



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property

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 Procedure¹

The Rules of Procedure comprises six chapters: (I) Participation, (II) Organization of the Meeting of States Parties, (III) Conduct of Business, (IV) Secretariat of the Meeting of States Parties, (V) Meeting of States Parties and (VI) Adoption and Amendment of the Rules of Procedure.

The Rules of Procedure are the following:

I. PARTICIPATION

Article 1 – 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 2 – Representatives and observers

2.1 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 7.3.

2.2 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 7.3.

¹ Adopted by the Second 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 (Paris, 22 June 2012).

- 2.3** 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, and subject to Article 7.3

II. ORGANIZATION OF THE MEETING OF STATES PARTIES

Article 3 – Election of officers

The Meeting of States Parties shall elect a Chairperson, one or more Vice-Chairperson(s) and a Rapporteur.

Article 4 – Duties of the Chairperson

- 4.1** 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.

- 4.2** 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.

III. CONDUCT OF BUSINESS

Article 5 – Public nature of meetings

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

Article 6 – Quorum

- 6.1** A quorum shall consist of a majority of the States referred to in Article 1 and represented at the Meeting of States Parties.

- 6.2** The Meeting of States Parties shall not decide on any matter unless a quorum is present.

Article 7 – Order and time-limit of speakers

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

- 7.2** For the convenience of the discussion, the Chairperson may limit the time allowed for each speaker

- 7.3** The consent of the Chairperson must be obtained whenever an observer wishes to address the Meeting of States Parties.

Article 8 – Points of order

8.1 During a discussion, any delegation may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson.

8.2 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 present and voting.

Article 9 – Procedural motions

9.1 During a discussion, any delegation may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.

9.2 Such a motion shall be put to the vote immediately. Subject to Article 8.1, 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.

Article 10 – Working languages

The working languages of the Meeting of States Parties shall be Arabic, Chinese, English, French, Russian and Spanish.

Article 11 – Resolutions and amendments

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

11.2 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.

Article 12 – Voting

12.1 The representative of each State referred to in Article 1 shall have one vote in the Meeting of States Parties.

12.2 Unless otherwise provided, decisions shall be taken by a majority of the States present and voting.

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

- 12.4 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 before the voting takes place.
- 12.5 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.
- 12.6 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 12.7 A motion is considered an amendment to a proposal if it adds to, deletes from or revises part of that proposal.

IV. SECRETARIAT OF THE MEETING OF STATES PARTIES

Article 13 – Secretariat

- 13.1 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.
- 13.2 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.
- 13.3 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.

V. MEETING OF STATES PARTIES

Article 14 – The Meeting of States Parties

- 14.1 The Meeting of States Parties shall be convened every two years.
- 14.2 The Meeting of States Parties shall establish a subsidiary committee (hereafter ***the Committee***).
- 14.3 The Committee shall be convened by the Secretariat every year.
- 14.4 The Committee shall be composed of representatives of 18 States Parties, 3 per regional group, elected by the Meeting of States Parties. The election of the Committee shall obey the principles of equitable geographical representation and rotation.

- 14.5** 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.
- 14.6** 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;
 - 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 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.
- 14.7** The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members;
- 14.8** States Parties to the Convention, which are not members of the Committee, and other Member States of UNESCO, may participate in the meetings of the Committee, as observers.
- 14.9** The Committee may invite to its meetings any person or entity, including intergovernmental as well as international non-governmental organizations with recognized competence in the areas of protection of cultural heritage and combating illicit trafficking of cultural property, in order to consult them on specific matters.

VI. AMENDMENTS TO THE RULES OF PROCEDURE

Article 15 – Amendments

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