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Diversity of Cultural Expressions

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CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

Third ordinary session
Paris, UNESCO Headquarters, Room II
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Item 12 of the provisional agenda: Election of Members of the Committee

In accordance with Rule 16 of its Rules of Procedure, the Conference of Parties elects half of the States Members of the Committee every two years.

Decision required: paragraph 16

1. In accordance with Articles 23.1 and 23.4 of the Convention, the Conference of Parties elected at its first ordinary session an Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions, hereinafter referred to as “the Committee”, composed of 24 Members.

2. Rule 16 of the Rules of Procedure of the Conference of Parties stipulates that the term of office of the States Members of the Committee shall be four years, in accordance with Article 23.1 of the Convention.

3. Furthermore, Rule 15.2 of the Rules of Procedure specifies that, for the purposes of election of the Members of the Committee, the seats on the Committee “shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, a minimum of three seats and a maximum of six seats have been attributed to each of the six electoral groups.”

4. The Conference of Parties, at its first ordinary session (June 2007), elected 12 States Members whose term of office expires in 2011. Following this election, the outgoing States Members of the Committee in 2011 by electoral group are:

- Group I: Germany, Greece, Luxembourg;
- Group II: Croatia, Lithuania;
- Group III: Mexico, Saint Lucia;
- Group IV: India;
- Group V(a): South Africa, Mauritius, Senegal;
- Group V(b): Oman.

5. At its second ordinary session (June 2009), the Conference of Parties elected 12 States Members whose term of office lasts until 2013. The remaining States Members of the Committee by electoral group are:

- Group I: Canada, France;
- Group II: Albania, Bulgaria;
- Group III: Brazil, Cuba;
- Group IV: China, Lao People’s Democratic Republic;
- Group V(a): Cameroon, Kenya;
- Group V(b): Jordan, Tunisia.

6. In accordance with Rule 16, the election of half of the States Members of the Committee must take into account the principle of rotation and “a Member cannot be elected to two consecutive mandates unless a regional group presents a ‘clean slate’”.

7. As of 17 June 2011, the Convention is in force in respect of 116 States Parties (see Annex I).

8. Article 23.5 of the Convention provides that the election of Members of the Committee shall be based on the principles of equitable geographical representation and rotation. Moreover, Rule 15 of the Rules of Procedure of the Conference of Parties provides for election on the basis of the composition of the electoral groups of UNESCO, as determined by the UNESCO General Conference. In line with the practice of the UNESCO General Conference, Group V is composed of two subgroups, Group V(a) for the African States and Group V(b) for the Arab States.

9. The voting system is based on the pro rata principle whereby the number of Parties in each electoral group is divided by the number of Parties to the Convention, and the resulting figure is multiplied by the number of seats available.

10. In accordance with Rule 15 of the Rules of Procedure, for the purposes of the election of the Members of the Intergovernmental Committee at the third ordinary session of the Conference of Parties, the proportional distribution of the 24 seats among the six electoral groups is as follows (see Annex II for detailed calculations):

- Group I represents 18.97% of States Parties to the Convention, or 4.55 seats;
- Group II represents 19.83% of States Parties to the Convention, or 4.75 seats;
- Group III represents 20.9% of States Parties to the Convention, or 4.96 seats;
- Group IV represents 9.48% of States Parties to the Convention, or 2.27 seats;
- Group V(a) represents 24.13% of States Parties to the Convention, or 5.79 seats;
- Group V(b) represents 6.89% of States Parties to the Convention, or 1.65 seats.

11. Given the regional grouping of the 116 States Parties, this pro rata calculation of the number of States Parties in each group would result in the allocation of 1.65 to 5.79 seats to each electoral group. However, with respect to the distribution of seats within the Committee, Rule 15.2 of the Rules of Procedure of the Conference of Parties provides for a minimum of three seats and a maximum of six seats per electoral group.

12. During the second ordinary session of the Conference of Parties, at the election of Members of the Committee, the representative of the delegation of Saint Lucia, then Chairperson of the Committee, said that Rule 15.2 of the Rules of Procedure should first be applied by allocating the requisite number of seats to the electoral groups that had not achieved the minimum three seats. Subsequently, the remaining seats should be allocated proportionately to the other electoral groups (see detailed draft summary records of the second ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, CE/11/3.CP/209/4, para. 110).

13. The application of Rule 15.2 would initially allocate at least three seats per electoral group, a total of 18. Since the Committee is made up of 24 members, six seats would remain to be distributed proportionately among the remaining electoral groups (see table below).

	GROUPS						Total
	I	II	III	IV	V(a)	V(b)	
Application of Rule 15.2	3	3	3	3	3	3	18
Proportionate distribution of six remaining seats (%)	22 (22.68%)	23 (23.71%)	24 (24.74%)	N/A	28 (28.86%)	N/A	97 (100%)
Seats	6 x 0.2268 = 1.36	6 x 0.2371 = 1.42	6 x 0.2474 = 1.48	N/A	6 x 0.2886 = 1.73	N/A	6

14. The Conference of Parties will have to agree on the distribution of the 24 Committee seats and subsequently determine the distribution of the 12 vacant seats. To that end it might take into consideration Rule 15.2 of the Rules of Procedure, which provides for a minimum of three seats and a maximum of six seats per electoral group and the principle of proportionate distribution of the remaining seats among the other electoral groups.

15. In accordance with Rule 17.1 of the Rules of Procedure, the Secretariat asked all States Parties, three months before the opening of the present session of the Conference of Parties, whether they intended to stand for election to the Committee. The provisional list of candidates is to be found in document CE/11/3.CP/209/INF.3. In accordance with Rule 17.3, it “will be finalized 48 hours before the opening of the Conference of Parties. No candidacy will be accepted in the 48 hours preceding the opening of the Conference”.

16. The Conference of Parties may wish to adopt the following resolution:

DRAFT RESOLUTION 3.CP 12

The Conference of Parties,

1. *Having examined document CE/11/3.CP/209/12 REV;*
2. *Decides that, for the purposes of the election of the Members of the Committee at the present session, the 12 seats will be distributed among the electoral groups as follows: Group I (...); Group II (...); Group III (...); Group IV (...); Group V(a) (...); Group V(b) (...).*

ANNEX I

States Parties to the Convention

	States	Date of deposit of instrument
1	Canada	28/11/2005
2	Mauritius	29/03/2006
3	Mexico	05/07/2006
4	Romania	20/07/2006
5	Monaco	31/07/2006
6	Bolivia (Plurinational State of)	04/08/2006
7	Djibouti	09/08/2006
8	Croatia	31/08/2006
9	Togo	05/09/2006
10	Belarus	06/09/2006
11	Madagascar	11/09/2006
12	Burkina Faso	15/09/2006
13	Republic of Moldova	05/10/2006
14	Peru	16/10/2006
15	Guatemala	25/10/2006
16	Senegal	07/11/2006
17	Ecuador	08/11/2006
18	Mali	09/11/2006
19	Albania	17/11/2006
20	Cameroon	22/11/2006
21	Namibia	29/11/2006
22	India	15/12/2006
23	Finland	18/12/2006
24	Austria	18/12/2006
25	France	18/12/2006
26	Spain	18/12/2006
27	Sweden	18/12/2006
28	Denmark	18/12/2006
29	Slovenia	18/12/2006
30	Estonia	18/12/2006
31	Slovakia	18/12/2006
32	Luxembourg	18/12/2006
33	Lithuania	18/12/2006
34	Malta	18/12/2006
35	Bulgaria	18/12/2006
36	Cyprus	19/12/2006
37	South Africa	21/12/2006
38	Ireland	22/12/2006
39	Greece	03/01/2007
40	Brazil	16/01/2007
41	Norway	17/01/2007
42	Uruguay	18/01/2007
43	Panama	22/01/2007
44	China	30/01/2007
45	Saint Lucia	01/02/2007
46	Iceland	01/02/2007
47	Andorra	06/02/2007
48	Tunisia	15/02/2007
49	Jordan	16/02/2007

	States	Date of deposit of instrument
50	Italy	19/02/2007
51	Armenia	27/02/2007
52	Germany	12/03/2007
53	Chile	13/03/2007
54	Niger	14/03/2007
55	Portugal	16/03/2007
56	Oman	16/03/2007
57	Côte d'Ivoire	16/04/2007
58	Jamaica	04/05/2007
59	Gabon	15/05/2007
60	The former Yugoslav Republic of Macedonia	22/05/2007
61	Cuba	29/05/2007
62	Bangladesh	31/05/2007
63	Latvia	06/07/2007
64	Kuwait	03/08/2007
65	Viet Nam	07/08/2007
66	Poland	17/08/2007
67	Egypt	23/08/2007
68	Cambodia	19/09/2007
69	New Zealand	05/10/2007
70	Mongolia	15/10/2007
71	Mozambique	18/10/2007
72	Tajikistan	24/10/2007
73	Kenya	24/10/2007
74	Paraguay	30/10/2007
75	Lao People's Democratic Republic	05/11/2007
76	United Kingdom of Great Britain and Northern Ireland	07/12/2007
77	Benin	20/12/2007
78	Nigeria	21/01/2008
79	Syrian Arab Republic	05/02/2008
80	Guinea	20/02/2008
81	Argentina	07/05/2008
82	Hungary	09/05/2008
83	Zimbabwe	15/05/2008
84	Chad	17/06/2008
85	Sudan	19/06/2008
86	Seychelles	20/06/2008
87	Montenegro	24/06/2008
88	Georgia	01/07/2008
89	Switzerland	16/07/2008
90	Ethiopia	02/09/2008
91	Barbados	02/10/2008
92	Burundi	14/10/2008
93	Congo	22/10/2008
94	Grenada	15/01/2009
95	Bosnia and Herzegovina	27/01/2009
96	Nicaragua	05/03/2009
97	Afghanistan	30/03/2009
98	Qatar	21/04/2009
99	Serbia	02/07/2009
100	Australia	18/09/2009

	States	Date of deposit of instrument
101	Dominican Republic	24/09/2009
102	Saint Vincent and the Grenadines	25/09/2009
103	Netherlands	09/10/2009
104	Guyana	14/12/2009
105	Haiti	08/02/2010
106	Azerbaijan	15/02/2010
107	Lesotho	18/02/2010
108	Ukraine	10/03/2010
109	Malawi	16/03/2010
110	Republic of Korea	01/04/2010
111	Equatorial Guinea	17/06/2010
112	Trinidad and Tobago	26/07/2010
113	Czech Republic	12/08/2010
114	Honduras	31/08/2010
115	Democratic Republic of the Congo	28/09/2010
116	Costa Rica	15/03/2011

ANNEX II

**Distribution of the 24 seats among the 116 States Parties over the electoral groups
in accordance with the pro rata principle**

	GROUPS						Total
	I	II	III	IV	V(a)	V(b)	
1	Canada	Romania	Mexico	India	Mauritius	Tunisia	
2	Monaco	Croatia	Bolivia (Plurinational State of)	China	Djibouti	Jordan	
3	Finland	Belarus	Peru	Bangladesh	Togo	Oman	
4	Austria	Republic of Moldova	Guatemala	Viet Nam	Madagascar	Kuwait	
5	France	Albania	Ecuador	Cambodia	Burkina Faso	Egypt	
6	Spain	Slovenia	Brazil	New Zealand	Senegal	Syrian Arab Republic	
7	Sweden	Estonia	Uruguay	Mongolia	Mali	Sudan	
8	Denmark	Slovakia	Panama	Lao People's Democratic Republic	Cameroon		
9	Luxembourg	Lithuania	Saint Lucia	Afghanistan	Namibia		
10	Malta	Bulgaria	Chile	Australia	South Africa		
11	Cyprus	Armenia	Jamaica	Republic of Korea	Niger		
12	Ireland	The former Yugoslav Republic of Macedonia	Cuba		Côte d'Ivoire		
13	Greece	Latvia	Paraguay		Gabon		
14	Norway	Poland	Argentina		Mozambique		
15	Iceland	Tajikistan	Barbados		Kenya		
16	Andorra	Hungary	Grenada		Benin		
17	Italy	Montenegro	Nicaragua		Nigeria		
18	Germany	Georgia	Dominican Republic		Guinea		
19	Portugal	Bosnia and Herzegovina	Saint Vincent and the Grenadines		Zimbabwe		
20	United Kingdom of Great Britain and Northern Ireland	Serbia	Guyana		Chad		
21	Switzerland	Azerbaijan	Haiti		Seychelles		
22	Netherlands	Ukraine	Trinidad and Tobago		Ethiopia		
23		Czech Republic	Honduras		Burundi		
24			Costa Rica		Congo		
25					Lesotho		
26					Malawi		
27					Equatorial Guinea		
28					Democratic Republic of the Congo		
Total	22	23	24	11	28	8	116
(%)	(18.97%)	(19.83%)	(20.69%)	(9.48%)	(24.13%)	(6.89%)	(100.00%)
Seats	24 x 0.1897 = 4.55	24 x 0.1983 = 4.75	24 x 0.2069 = 4.96	24 x 0.0948 = 2.27	24 x 0.2413 = 5.79	24 x 0.0689 = 1.65	24