

No. 11

**UNITED NATIONS
and
UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION**

**Protocol concerning the entry into force of the Agreement
between the United Nations and the United Nations Edu-
cational, Scientific and Cultural Organization. Signed in
New York, on 3 February 1947**

*English and French official texts communicated by the Secretary-General of
the United Nations. The filing and recording took place on 3 February
1947.*

**ORGANISATION DES NATIONS UNIES
et
ORGANISATION DES NATIONS UNIES POUR
L'EDUCATION, LA SCIENCE ET LA CULTURE**

**Protocole relatif à l'entrée en vigueur de l'Accord conclu
entre les Nations Unies et l'Organisation des Nations
Unies pour l'Education, la Science et la Culture. Signé
à New-York, le 3 février 1947**

*Textes officiels anglais et français communiqués par le Secrétaire général
de l'Organisation des Nations Unies. Le classement et l'inscription au
répertoire ont eu lieu le 3 février 1947.*

No. 11. PROTOCOL CONCERNING THE ENTRY INTO FORCE OF THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION. SIGNED IN NEW YORK ON 3 FEBRUARY 1946

Article 57 of the Charter of the United Nations provides that specialized agencies established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations. Article 63 of the Charter provides that the Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations, and specifies that such agreements shall be subject to approval by the General Assembly.

Article X of the Constitution of the United Nations Educational, Scientific and Cultural Organization provides that the Organization shall be brought into relation with the United Nations. This relationship shall be effected through an agreement with the United Nations under Article 63 of the Charter.

The Economic and Social Council, during its first session in January-February 1946, adopted a resolution establishing a Committee of the Council on Negotiations with Specialized Agencies. This Committee was directed to enter into negotiations as early as possible with the United Nations Educational, Scientific and Cultural Organization.

The Executive Committee of the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization agreed at its meeting in London on 19 March 1946 to appoint four representatives of the Executive Committee as a Delegation to negotiate an Agreement bringing the United Nations Educational, Scientific and Cultural Organization into relationship with the United Nations.

Negotiations between the Committee on Negotiations with Specialized Agencies of the Economic and Social Council and the Negotiating Delegation of the United Nations Educational, Scientific and Cultural Organization took place in New York on 3 June 1946 and resulted in an Agreement. This Agreement was signed on 4 June 1946 by Sir A. Ramaswami Mudaliar, President of the Economic and Social Council and Chairman of the Com-

mittee on Negotiations with Specialized Agencies, and Mr. Roger Seydoux, Member of the Executive Committee and Chairman of the Negotiating Delegation of the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization.

On 21 June 1946, the Economic and Social Council, during its second session, unanimously recommended the Agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization to the General Assembly for its approval. On 5 July 1946 the Preparatory Commission of the United Nations Educational, Scientific and Cultural Organization recommended the Agreement to the General Conference of the United Nations Educational, Scientific and Cultural Organization for its approval.

On 3 October 1946, the Economic and Social Council, during its third session, recommended to the General Assembly that it authorize the Secretary-General to offer to the United Nations Educational, Scientific and Cultural Organization to replace Article XI of the Agreement with that Organization, which deals with relations with the International Court of Justice, by an article which will extend to the United Nations Educational, Scientific and Cultural Organization the same procedure in this respect as is specified in the Agreements with the other specialized agencies. This recommendation was accepted by both the General Assembly of the United Nations and the General Conference of the United Nations Educational, Scientific and Cultural Organization, and Article XI of the Agreement was revised accordingly.

Article XXII of the Agreement provides that it shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the United Nations Educational, Scientific and Cultural Organization.

The Agreement as a whole was approved by the General Assembly of the United Nations on 14 December 1946 and by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 6 December 1946.

The Agreement accordingly came into force on 14 December 1946.

A copy of the authentic text of the Agreement is attached hereto.

IN FAITH WHEREOF we have appended our signatures this third day of February, one thousand nine hundred and forty-seven, to two original copies of the present Protocol, the text of which consists of versions in the

English and French languages which are equally authentic. One of the original copies will be filed and recorded with the Secretariat of the United Nations and the other will be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization.

Trygve LIE
*Secretary-General of the
United Nations*

Julian HUXLEY
*Director-General of the United
Nations Educational, Scientific and
Cultural Organization*

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

1. Article 57 of the Charter of the United Nations provides that specialized agencies, established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations.

2. Articles X and IV, paragraph B, sub-paragraph 5, of the constitution establishing the United Nations Educational, Scientific and Cultural Organization provide that this Organization shall be brought into relation with the United Nations as soon as practicable, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations, with the function of advising the United Nations on the educational, scientific and cultural aspects of matters of concern to the latter.

Therefore the United Nations and the United Nations Educational, Scientific and Cultural Organization agree as follows:

Article I

The United Nations recognizes the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

¹ Came into force 14 December 1946, by the approval by the General Assembly of the United Nations.

Article II

ADMISSION OF STATES NOT MEMBERS OF THE UNITED NATIONS

Applications submitted by States not members of the United Nations for admission to the United Nations Educational, Scientific and Cultural Organization shall be immediately transmitted by the secretariat of the Organization to the Economic and Social Council of the United Nations (hereinafter called the Council). The Council may recommend the rejection of such applications and any such recommendations shall be accepted by the Organization. If, within six months of the receipt of an application by the Council, no such recommendation has been made, the application shall be dealt with according to article II, paragraph 2, of the constitution of the Organization.

Article III

RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be invited to attend the meetings of the General Conference of the United Nations Educational, Scientific and Cultural Organization and its committees, the Executive Board and its committees, and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the Economic and Social Council and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to educational, scientific and cultural matters.

3. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the General Assembly of the United Nations for the purposes of consultation on educational, scientific and cultural matters.

4. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the main committees of the General Assembly when educational, scientific or cultural matters are under discussion, and to participate, without vote, in such discussions.