



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property

5 MSP

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Meeting of States Parties to the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO, Paris, 1970)

Fifth Meeting
Paris, UNESCO Headquarters, Room XI
20 and 21 May 2019

Item 13 of the Provisional Agenda: Working document on the amendment of the Rules of Procedure of the Meeting of States Parties

Pursuant to Resolutions [3.MSP 12](#) (May 2015) and Resolution [4.MSP 15](#) (May 2017), this document presents an outline of the discussions held during the Fourth Meeting of States Parties on the amendments of the Rules of Procedure, taking into consideration the work accomplished by the drafting group.

Draft Resolution: Paragraph 12

Background

1. The current [Rules of Procedure to the Meeting of States Parties](#) to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property were adopted at the end of the Second Meeting of States Parties to the 1970 Convention (UNESCO Headquarters, June 2012).
2. At its Third Meeting (May 2015), States Parties underlined difficulties surrounding the application and the use of the Rules of Procedure. As a result, the Meeting of States Parties adopted [Resolution 3.MSP.12](#), which requested the Secretariat to include an agenda item at its next session concerning the possible amendment of its Rules of Procedure. The above-mentioned resolution also invited States Parties to submit to the Secretariat proposals for amendments in English and/or French by 31 January 2017 and requested the Secretariat to submit a draft document containing proposals for amendments to the Rules of Procedure to the next Meeting of States Parties in 2017.
3. As follow up to the aforementioned Resolution, the Secretariat sent an email to all States Parties to the 1970 Convention on 4 January 2017 inviting them to submit their proposals for the amendments to the rules of procedure. In response to this request, the Secretariat received responses from Argentina, Armenia, Czechia, Madagascar, the Netherlands, the Nordic States (Denmark, Finland, Iceland, Norway and Sweden) and Palestine. Accordingly, document [C70/17/4.MSP/15 and its Annex](#), containing States Parties proposals for amendments of the Rules of Procedure, was presented to the Fourth Meeting of States Parties (May 2017).

DISCUSSIONS OF THE INFORMAL DRAFTING GROUP

4. During the Fourth Meeting of States Parties to the 1970 Convention (May 2017), in order to continue discussions and try to reach a consensus specifically regarding provisions with multiple proposals, the States Parties decided to convene an informal drafting group, composed of States Parties who submitted amendments as well as States Parties wishing to participate in the discussions. Due to time constraints, the informal drafting group held discussions during lunch break.
5. The discussions allowed concerned States Parties reach a consensus on provisions with contradictory proposals, which simplified the format of the draft proposals to the Rules of Procedure.
6. Specifically, the informal working group agreed on the following amendments to the original Rules of Procedure¹:

Rule 3		Modification of the title (proposals by Czechia, Palestine) Modification of the Rule (Czechia proposal kept)
Rule 4.2		Modification (proposal by Czechia)
Rule 8		Replacement of “delegation” by “State Parties” (correction by the Secretariat) ²
Rule 9		Moved between Rule 10 and 11 (proposal made by Palestine)
Rule 10	Rule 10.2	Addition on the working languages of speeches (proposals by Czechia and Palestine)

¹ Please note that those rules which have not been modified do not appear in the present table

² To be applied in the whole Rules of Procedure

	Rule 10.3	Addition on the working languages of speakers (proposal by Palestine)
Rule 11	Title	Modification (proposal by Palestine)
	Rule 11.1	Deletion of a word (proposal by Palestine)
	Rule 11.1bis	Addition on proposed amendments (proposal made by the working group)
	Rule 11.2	Modification (Palestine's proposal kept)
	Rule 11.3	Addition on the disclosure of the adopted Resolutions (proposal made by Czechia)
Rule 12	Rule 12.1	Replacement of "State" by "State Party" ³
	Rule 12.4	Modification (proposal by the working group)
	Rule 12.5	Deletion (proposal by working group)
Rule 13	Rule 13.3	Deletion of the Rule on the role of the Secretariat (proposal by Palestine)
	Rule 13.4	Addition on the preparation of the provisional agenda by the Secretariat (proposal by Palestine) ⁴
	Rule 13.5	Addition on the translation by the Secretariat of the official documents in the working languages (proposal by Palestine)
	Rule 13.6	Addition on the duties and the interpretation of the discussion of the Secretariat (proposal by Palestine)
New Rule iii		Addition of new Rule iii on the Provisional Agenda (proposal by Czechia)
Rule 14.1		Modification (proposal by Palestine)

7. The States Parties adopted [Resolution 4.MSP 15](#), deciding to inscribe an item concerning the amendments to the Rules of Procedure in its next session.

FOLLOW UP TO THE IMPLEMENTATION OF THE RECOMMENDATIONS WORKING GROUP ON GOVERNANCE

8. Through [39 C/Resolution 87](#), the General Conference endorsed the recommendations of the Working Group on Governance, procedures and working methods of the governing bodies of UNESCO⁵ as amended by the APX Commission⁶ in [Document 39 C/70](#). Through the same resolution, the General Conference invited the Executive Board, the Director-General and the governing bodies of the different organs to implement, as appropriate, said recommendations. Specifically by reviewing the relevant UNESCO texts impacted by the recommendations of the working group on governance. Consequently, the Secretariat has prepared Document C70/19/5.MSP/8 so that the Firth Meeting of States Parties can examine the follow-up to these Recommendations.
9. Given that the Fourth Meeting of States Parties took place prior to the 39th Session of the General Conference, the proposals for amendments submitted by States do not reflect all the relevant Recommendations of the Working Group on Governance.

³ To be applied in the whole Rules of Procedure

⁴ The informal working group did not come to a consensus on Rule 13.4

⁵ Hereinafter referred to as the "Working Group on Governance"

⁶ General Conference commission in charge of finance, administration and general questions, programme support and external relations

10. Consequently, the attached annex reflects proposals submitted by States, together with the work accomplished by the aforementioned drafting group, and discussions held during the Fourth Meeting of States Parties. Moreover, it also reflects a series of proposals, by the Secretariat, which builds on Recommendations 56, 58, 59, 68 and 71 of the Working Group on Governance.
11. Annex II containing a clean version of the amendments to the Rules of Procedure, is presented for examination and possible adoption by the Meeting of States Parties.
12. The Meeting of States Parties may wish to adopt the following Resolution:

Resolution 5.MSP/13

The Meeting of States Parties,

1. Having examined document C70/19/5.MSP/13, and its Annexes;
2. Recalling Resolutions 3.MSP 12 and 4.MSP 15,
3. Recognizing the work done so far by the informal Drafting Group, and suggestions by the Secretariat in line with the Working Group on Governance;
4. Approves recommendations and suggestions to the amendments to the Rules of Procedure as illustrated in Annex I.
5. Decides to amend the Rules of Procedure as reflected in Annex I.

**Annex I: Clean Draft Amendments to the Rules of
Procedure of the Meeting of States Parties**

**Meeting of States Parties to the UNESCO Convention on the Means of
Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership
of Cultural Property (UNESCO, Paris, 1970)**

Rules of Procedure

I. MANDATE AND COMPOSITION

Rule 1 Mandate

- 1.1 The Meeting of States Parties to the 1970 Convention is the sovereign body of the Convention. It meets in ordinary session every two years and may convene extraordinary sessions if it deems it necessary.
- 1.2 The Meeting of States Parties gives strategic orientations for the implementation of the Convention and takes all measures it deems necessary for the promotion of the objectives of the Convention.

II. PARTICIPATION

Rule 2 Participants

The representatives of the States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted by the General Conference on 14 November 1970 (hereinafter referred to as "the Convention") may participate, with the right to vote, in the Meeting of States Parties.

Rule 3 Representatives and Observers

- 3.1 The representatives of Member States of UNESCO not parties to the Convention, of Associate Members and of permanent observer missions to UNESCO may participate in the work of the Meeting of States Parties as observers, without the right to vote, and subject to Article Rule 10.3.
- 3.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations that 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 of States Parties, without the right to vote, and subject to Article Rule 10.3.
- 3.3 Other representatives or observers invited by the Director-General may participate in the work of the Meeting of States Parties, without the right to vote.

III. SESSIONS

Rule 4 Ordinary and Extraordinary Sessions

- 4.1 The Meeting of States Parties shall be convened every two years.
- 4.2 The Meeting of States Parties shall meet in extraordinary session at the request of at least two thirds of its Members.

IV. ORGANIZATION OF THE MEETING OF STATES PARTIES

Rule 5 Provisional Agenda

- 5.1 The Provisional Agenda of an ordinary session of the Meeting of States Parties may include:
- a. Election of half of the Membership of the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention (hereinafter referred to as the Committee);
 - b. Any questions required by the Convention and the present rules;
 - c. Any questions the inclusion of which has been decided by the Meeting of States Parties at a previous session;
 - d. Any question referred by the Committee;
 - e. Any question proposed by the States Parties to the Convention;
 - f. Any question proposed by the Director-General.
- 5.2 The Provisional Agenda for an extraordinary session shall include those questions for which the session has been convened.

Rule 6 Election and Functions of the Bureau

- 6.1 The Meeting of States Parties shall elect a Chairperson, four Vice-Chairperson(s) and a Rapporteur, in conformity with the principle of equitable geographical representation, who shall together constitute its Bureau
- 6.2 Their Bureau's term of office will run from the Meeting of States Parties in which they are elected until the next session of the Meeting of States Parties, when a new Bureau will be elected.
- 6.3 Members of the Bureau are eligible for re-election, limited to two consecutive terms.
- 6.4 The Bureau, convened by the Chairperson, shall meet as frequently as it deems necessary. The Bureau may, if the Chairperson deems it appropriate, be consulted by correspondence, including electronic consultation.

Rule 7 Duties of the Chairperson, Vice-Chairpersons and the Rapporteur

- 7.1 In addition to exercising the powers conferred upon him/her elsewhere by the present Rules of Procedure, the Chairperson shall open and close each plenary

meeting of the Meeting of States Parties. He/She shall direct the discussions, ensure observance of these Rules of Procedure, 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 of Procedure, 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.

- 7.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by one of the a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
- 7.3 A Vice-Chairperson acting as a Chairperson shall have the same powers and duties as the Chairperson.
- 7.4 In addition to exercising powers which are conferred up him/her elsewhere by the present Rules, the Rapporteur shall certify that the Secretariat has accurately recorded the meeting of States Parties resolutions. He/She shall work with the Secretariat to monitor and record the Meeting's debates and amendments.
- 7.5 If the Rapporteur is unable to act at the meeting of States Parties, or meeting of the Bureau, or part thereof, his/her function shall be exercised by one of the Vice-Chairperson(s).
- 7.6 A Vice-Chairperson acting as a Rapporteur shall have the same powers and duties as the Chairperson.

V. CONDUCT OF BUSINESS

Rule 8 Public Nature of Meetings

Sessions shall be held in public unless decided otherwise by the Meeting of States Parties.

Rule 9 Quorum

- 9.1 A quorum shall consist of a majority of the States referred to in Article Rule 2 and represented at the Meeting of States Parties.
- 9.2 The Meeting of States Parties shall not decide on any matter unless a quorum is present.

Rule 10 Order and time-limit of speakers

- 10.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.
- 10.2 For the convenience of the discussion, the Chairperson may limit the time allowed for each speaker
- 10.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Meeting of States Parties.

Rule 11 Points of Order

- 11.1 During a discussion, any State Party may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson.
- 11.2 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 12 Procedural Motions

- 12.1 During a discussion, any delegation of the States Parties may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.
- 12.2 Such a motion shall be put to the vote immediately. Subject to Article 11.1, 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 13 Working Languages

- 13.1 The working languages of the Meeting of States Parties shall be Arabic, Chinese, English, French, Russian and Spanish
- 13.2 Speeches made at the Meeting of States Parties in one of the working languages shall be interpreted into the other languages.
- 13.3 Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages.

Rule 14 Resolutions and Amendments

- 14.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 2 and shall be transmitted in writing to the Secretariat of the Meeting of States Parties, which shall circulate copies to all participants.
- 14.2 Amendments may be proposed by the participants referred to in Rule 2. States Parties submitting amendments are strongly encouraged to transmit them in writing to the Secretariat in advance.
- 14.3 Adopted resolutions shall be published and distributed to States Parties within one month of the closure of the session and in the working languages of the meeting.

Rule 15 Voting

- 15.1 The representative of each State Party referred to in Rule 2 shall have one vote in the Meeting of States Parties.
- 15.2 Unless otherwise provided, decisions shall be taken by a majority of the States Parties present and voting.
- 15.3 For the purpose of the present Rules of Procedure, the expression "States Parties present and voting" shall mean States Parties casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted.
- 15.4 Voting shall normally be carried out by show of hands. 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 no less than two delegations States Parties before the voting takes place.
- 15.5 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 15.6 A motion is considered an amendment to a proposal if it adds to, deletes from or revises part of that proposal.

VI. SECRETARIAT OF THE MEETING OF STATES PARTIES

Rule 16 Secretariat

- 16.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Meeting of States Parties, without the right to vote. He/She may, at any time, make either oral or written statements to the Meeting of States Parties on any question under discussion.
- 16.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Meeting of States Parties, as well as other officials who shall together constitute the Secretariat of the Meeting of States Parties.
- 16.3 The Secretariat shall prepare, in consultation with the Bureau, the provisional agenda of the sessions of the meeting, in accordance to Rule 5.1.
- 16.4 The Secretariat shall receive, translate and distribute in the six working languages and at least thirty days before the opening of the session of the Meeting of States Parties all official documents.
- 16.5 The Secretariat shall arrange for the interpretation of the discussions and also preform all other duties necessary for the proper conduct of the work of the Meeting of States Parties

VII. MEETING OF STATES PARTIES

Rule 17 The Subsidiary Committee to the Meeting of States Parties

17.1 The Meeting of States Parties shall establish a subsidiary committee (hereafter the Committee).

17.2 The Committee shall be convened by the Secretariat every year.

17.3 The Committee shall be composed of representatives of 18 States Parties, 3 per regional electoral group, as determined by the UNESCO General Conference at its most recent session, it being understood that 'Group V' shall consist of two separate groups for the African and Arab States, elected by the Meeting of States Parties. The election of the Committee shall obey the principles of equitable geographical representation and rotation.

17.4 Members of the Committee shall be elected for a term of four years. However, the term of office of half of the members to the Committee elected at the first election is limited to two years. These members shall be chosen by lot at the first election. Every two years, the Meeting of States Parties shall renew half of the members of the Committee. A member to the Committee may not be elected for two consecutive terms.

Members of the Committee shall be elected for a term of four years. Every two years, the Meeting of States Parties shall renew half of the members of the Committee. A member to the Committee may be re-elected for one additional term in office.

Members of the Committee shall be elected for a term of four years. A member to the Committee may be re-elected for two consecutive terms only.

17.5 The functions of the Committee are:

- a) To promote the purposes of the Convention, as set forth in the Convention;
- b) To review national reports presented to the General Conference by the States Parties to the Convention with a view to identify trends and challenges to strengthen the implementation of the Convention;
- c) To exchange best practices, and prepare and submit to the Meeting of the States Parties recommendations and guidelines that may contribute to the implementation of the Convention;
- d) To identify problem areas trends and challenges arising from the implementation of the Convention, including issues relating to the protection and return of cultural property;
- e) To initiate and maintain co-ordination with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation in relation to capacity building measures combating illicit traffic in cultural property;
- f) To report to the Meeting of States Parties on the activities it has carried out.

- 17.6 The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members;
- 17.7 Observers may participate in meetings of the Subsidiary Committee in accordance with its Rules of Procedure.

VIII. ELECTION OF MEMBERS OF THE COMMITTEE TO THE SUBSIDIARY COMMITTEE

Rule 18 Elections of Members to the Subsidiary Committee

- 18.1 The election of Members of the Committee 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 seats to be filled, the candidates shall be declared elected without the need to hold a ballot.
- 18.2 Before the election begins, the Chairperson shall appoint two tellers among the delegates present; he/she shall hand to them the list of States Parties entitled to vote and the list of candidate States Parties. He/She shall announce the number of seats to be filled.
- 18.3 The Secretariat shall prepare for each State Party having the right to vote 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 the candidate States Parties in that electoral group.
- 18.4 Each of the States Parties shall cast its vote by encircling the names of those States for which it desires to vote.
- 18.5 The tellers shall collect from each States Party the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson.
- 18.6 The absence of any ballot paper in the envelope shall be considered an abstention.
- 18.7 Ballot papers on which more names have been circled than there are seats to be filled as also those containing no indication as to the intention of the voter shall be considered invalid.
- 18.8 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 groups. The votes cast for the candidate States Parties shall be entered on lists prepared for that purpose.
- 18.9 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 decide the elected candidate.
- 18.10 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

IX. AMENDMENTS AND SUSPENSION OF THE RULES OF PROCEDURE

Rule 19 Amendments

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

Rule 20 Adoption

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

Rule 21 Suspension

The Meeting of States Parties may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Parties present and voting.

Annex II: Draft Amendments to the Rules of Procedure of the Meeting of States Parties to the 1970 Convention

Draft Amendments to the Rules of Procedure	Observations
I. Mandate and Composition	
<i>Rule 1 – Mandate</i>	Proposal by the Secretariat in line with recommendation 56 of the Working Group on Governance
1.1 <i>The Meeting of States Parties to the 1970 Convention is the sovereign body of the Convention. It meets in ordinary session every two years and may convene extraordinary sessions if it deems it necessary.</i>	
1.2 <i>The Meeting of States Parties gives strategic orientations for the implementation of the Convention and takes all measures it deems necessary for the promotion of the objectives of the Convention.</i>	
II. PARTICIPATION	
Article Rule 2 - Participants	
The representatives of the States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted by the General Conference on 14 November 1970 (hereinafter referred to as “the Convention”) may participate, with the right to vote, in the Meeting of States Parties.	
Article Rule 3 – Representatives and Observers	
3.1 The representatives of Member States of UNESCO not parties to the Convention, of Associate Members and of permanent observer missions to UNESCO may participate in the work of the Meeting of States Parties as observers, without the right to vote, and subject to <u>Article Rule 10.3</u> .	

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

3.2	Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations that 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 of States Parties, without the right to vote, and subject to Article Rule 10.3	
3.3	Other representatives or observers invited by the Director-General may participate in the work of the Meeting of States Parties, without the right to vote.	Proposal to delete paragraph by Czechia – Drafting group 2017, decide to keep original paragraph
III. SESSIONS		
<i>Rule 4 – Ordinary and Extraordinary Sessions</i>		
4.1	<u>The Meeting of States Parties shall be convened every two years.</u>	Proposals by the Secretariat in line with recommendation 58 and 59 of the Working Group on Governance.
4.2	<i>The Meeting of States Parties shall meet in extraordinary session at the request of at least two thirds of its Members.</i>	
IV. ORGANIZATION OF THE MEETING OF STATES PARTIES		
Article Rule 5 – Election of Officers Provisional Agenda		
5.1	<u>The Provisional Agenda of an ordinary session of the Meeting of States Parties may include:</u> <u>a. Election of Members to the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention (hereinafter referred to as the Committee);</u> <u>b. Any questions required by the Convention and the present rules;</u> <u>c. Any questions the inclusion of which has been decided by the Meeting of States Parties at a previous session;</u> <u>d. Any question referred by the Committee;</u>	Proposal by Czechia

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

<p>e. Any question proposed by the States Parties to the Convention; f. Any question proposed by the Director-General.</p> <p>5.2 <u>The Provisional Agenda for an extraordinary session shall include those questions for which the session has been convened.</u></p> <p>The Meeting of States Parties shall elect a Chairperson, one or more Vice-Chairperson(s) and a Rapporteur.</p>	
<p>Article Rule 6 – Election and functions of officers the Bureau Duties of the Chairperson</p> <p>6.1 The Meeting of States Parties shall elect a Chairperson, four Vice-Chairperson(s) and a Rapporteur, in conformity with the principle of equitable geographical representation of the electoral groups of UNESCO, who shall together constitute its Bureau.</p> <p>6.2 Their Bureau’s term of office will run from the Meeting of States Parties in which they are elected until the next session of the Meeting of States Parties, when a new Bureau will be elected.</p> <p>6.3 <i>Members of the Bureau are eligible for re-election, limited to two consecutive terms.</i></p> <p>6.4 <i>The Bureau, convened by the Chairperson, shall meet as frequently as it deems necessary. The Bureau may, if the Chairperson deems it appropriate, be consulted by correspondence, including electronic consultation.</i></p>	<p>Proposal by Czechia and Palestine</p>
<p><u>Rule 7 – Duties of the Chairperson, Vice-Chairpersons and the Rapporteur</u></p>	
<p>4.1-7.1 In addition to exercising the powers conferred upon him/her elsewhere by the present Rules of Procedure, the Chairperson shall open and close each plenary meeting of the Meeting of States Parties. He/She shall direct the discussions, ensure observance of these Rules of Procedure, accord the right to speak, put</p>	

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

	questions to the vote and announce decisions. He/She shall rule on points of order and, subject to the present Rules of Procedure, 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.	
4.2-7.2	Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by <u>one of the</u> a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.	Proposal by Czechia
7.3	<i>A Vice-Chairperson acting as a Chairperson shall have the same powers and duties as the Chairperson.</i>	
7.4	<i>In addition to exercising powers which are conferred up him/her elsewhere by the present Rules, the Rapporteur shall certify that the Secretariat has accurately recorded the meeting of States Parties resolutions. He/She shall work with the Secretariat to monitor and record the Meeting's debates and amendments.</i>	Proposals by the Secretariat in line with recommendation 96 of the Working Group on Governance
7.5	<i>If the Rapporteur is unable to act at the meeting of States Parties, or meeting of the Bureau, or part thereof, his/her function shall be exercised by one of the Vice-Chairperson(s).</i>	
7.6	<i>A Vice-Chairperson acting as a Rapporteur shall have the same powers and duties as the Chairperson.</i>	
V. CONDUCT OF BUSINESS		
Article <u>Rule 5 8</u> – Public Nature of Meetings		
Article <u>Rule 6-9</u> – Quorum		
6.1-9.1	A quorum shall consist of a majority of the States referred to in <u>Article Rule 2</u> and represented at the Meeting of States Parties.	

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

6.2 -9.2	The Meeting of States Parties shall not decide on any matter unless a quorum is present.	
Article Rule 7 10 – Order and time-limit of speakers		
7.1 -10.1	The Chairperson shall call upon speakers in the order in which they signify their wish to speak.	
7.2 -10.2	For the convenience of the discussion, the Chairperson may limit the time allowed for each speaker	
7.3 -10.3	The consent of the Chairperson must be obtained whenever an observer wishes to address the Meeting of States Parties.	
Article Rule 8 11 – Points of Order		
8.1 -11.1	During a discussion, any delegation <i>State Party</i> may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson.	Correction by the Secretariat for clarity
8.2 -11.2	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 delegations <u>States Parties</u> present and voting.	Correction by the Secretariat for clarity
Article Rule 9-12 – Procedural Motions		
9.1 -12.1	During a discussion, any <i>delegation of the States Parties</i> may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.	Correction by the Secretariat for clarity
9.2 -12.2	Such a motion shall be put to the vote immediately. Subject to Article 11.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:	

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

<p>e) suspension of the meeting;</p> <p>f) adjournment of the meeting;</p> <p>g) adjournment of the debate on the question under discussion;</p> <p>h) closure of the debate on the question under discussion.</p>	
<p>Article Rule 413 – Working Languages</p>	
<p>9.2-13.1 The working languages of the Meeting of States Parties shall be Arabic, Chinese, English, French, Russian and Spanish</p>	
<p>13.2 <u>Speeches made at the Meeting of States Parties in one of the working languages shall be interpreted into the other languages.</u></p>	<p>Proposal by Czechia and Palestine</p>
<p>13.3 <u>Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages.</u></p>	<p>Proposal by Palestine</p>
<p>Article Rule 14 – Resolutions and Amendments</p>	
<p>114.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 2 and shall be transmitted in writing to the Secretariat of the Meeting of States Parties, which shall circulate copies to all participants.</p>	
<p>114.2 As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated sufficiently in advance to all participants in the working languages of the Meeting of States Parties.</p>	<p>Deletion proposed by the Working Group (2017)</p>

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

14.3	<u>Amendments may be proposed by the participants referred to in Rule 2. States Parties submitting amendments are strongly encouraged to transmit them in writing to the Secretariat in advance.</u>	Proposed addition by the Working Group (2017)
14.4	<u>Adopted resolutions shall be published and distributed to States Parties within one month of the closure of the session and in the working languages of the meeting.</u>	Proposal by Czechia
Article Rule 125 – Voting		
125.1	The representative of each State <i>Party</i> referred to in Rule 2 shall have one vote in the Meeting of States Parties.	
125.2	Unless otherwise provided, decisions shall be taken by a majority of the States <i>Parties</i> present and voting.	
125.3	For the purpose of the present Rules of Procedure, the expression “States <i>Parties</i> present and voting” shall mean States <i>Parties</i> casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted.	
125.4	Voting shall normally be carried out by show of hands. 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 no less than two delegations <i>States Parties</i> before the voting takes place.	
125.5	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 of States Parties 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.	Proposed deletion by the Working Group (2017)

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

125.6	If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.	
125.7	A motion is considered an amendment to a proposal if it adds to, deletes from or revises part of that proposal.	
VI.	SECRETARIAT OF THE MEETING OF STATES PARTIES	
Article <u>Rule 136</u> – Secretariat		
136.1	The Director-General of UNESCO or his/her representative shall participate in the work of the Meeting of States Parties, without the right to vote. He/She may, at any time, make either oral or written statements to the Meeting of States Parties on any question under discussion.	
136.2	The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Meeting of States Parties, as well as other officials who shall together constitute the Secretariat of the Meeting of States Parties.	
136.3	The Secretariat is charged with the tasks of receiving, translating and distributing all official documents of the Meeting of States Parties, and of interpreting discussion in accordance with Article 10 of the present Rules of Procedure. It shall perform any other task necessary for the proper conduct of the work of the Meeting of States Parties.	Deletion proposed by Working Group (2017)
136.4	<u>The Secretariat shall prepare, in consultation with the Bureau, the provisional agenda of the sessions of the meeting, in accordance to Rule 5.1.</u>	
136.5	The Secretariat shall receive, translate and distribute in the six working languages and at least thirty days before the opening of the session of the Meeting of States Parties all official documents.	Proposal by Palestine

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

136.6	The Secretariat shall arrange for the interpretation of the discussions and also preform all other duties necessary for the proper conduct of the work of the Meeting of States Parties	Proposal by Palestine
VII. MEETING OF STATES PARTIES		
Article <u>Rule 147</u> – <i>The Subsidiary Committee to the Meeting of States Parties</i>		
147.4	The Meeting of States Parties shall be convened every two years. The Meeting of States Parties shall be convened in ordinary session every two years. It may meet in extraordinary session if it is so decided by the Meeting or at the request either of the Subsidiary Committee or of a one-third majority of the States Parties.	Proposal by Palestine deleted by Secretariat as already elaborated under new section III Sessions
147.1.	The Meeting of States Parties shall establish a subsidiary committee (hereafter <i>the Committee</i>).	
14.3.7.2	The Committee shall be convened by the Secretariat every year.	
14.47.3	The Committee shall be composed of representatives of 18 States Parties, 3 per regional electoral group, <u>as determined by the UNESCO General Conference at its most recent session, it being understood that ‘Group V’ shall consist of two separate groups for the African and Arab States,</u> elected by the Meeting of States Parties. The election of the Committee shall obey the principles of equitable geographical representation and rotation.	Proposal by Palestine
14.7.4	Members of the Committee shall be elected for a term of four years. However, the term of office of half of the members to the Committee elected at the first election is limited to two years. These members shall be chosen by lot at the first election. Every two years, the Meeting of States Parties shall renew half of the	Proposal by the Netherlands to keep as it is.

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

	<p>k) To initiate and maintain co-ordination with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation in relation to capacity building measures combating illicit traffic in cultural property;</p> <p>l) To report to the Meeting of States Parties on the activities it has carried out.</p>	
14.47.6	The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members;	
14.47.7	Observers may participate in meetings of the Subsidiary Committee in accordance with its Rules of Procedures.	
VIII.	<u>Election of Members of the Committee to the Subsidiary Committee</u>	New Section proposal by Czechia
	<i>Rule 18 – Elections of Members to the Subsidiary Committee</i>	
18.1	<u>The election of Members of the Committee 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 seats to be filled, the candidates shall be declared elected without the need to hold a ballot.</u>	
18.2	<u>Before the election begins, the Chairperson shall appoint two tellers among the delegates present; he/she shall hand to them the list of States Parties entitled to vote and the list of candidate States Parties. He/She shall announce the number of seats to be filled.</u>	
18.3	<u>The Secretariat shall prepare for each State Party having the right to vote 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 the candidate States Parties in that electoral group.</u>	

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

18.4	<u>Each of the States Parties shall cast its vote by encircling the names of those States for which it desires to vote.</u>	
18.5	<u>The tellers shall collect from each States Party the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson.</u>	
18.6	<u>The absence of any ballot paper in the envelope shall be considered an abstention.</u>	
18.7	<u>Ballot papers on which more names have been circled than there are seats to be filled as also those containing no indication as to the intention of the voter shall be considered invalid.</u>	
18.8	<u>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 groups. The votes cast for the candidate States Parties shall be entered on lists prepared for that purpose.</u>	
18.9	<u>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 decide the elected candidate.</u>	
18.10	<u>When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.</u>	
IX.	Amendments to and suspension of the Rules of Procedure	Proposal by Palestine

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.

<p>Article <u>Rule 159</u> – Amendments</p> <p>The Meeting of States Parties may amend these Rules of Procedure by a decision taken in plenary meeting by two-thirds majority of <u>the representatives of States present and voting.</u></p>	<p>Proposal by Czechia</p>
<p><i>Rule 20</i> – <u>Adoption</u></p> <p><u>The Meeting of States Parties shall adopt its Rules of Procedure by a decision taken in plenary meeting by a simple majority of the States present and voting.</u></p>	<p>Proposal by Czechia</p>
<p><i>Rule 21</i> – <u>Suspension</u></p> <p><u>The Meeting of States Parties may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Parties present and voting.</u></p>	<p>Proposal by Czechia</p>

Legend: Original text of the Rules of Procedure, ~~deleted text~~, displaced text, proposals by States Parties, *proposals by the Secretariat*.