if necessary, its Vice-Chairperson(s) and its Rapporteur.
- 4.4 In appointing members of subsidiary bodies, due regard shall be given to the need to ensure an equitable representation of the different regions of the world.

### **III. ORGANIZATION OF THE MEETING**

#### **Rule 5 - Convening**

The Meeting shall be convened in ordinary session by the Director-General at least once every two years. At the request of a majority of States Parties, the Director-General shall convene an Extraordinary Meeting of States Parties (Article 23.1 **[of the Convention (Secretariat)]**).

#### **Rule 6 - Provisional agenda**

- 6.1. The Provisional Agenda of an ordinary session of a Meeting may include:
  - (a) any request required by the Convention and the present Rules;
  - (b) any question, the inclusion of which has been decided by the Meeting at a previous session;
  - (c) any question proposed by the States Parties to the Convention;
  - (d) any question proposed by the Director-General of UNESCO;
  - (e) any question referred to it by the subsidiary bodies.
- 6.2. The provisional agenda for an extraordinary session shall only include those questions for which the session has been convened.

### **Rule 7 - Election of the Members of the Bureau**

7.1 The Meeting shall elect a Chairperson, one or more Vice-Chairpersons and a Rapporteur, in conformity with the principle of equitable geographical representation, who shall together constitute its Bureau. Their term of office will run from the opening of the Meeting in which they are elected until the next session of the Meeting, when a new Bureau will be elected **[and it can meet as frequently as deemed necessary (Palestine)]**.

**[The members of the Bureau shall be eligible for immediate re-election only for a second term of office (Secretariat in response to General Conference Working Group<sup>2</sup>).]**

7.2 The Bureau shall coordinate the work of the Meeting and order of business of the session. The Chairperson will be assisted in carrying out his/her duties by the other members of the Bureau.

7.3 The Bureau shall perform any other duty entrusted to it by the Meeting.

### **Rule 8 - Duties of the Chairperson**

8.1 In addition to exercising the powers that are conferred upon him/her elsewhere by the present Rules, the Chairperson shall open and close each plenary of the Meeting. He/she shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/she shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/she shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf.

8.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

## **IV. CONDUCT OF BUSINESS**

### **Rule 9 - Public nature of meetings**

Meetings shall be held in public unless decided otherwise by the Meeting.

### **Rule 10 - Quorum**

10.1 A quorum shall consist of a majority of the States Parties referred to in Rule 1 and represented at the Meeting.

10.2 At meetings of subsidiary bodies, a quorum shall consist of a majority of the States Parties, which are members of the bodies concerned.

10.3 Neither the Meeting nor its subsidiary bodies shall decide on any matter unless a quorum is present.

### **Rule 11 - Order and time-limit of speakers**

11.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.

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<sup>2</sup> See Recommendation 58 of the open-ended Working Group on Governance, Procedures and Working Methods of the Governing Bodies of UNESCO (39 C/70).

11.2 For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker.

11.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Meeting.

### **Rule 12 - Points of order**

12.1 During a discussion, any representative of a State Party referred to in Rule 1 may raise a point of order, which shall be immediately decided upon by the Chairperson.

12.2 An appeal may be made against the ruling of the Chairperson. Such an appeal shall be put to the vote immediately and the Chairperson's ruling shall stand, unless overruled by a majority of the States Parties present and voting.

### **Rule 13 - Procedural motions**

During a discussion, any State Party may propose a procedural motion, suspension or adjournment of the meeting, adjournment or closure of the debate.

### **Rule 14 - Suspension or adjournment of the meeting**

During the discussion of any matter, a State Party may move the suspension or adjournment of the meeting. Any such motion shall be put to the vote immediately and without discussion.

### **Rule 15 - Adjournment of the debate**

During the discussion of any matter, a State Party may move the adjournment of the debate on the item under discussion. On moving the adjournment, the State Party shall indicate whether it moves the adjournment sine die or to a particular time, which it shall specify. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion.

### **Rule 16 - Closure of the debate**

A State Party may at any time move the closure of the debate, whether or not any other speaker has signified his wish to take part in the discussion. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers. **[If the motion for the closure of the debate is seconded, the The (Palestine)]** The Chairperson shall then put the motion for closure to the vote and, if the Meeting is in favour of the motion, the Chairperson shall declare the closure of the debate.

### **Rule 17 - Order of procedural motions**

Subject to the provisions of Rule 12, such motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) suspension of the meeting;
- (b) adjournment of the meeting;
- (c) adjournment of the debate on the question under discussion;
- (d) closure of the debate on the question under discussion.

### **Rule 18 - Official languages**

18.1 The official languages of the Meeting shall be Arabic, Chinese, English, French, Russian and Spanish.

18.2 Speeches made at the Meeting in one of the official languages shall be interpreted into the other languages.

18.3 Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the official languages.

### **Rule 19 - Draft resolutions and amendments**

19.1 Draft resolutions and amendments may be proposed by the States Parties referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Meeting, which shall circulate copies to all participants.

19.2 As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated reasonably in advance **[reasonably in advance no later than ... (Romania)/ Mexico proposes to keep previous version]** to all participants at least in the working languages of the Secretariat.

19.3 At the end of each session, the Meeting shall adopt the list of resolutions that shall be published and distributed to the States Parties within one month of the closure of the session and in the official languages.

### **Rule 20 - Voting**

20.1 The representative of each State Party referred to in Rule 1 shall have one vote in the Meeting.

20.2 Subject to the provisions of Rules 10.3 and 27, decisions shall be taken by a majority of the States Parties present and voting, except for the provisions of Rules 28 and 29.

20.3 For the purpose of the present Rules, the expression "States Parties present and voting" shall mean States Parties casting an affirmative or negative vote. States Parties abstaining from voting shall be regarded as not having voted.

20.4 After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

20.5 Voting shall normally be by show of hands unless a secret ballot is requested by one State Party and seconded by two others.

20.6 When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by roll-call. A vote by roll-call shall also be taken if it is requested by not less than two States Parties before the voting takes place.

20.7 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Meeting shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote.

20.8 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.

20.9 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

20.10 If two or more proposals, other than amendments, relate to the same questions, they shall be voted on in the order in which they were submitted. The Meeting may, after each vote on a proposal, decide whether to vote on the next proposal.

## **V. NOMINATION AND ELECTION [~~NOMINATION AND ELECTION~~ NOMINATION, ELECTION AND MEETING (Madagascar)] OF MEMBERS OF THE SCIENTIFIC AND TECHNICAL ADVISORY BODY]**

### **Rule 21- Establishment of a Scientific and Technical Advisory Body**

If the Meeting decides, in conformity with Article 23.4 of the Convention, to establish a Scientific and Technical Advisory Body, a State Party may nominate an expert for elections to represent it in the Advisory Body.

### **Rule 22 - Geographical distribution and professional background of the experts**

22.1 The election of members of the Advisory Body shall be conducted with due regard to the principle of equitable geographical distribution and the desirability of a gender balance as well as a balance of domains of expertise. Experts shall have a scientific, professional and ethical background at the national and/or international level adequate to the task, in conformity with the objective and purpose of the Convention.

22.2 The Advisory Body shall be composed of twelve members. **[Two additional members shall be elected on floating seats and shall be chosen solely based on the evaluation of their scientific qualifications. (STAB supported by France)]** The Meeting of States Parties may increase this number to up to twenty-four depending on the number of States Parties.

~~[The Advisory Body shall be composed of twelve members. The Meeting of States Parties may increase this number to up to twenty-four depending on the number of States Parties. The Advisory Body shall be composed of twenty-four members (Mexico)]~~

### **Rule 23 - Term of Office of the Members of the Advisory Body**

The members of the Advisory Body shall be elected for a term of office of four years. **[ of four years starting at the ending of the session of the Meeting, in which they are elected, and ending at the end of the session, two ordinary sessions later (Mexico)]**. Nevertheless, the term of office of half of the members elected at the first election shall be limited to two years. Those members will be chosen by lot at the time of the first election. **[Nevertheless, the term of office of half of the members elected at the first election shall be limited to two years. Those members will be chosen by lot at the time of the first election. (Palestine<sup>3</sup>)]** Every two years, the Meeting shall elect half of the membership of the Advisory Body with due regard to the principle of equitable geographical distribution, rotation and the desirability of a gender balance **[as well as one member for one of the above-mentioned floating seats (STAB)]** **[Priority regard shall be given in the election to the practical and professional experience of the candidate. (Mexico)]**.

**[A State Party may run for consecutive mandates. (Palestine)]**

**[Attendance of members at Advisory Body meetings is required. A member absent for two consecutive sessions shall be deemed to have been automatically withdrawn, thus freeing his place for a new election. (STAB, supported by France)]**

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<sup>3</sup> considering as expired

## **Rule 24 - Procedures for the Presentation of Candidatures to the Advisory Body**

24.1 The Secretariat shall ask the States Parties, as a general rule, six months prior to the opening of the Meeting, whether they intend to nominate a candidate for the election of the members of the Advisory Body. If so, the candidature accompanied by the curriculum vitae of the candidate as well as his/her scientific, professional and ethical background at the national and/or international level in English or French language shall be sent to the Secretariat at least four **[four three (Romania)]** weeks prior to the opening of the Meeting.

24.2 At least three **[three two (Romania)]** weeks prior to the opening of the Meeting, the Secretariat shall send to all States Parties the provisional list of candidates and the background information, as received, indicating the State, which proposes them. The list of candidatures will be revised as necessary. **[The list of candidatures will be revised as necessary. No later than one week prior to the opening of the Meeting the final list of candidatures is to be established and communicated to the State Parties. (Romania)]**

**[24.3 As a general rule, no candidatures sent to the Secretariat in the week prior to the opening of the Meeting will be considered valid. If need be, this may constitute a subject of the provisions of Rule 29.**

**24.4 If there are no seats to be filled in the Advisory Body for one (or more) electoral group(s) in the year of the election, no candidature can be submitted from that (those) electoral group(s) in that year<sup>4</sup>. (Romania)]**

## **Rule 25 – Election of Members of the Advisory Body**

25.1. The election of members of the Advisory Body shall be conducted by secret ballot, except that, where the number of candidates within geographical distribution is the same as or less than the number of seat to be filled, the candidates shall be declared elected without the need to hold a ballot.

25.2 Before the election begins, the Chairperson shall appoint two tellers from among the States Parties present; he/she shall hand to them the list of candidates. He/she shall announce the number of seats to be filled.

25.3 The Secretariat shall prepare for each State Party an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each electoral group shall bear the names of all candidates for election in that electoral group.

25.4 Each State Party shall cast its vote by circling the candidates for which it votes.

25.5 The tellers shall collect from each State Party their ballot papers and shall proceed to count the votes, under the supervision of the Chairperson.

25.6 The absence of any ballot paper in the envelope shall be considered an abstention.

25.7 Ballot papers on which more candidates have been circled than there are seats to be filled and those which bear no indication of the voter's intention shall be considered invalid.

25.8 The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral

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<sup>4</sup> Secretariat: Note that this could be in contradiction with the suggestion made by the STAB in Rule 22.

groups. The votes cast for the candidates shall be entered on lists prepared for that purpose.

25.9 The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to determine which candidate has won.

25.10 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

**[New Rule 26. The Director-General shall convene a session of the Advisory Body once a year. In special circumstances, he/she may convene another session if funds are available. The Director-General shall establish the agenda for the sessions of the Advisory Body after consultation with the Chairpersons of the Meeting of States Parties and the Advisory Body. (Madagascar)]**

**[New Rule 27. An Advisory Body Member not present for two consecutive physical meetings of the Advisory Body is considered automatically withdrawn, liberating her/his place for re-election. (STAB)]**

## **VI. SECRETARIAT OF THE MEETING**

### **Rule 26 - Secretariat**

26.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Meeting, without the right to vote. He/she may, at any time, make either oral or written statements to the Meeting on any question under discussion.

26.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Meeting, and other officials who shall together constitute the Secretariat of the Meeting.

26.3 The Secretariat shall receive, translate and distribute, into the six official languages and at least thirty days before the opening of the session of the Meeting, all official documents. **[The Secretariat shall prepare the provisional agenda of the Meeting in consultation with the bureau. (Palestine)]** It shall arrange for the interpretation of the discussions and also perform all other duties necessary for the proper conduct of the work of the Meeting.

26.4 The Secretariat shall prepare a summary record of the Meeting's session, for approval at the opening of the next session.

## **VII. ADOPTION AND AMENDMENT OF THE RULES OF PROCEDURE**

### **Rule 27 - Adoption**

The Meeting shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of the representatives of States Parties present and voting.

### **Rule 28 - Amendment**

The Meeting may amend these Rules of Procedure by a decision taken by a two-thirds majority of the representatives of States Parties present and voting.

**Rule 29 - Suspension**

A rule of procedure, except when it reproduces provisions of the Convention, may be suspended by a decision of the Meeting taken by a two-thirds majority of the representatives of States Parties present and voting.

## ANNEX 2



United Nations  
Educational, Scientific and  
Cultural Organization



The Protection of the  
Underwater Cultural Heritage

# STATUTES OF THE SCIENTIFIC AND TECHNICAL ADVISORY BODY TO THE MEETING OF STATES PARTIES TO THE CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

## Summary of proposed Amendments<sup>5</sup>

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### Article 1 - Functions

#### a) The Advisory Body

- (i) shall appropriately assist the Meeting of States Parties to the Convention in questions of a scientific or technical nature regarding the implementation of the 'Rules concerning activities directed at underwater cultural heritage', as referred to in Article 33 of the Convention (hereinafter "the Rules");
- (ii) may be consulted for the elaboration, in consultation with the Bureau of the Meeting of States Parties, of draft Operational Guidelines directly related to the Rules;
- (iii) shall give guidance in questions directly related to Rules in the framework of the practical application of the State cooperation mechanism contained in the Convention (Articles 8 to 13).

#### b) The Advisory Body shall propose to the Meeting of States Parties standards of and means to promote best practice in underwater cultural heritage sites protection and materials conservation [~~propose to the Meeting of States Parties standards of and means to promote best practice in underwater cultural heritage sites protection and materials conservation~~ assist the Meeting of States Parties (Mexico)] by:

- (i) making technical and scientific recommendations in relation to the Rules to the Meeting of States Parties for discussion and adoption;
- (ii) identifying and monitoring practical common and emerging issues in underwater cultural heritage sites protection and materials conservation;
- (iii) identifying means of improving/developing best practices with regard to material and site conservation [**in addition to proposing standards of and means to promote them (Mexico)**];
- (iv) proposing the organization of workshops and seminars on specific technical issues;
- (v) [**proposing, monitoring, and facilitating actions to further the achievement of the 2030 Agenda<sup>6</sup> (Mexico)**].

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<sup>5</sup> Proposed amendments are highlighted in bold square brackets.

<sup>6</sup> See also Recommendation 56 of the open-ended Working Group on Governance, Procedures and Working Methods of the Governing Bodies of UNESCO. To see all recommendations see document [39 C/70](#).

- c) ~~["Upon decision by the Meeting of States Parties, or by delegation by its Bureau,~~  
**†The Advisory Body may provide scientific and technical advice to States Parties on the implementation of the Rules of the Convention through: (i) missions to the requesting States Parties, [...] (STAB)]** Upon decision by the Meeting of States Parties, or by delegation by its Bureau, the Advisory Body may provide scientific and technical advice to States Parties on the implementation of the Rules through:
- (i) missions to the requesting States Parties;
  - (ii) presentations during the Meeting of States Parties to the Convention.
  - (iii) **[any other appropriate means. (Mexico)]**
- d) The Advisory Body shall report on its activities at each Meeting of States Parties;
- e) The Advisory Body shall consult and collaborate with non-governmental organizations (NGOs) having activities related to the scope of the Convention, namely ICUCH, as well as other competent ~~[as well as other competent in particular with (Mexico)]~~ NGOs accredited by the Meeting of States Parties **[, with the UNESCO Unitwin Network for Underwater Archaeology, the UNESCO Chairs associated to the Convention and Category II Centers working under the auspices of UNESCO and that are connected to the Convention (Mexico)].**
- f) **[The Advisory Body is assisted in its work by a selection of certified international experts, which are selected by the Advisory Body (France, Mexico) / at a number of a minimum of two persons per State Party and named on a list. (Mexico)]**

## **Article 2 - Membership**

- a) The Advisory Body shall be composed of twelve Members. The Meeting of Parties may increase this number to up to twenty-four depending on the number of States Parties. They shall have a scientific, professional and ethical background at the national and/or international level, in particular, in the field of underwater archaeology, international law, materials science (metallurgy, archaeo-biology, geology), and conservation of underwater cultural heritage sites and/or archaeological underwater artefacts.
- b) The members of the Advisory Body shall work impartially and in compliance with the principles of the Convention.

## **Article 3 - Nomination and Election**

- a) Members of the Advisory Body are elected by the Meeting of States Parties to the Convention in conformity with Rules 22 to 25 of its Rules of Procedure.
- b) The Advisory Body shall elect its Chairperson and its Vice-Chairperson(s) as well as a Rapporteur. The latter shall elaborate the reports of the meetings and of the electronic

work of the Advisory Body in cooperation with the Secretariat and submit these reports for adoption to the members of the Advisory Body. Following their adoption the reports shall be submitted timely by the Rapporteur to the Meeting of States Parties.

#### **Article 4 - Meetings**

- a) The Director-General shall convene a session of the Advisory Body once a year. In special circumstances, he/she may convene another session if funds are available. The Director-General shall establish the agenda for the sessions of the Advisory Body after consultation with the Chairpersons of the Meeting of States Parties and the Advisory Body.

**[New b. The presence of the members during the Advisory Body meetings is necessary. A member not present for two consecutive sessions is considered automatically withdrawn, liberating her/his place for re-election. (STAB)]**

- b) In addition to members, experts or representatives of organizations, whose duties and qualifications make them suitable for assisting the Advisory Body, may be invited by it to address a meeting of the Advisory Body.

#### **Article 5 – State Assistance and Missions**

- a) Upon receipt of the decision of the Meeting of States Parties or its Bureau that the Advisory Body may provide advice to a State Party ~~[the decision of the Meeting of States Parties or its Bureau that the Advisory Body may provide advice to a State Party a request from a State Party (STAB)]~~, the Secretariat shall inform the Chairperson about the decision, the details of the request of the State Party concerned and the financing available to answer the request. Usually the State Party requesting the assistance shall cover its cost.

- b) The Chairperson in consultation with the Secretariat and the requesting State Party will then propose the measures of action that shall be taken and circulate the request and the suggestions to the members of the Advisory Body. In the case that a mission shall be sent to the requesting State Party, the Chairperson proposes also the designation of a head of mission to the requesting State Party. The Advisory Body members shall decide on the actions to be taken.

- c) Missions shall be supported by the Secretariat of the Advisory Body and the UNESCO Field Office responsible for the requesting State Party. The designated head of mission shall report in a timely manner and in writing on the results of the mission, if possible by electronic means, to the Chairperson and the Secretariat. **[Appropriate security measures shall be taken, among other things by providing all mission members with the opportunity to profit from the appropriate electronic UN security training. (STAB)]**

- d) The Secretariat shall then collect the opinions of the Advisory Body members on this report and prepare a draft Advisory Body Evaluation Report in close cooperation with the Chairperson of the Advisory Body. The Chairperson shall then circulate this report to all members, for their contributions, comments, and agreement.
  
- e) Upon adoption of the report by the Advisory Body members, it shall be submitted to the requesting State Party and published on the Advisory Body website, in case this State Party has not expressly requested confidentiality [~~in case this State Party has not expressly requested confidentiality (France)~~].

#### **Article 6 - Secretariat**

The Director-General shall appoint a member of the UNESCO Secretariat to represent him/her on the Advisory Body, without a right to vote. The Secretariat of the Advisory Body is ensured by the UNESCO Secretariat.

#### **Article 7 - Recommendations**

- a) Recommendations of the Advisory Body are adopted by consensus, or, if no consensus emerges, by majority vote of the members present at a meeting.
- b) The sessions of the Advisory Body shall be held with a majority of its members being present.

#### **Article 8 - Funding**

- a) States Parties should endeavour to provide appropriate funding of the Advisory Body. UNESCO shall make all reasonable efforts to identify funding from regular and extra budgetary sources.
- b) Only the members of the Advisory Body from developing countries and countries in transition may **[may shall (France)]** benefit from financial assistance in order to participate to the meetings of the Advisory Body. Whenever possible, the members of the Advisory Body should work electronically.

#### **Article 9 - Amendments**

The Statutes of the Advisory Body may be amended by the Meeting of States Parties to the Convention.

**ANNEX – 3**

<b>COMPARATIVE TABLE<sup>7</sup></b>	
<b>FINANCIAL REGULATIONS OF THE SPECIAL ACCOUNT FOR THE UNDERWATER CULTURAL HERITAGE (currently in force)</b>	<b>PROPOSED AMENDMENTS (underlined and in bold; deleted text in strikethrough)</b>
<p><b>Article 1 – Creation of a Special Account</b></p> <p>1.1 A Special Account for the Fund for the Underwater Cultural Heritage (hereinafter referred to as the “Special Account”) is hereby created in accordance with Article 6, paragraph 6, of the Financial Regulations of UNESCO.</p> <p>1.2 The following regulations shall govern the operation of the Special Account.</p>	<p><b>Article 1 – Creation of a Special Account</b></p> <p>1.1 <del>A Special Account for the Fund for the Underwater Cultural Heritage (hereinafter referred to as the “Special Account”) is hereby created</del> In accordance with Article 6, paragraphs <b>5 and 6</b>, of the Financial Regulations of UNESCO, <b><u>there is hereby created a Special Account for the Fund of the for the Underwater Cultural Heritage, hereafter referred to as the Special Account.</u></b></p> <p>1.2 The following regulations shall govern the operation of the Special Account.</p>
<p><b>Article 2 – Financial period</b></p> <p>The financial period shall correspond to that of UNESCO.</p>	<p><b>Article 2 – Financial period</b></p> <p><del>The financial period shall correspond to that of UNESCO</del></p> <p><b><u>2.1 The financial period for budget estimates shall be two consecutive calendar years beginning with an even-numbered year.</u></b></p> <p><b><u>2.2 The financial period for accounting shall be an annual calendar year.</u></b></p>
<p><b>Article 3 – Purpose</b></p> <p>In accordance with Resolution 8/MSP 2 of the 2<sup>nd</sup> session of the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage (hereinafter referred to as “<b>the Convention</b>”), the purpose of the Special Account is to finance activities decided by the Meeting of States Parties on the basis of guidelines determined by the</p>	<p><b>Article 3 – Purpose</b></p> <p>In accordance with Resolution 8/MSP 2 of the 2<sup>nd</sup> session of the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage (hereinafter referred to as “<b>the Convention</b>”), the purpose of the Special Account is to finance activities decided by the Meeting of States Parties on the basis of guidelines determined by the</p>

<sup>7</sup> In accordance with 200 EX/Decision 19, the Executive Board had approved standard financial regulations for special accounts related to conventions, which served as a basis for this table. The content has been duly adapted to the 2001 Convention’s account in conformity with the Operational Guidelines.

<p>Meeting of States Parties to the Convention.</p>	<p>Meeting of States Parties to the Convention.</p>
	<p><b><u>Article 4 – Governance</u></b></p> <p><b><u>4.1 The Meeting of States Parties has authority over the appropriation of the resources under the Special Account, based on the guidelines adopted.</u></b></p> <p><b><u>4.2 The Director-General shall manage and administer the funds of the Special Account in accordance with the text of the Convention, the decisions approved by the Meeting of States Parties, and the present Financial Regulations.</u></b></p> <p><b><u>4.3 The Director-General shall, on a biennium basis, submit to the Meeting of States Parties narrative and financial reports, as indicated under Article 9 below.</u></b></p>
<p><b>Article 4 – Income</b></p> <p>The income of the Special Account shall consist of:</p> <ul style="list-style-type: none"> <li>a) voluntary contributions from State Parties of the Convention, other States, international agencies and organizations, as well as other entities;</li> <li>b) such amounts provided from the regular budget of the Organization as might be determined by the General Conference;</li> <li>c) such subventions, endowments, gifts and bequests as are allocated to it for purposes consistent with the object of the Special Account;</li> <li>d) miscellaneous income, including any interest earned on the investments referred to in Article 7 below.</li> </ul>	<p><b>Article 4<u>5</u> – Income</b></p> <p>The income of the Special Account shall consist of:</p> <ul style="list-style-type: none"> <li>a) voluntary contributions from States Parties of the Convention, other States, international agencies and organizations, as well as other entities;</li> <li>b) such amounts provided from the regular budget of the Organization as might be determined by the General Conference;</li> <li>c) such subventions, endowments, gifts and bequests as are allocated to it for purposes consistent with the object of the Special Account;</li> <li>d) miscellaneous income, including any interest earned on the investments referred to in Article 7<u>8</u> below.</li> </ul>
<p><b>Article 5 – Expenditure</b></p> <p>The Special Account shall be debited with the expenditure relating to its purpose as described in Article 3 above, including administrative expenses specifically relating to it and programme support costs applicable to</p>	<p><b>Article 6 – Expenditure</b></p> <p><b><u>6.1 The appropriation of the resources of the Special Account shall be approved by the Meeting of States Parties on a biennial basis.</u></b></p> <p>6.2 The Special Account shall be debited with</p>

<p>Special Accounts.</p>	<p>the expenditure relating to its purpose as described in Article 3 above, including administrative expenses specifically relating to it and <del>programme support</del> <b>management</b> costs applicable to Special Accounts.</p> <p><b><u>6.3 Expenditure shall be made within the limits of funds available.</u></b></p>
<p><b>Article 6 – Accounts</b></p> <p>6.1 The UNESCO Comptroller shall maintain such accounting records as are necessary.</p> <p>6.2 Any unused balance at the end of a financial period shall be carried forward to the following financial period.</p> <p>6.3 The accounts of the Special Account shall be presented for audit to the External Auditor of UNESCO, together with the other accounts of the Organization.</p> <p>6.4 Contributions in kind shall be recorded outside the Special Account.</p>	<p><b>Article <u>7</u> – Accounts</b></p> <p>7.1 The <del>UNESCO Comptroller</del> <b><u>Chief Financial Officer</u></b> shall maintain such accounting records as are necessary.</p> <p>7.2 Any unused balance at the end of a financial period shall be carried forward to the following financial period.</p> <p>7.3 The accounts of the Special Account shall be <b><u>part of the consolidated financial statements</u></b> presented for audit to the External Auditor of UNESCO, <del>together with the other accounts of the Organization.</del></p> <p>7.4 Contributions in kind shall be recorded outside the Special Account.</p>
<p><b>Article 7 – Investments</b></p> <p>7.1 The Director-General may make short-term investments of sums standing to the credit of the Special Account.</p> <p>7.2 Interest earned on these investments shall be credited to the Special Account.</p>	<p><b>Article 8 – Investments</b></p> <p>8.1 The Director-General may make short-term <b><u>or long-term</u></b> investments of sums standing to the credit of the Special Account.</p> <p>8.2 <del>Interest earned on</del> <b>Revenue from</b> these investments shall be credited to the Special Account <b><u>in accordance with UNESCO’s Financial Rules.</u></b></p>
	<p><b><u>Article 9 – Reporting</u></b></p> <p><b><u>9.1 At the end of each financial period, a financial report showing the income and expenditure under the Special Account shall be prepared. The financial report shall be presented to the Meeting of States Parties every two years.</u></b></p> <p><b><u>9.2 A narrative report shall be submitted to the Meeting of States Parties every two years.</u></b></p>
<p><b>Article 8 – Closure of the Special Account</b></p> <p>The Director-General shall decide upon the</p>	<p><b>Article <u>10</u> – Closure of the Special Account</b></p> <p><b><u>10.1 The Director-General shall decide</u></b></p>

<p>closure of the Special Account at such time as she/he deems that its operation is no longer necessary and inform the Executive Board accordingly.</p>	<p><del>upon the closure of the Special Account at such time as she/he deems that its operation</del>  <u><b>consult the Meeting of States Parties at such time as he/she deems that the operation of the Special Account is no longer necessary</b></u> and inform the Executive Board accordingly. <u><b>Such consultation shall cover the decision on the use of any unspent balance.</b></u></p> <p><u><b>10.2 The decision of the Meeting of States Parties shall be transmitted to the Executive Board prior to the effective closure of the Special Account.</b></u></p>
<p><b>Article 9 – General provision</b></p> <p>Unless otherwise provided in these Regulations, the Special Account shall be administered in accordance with the Financial Regulations of UNESCO.</p>	<p><b>Article <u>11</u> – General provision</b></p> <p><u><b>11.1 Any amendment to these Financial Regulations shall be approved by the Meeting of States Parties. The Executive Board shall be informed accordingly of any such amendments.</b></u></p> <p>11.2 Unless otherwise provided in these Regulations, the Special Account shall be administered in accordance with the Financial Regulations of UNESCO.</p>