

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

**INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF
CULTURAL PROPERTY TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION IN
CASE OF ILLICIT APPROPRIATION**

RULES OF PROCEDURE

Rule 1 – Membership

- 1.1 The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, hereinafter referred to as the “Committee”, is composed of twenty Member States of UNESCO elected by the General Conference at its ordinary sessions, in accordance with Article 2 of the Committee’s Statutes.
- 1.2 Each State member of the Committee shall notify the Secretariat of UNESCO of the names of its representatives, alternates, advisers and experts.

Rule 2 – Sessions

- 2.1 The committee shall hold ordinary plenary sessions at least once and not more than twice every two years.
- 2.2 The ordinary sessions of the Committee shall be convened by the Secretariat of the Committee in accordance with the instructions of the Bureau.
- 2.3 The Committee shall normally meet at UNESCO Headquarters. It may meet elsewhere if so decided by a majority of its members.
- 2.4 Extraordinary sessions shall be convened by decision of the Committee itself, or at the request of ten of its members. The place and date of extraordinary sessions shall be determined by the Secretariat of the Committee after consultations with the Chairman, unless they have been decided on by the Committee itself.
- 2.5 Any Member States or Associate Member of UNESCO may invite the Committee to hold a session on its territory.
- 2.6 The States members of the Committee shall be notified of the date, place and provisional agenda of each session, not less than sixty days in advance in the case of an ordinary session and, if possible, not less than thirty days in advance in the case of an extraordinary session.
- 2.7 The Member States and Associate Members of UNESCO which are not members of the Committee and the international organizations listed under Rule 4 below shall also be notified of the date, place and provisional agenda of each session.

- 2.8 The Committee shall determine at each session, in consultation with the Director-General, the date and place of the next session. The date and/or place may be modified, if necessary, by the Bureau, in consultation with the Director-General.

Rule 3 – Agenda

- 3.1 The provisional agenda of the sessions of the Committee shall be prepared by the Secretariat of the Committee in consultation with the Chairman.
- 3.2 The provisional agenda of an ordinary session of the Committee shall include:
- (a) items the inclusion of which has been decided upon by the Committee or the Bureau;
 - (b) items proposed by Member States and Associate Members of UNESCO, subject to the approval of the Bureau and the provisions of subparagraph (e) below;
 - (c) items proposed by the organizations of the United Nations system with which UNESCO has concluded mutual representation agreements;
 - (d) items proposed by the Director-General;
 - (e) offers and requests for the return or restitution of cultural property whose inclusion on the agenda has been requested by a Member State or Associate Member of UNESCO, provided that they have been received by the Director-General of UNESCO at least six months before the opening of the session. Offers and requests should be accompanied insofar as is possible by appropriate supporting documents. The Chairman may, in case of emergency and in consultation with the Director-General, decide to reduce the time limit mentioned above.
- 3.3 The agenda of an extraordinary session shall include only those items for the consideration of which the session has been convened.
- 3.4 The Committee shall adopt its agenda at the beginning of each session.

Rule 4 – Participation in the Committee's proceedings

- 4.1 Each State member of the Committee shall send to the Committee's sessions one representative, who may be assisted by alternates, advisers and experts.
- 4.2 The States members of the Committee shall select, to represent them, specialists in cultural property, within the meaning of Article 3, paragraph 1, of the Committee's Statutes.
- 4.3 Any Member State which is not a member of the Committee or any Associate Member of UNESCO which is concerned by an offer or a request for restitution or return of cultural property shall be invited to take part, without the right to vote, in the meetings of the Committee and its ad hoc subcommittees dealing with such an offer or request.
- 4.4 Any Member State or Associate Member of UNESCO other than those referred to in paragraphs 1 and 3 above may send observers to the meetings of the Committee.
- 4.5 Representatives of the International Council of Museums (ICOM) and the Organization for Museums, Monuments and Sites of Africa (OMMSA) shall also take part in meetings of the Committee, in an advisory capacity.

- 4.6 Representatives of the United Nations and other organizations in the United Nations system may take part in meetings of the Committee without the right to vote.
- 4.7 Other international governmental and non-governmental organizations whose aims and activities can, in the opinion of the Committee or the Director-General, be of assistance in carrying out the Committee's task, shall be invited to be represented by observers at meetings of the Committee.

Rule 5 – Officers

- 5.1 At the beginning of its first session, the Committee shall elect a Chairman, four Vice-Chairmen and a Rapporteur, who will together constitute its Bureau. The Committee shall proceed to elect a new Bureau whenever its own membership is changed by the General Conference.
- 5.2 Members of the Bureau are eligible for re-election to the same posts, but the total period for which they serve shall not exceed two consecutive terms of office.
- 5.3 The Bureau shall coordinate the work of the Committee and shall discharge the duties with which it has been entrusted by the Committee.
- 5.4 During the period between sessions of the Committee, the Bureau may be convened at the request of the Committee, the Chairman or the Director-General.
- 5.5 If the Chairman is unable to act at any session of the Committee, or part thereof, his functions shall be exercised by one of the Vice-Chairmen, to be selected according to the French alphabetical order of States members of the Committee.
- 5.6 If the Chairman ceases to represent a State member of the Committee or is for any reason unable to complete his term of office, he shall be replaced for the remainder of his term of office by one of the Vice-Chairmen, to be selected according to the French alphabetical order of States members of the Committee.
- 5.7 In addition to exercising the powers which are conferred upon him elsewhere by the present Rules, the Chairman shall open and close each plenary meeting of the Committee; he shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to a vote and announce decisions. He shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He shall not vote, but he may instruct another member of his delegation to vote on his behalf. He shall exercise all other functions given to him by the Committee. The Vice-Chairmen and the Rapporteur shall assist the Chairman in the exercise of his functions.
- 5.8 A Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.
- 5.9 If the Rapporteur is unable to act at any session of the Committee or meeting of the Bureau, or part thereof, his functions shall be exercised by one of the Vice-Chairmen, to be selected according to the French alphabetical order of States members of the Committee.
- 5.10 If the Rapporteur ceases to represent a State member of the Committee or is for any reason unable to complete his term of office, he shall be replaced, for the remainder of his term of

office, by one of the Vice-Chairmen, to be selected according to the French alphabetical order of States members of the Committee.

- 5.11 A Vice-Chairman acting as Rapporteur shall have the same powers and duties as the Rapporteur.

Rule 6 – Meetings

- 6.1 All meetings of the Committee shall be open to the public unless the Committee decides otherwise.
- 6.2 When in exceptional circumstances the Committee decides to hold a private meeting, it shall determine the persons who, in addition to the representatives of States members of the Committee, shall be present.
- 6.3 A quorum shall consist of a simple majority of the States members of the Committee.
- 6.4 The Committee shall not decide on any matter unless a quorum is present.

Rule 7 – Conduct of business

- 7.1 The Chairman of the meeting may limit the time to be allowed to each speaker.
- 7.2 During the discussion on any matter, any State member of the Committee may, at any time, raise a point of order, which point of order shall forthwith be decided upon by the Chairman.
- 7.3 An appeal may be made against the ruling of the Chairman. Such an appeal shall be put to the vote immediately and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting.
- 7.4 Any State member of the Committee may, at any time, propose the suspension or adjournment of a meeting, or the adjournment or closure of a debate. Such a motion shall be put to the vote immediately. The order of priority of such motions shall be as follows.
- (a) suspension of the meeting;
 - (b) adjournment of the meeting;
 - (c) adjournment of the debate on the item under discussion;
 - (d) closure of the debate on the item under discussion.
- 7.5 Representatives and observers attending a meeting of the Committee in accordance with Rule 4 (paragraphs 4, 5, 6 and 7) may, with the authorization of the Chairman, make oral statements to the Committee.
- 7.6 The working languages of the Committee shall be Arabic, English, French, Russian and Spanish.
- 7.7 The documents of the Committee shall be issued in Arabic, English, French, Russian and Spanish.

Rule 8 – Voting

- 8.1 Each State member of the Committee shall have one vote, except in the case provided for in paragraph 2 below.
- 8.2 Any State member of the Committee which is concerned by an offer or a request for the restitution or return of cultural property shall continue to take part in the Committee's proceedings, but without the right to vote, while the Committee deals with the offer or request.
- 8.3 When dealing with offers or requests for the restitution or return of cultural property, the Committee shall endeavour to arrive at unanimous decisions without proceeding to a vote.
- 8.4 In other cases, except those provided for under paragraph 11 of this Rule and in Rule 12 below, decisions shall be taken by a simple majority of the members present and voting. For the purpose of these Rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.
- 8.5 Voting shall normally be by show of hands. When the result of a vote by show of hands is in doubt, the Chairman of the meeting 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 members of the Committee before voting starts. The vote or abstention of each member participation in a roll-call vote shall be inserted in the report.
- 8.6 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 Committee shall first vote on the amendment deemed by the Chairman to be the 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.
- 8.7 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 8.8 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.
- 8.9 If two or more proposals relate to the same question, the Chairman shall, unless the Committee decides otherwise, put the proposals to the vote in the order in which they have been submitted. The Committee may, after each vote on a proposal, decide whether to vote on the next proposal.
- 8.10 A proposal may be withdrawn by its proposer at any time before voting has begun, provided it has not been amended. A proposal that has been withdrawn may be reintroduced by another State member of the Committee.
- 8.11 All elections shall be decided by secret ballot unless the Committee unanimously decides otherwise.
- 8.12 If a vote is equally divided on matters other than elections the proposal shall be regarded as rejected.

Rule 9 – Decisions, summaries and reports

- 9.1 The Committee shall adopt such decisions and recommendations as it may deem appropriate.
- 9.2 Following the closure of each session, a summary of the Committee's proceedings, prepared by the Rapporteur with the assistance of the Secretariat, shall be submitted for approval by the Chairman. The summary shall be transmitted to all the States members of the Committee, to the Member States and Associate Members of UNESCO which are not members of the Committee, and to the international organizations invited by the Committee to take part in the session.
- 9.3 The Committee shall submit a report on its activities at each ordinary session of UNESCO's General Conference.

Rule 10 – Ad hoc subcommittees and working groups

- 10.1 The Committee may set up ad hoc subcommittees for studying certain problems related to those of its activities which are defined in Article 4, paragraph 1, of its Statutes.
- 10.2 These subcommittees may include Member States of UNESCO which are not members of the Committee.
- 10.3 The Committee may set up working groups for studying certain problems related to those of its activities which are defined in Article 4, paragraphs 2 to 7 of its Statutes.
- 10.4 The terms of reference of the ad hoc subcommittees and working groups shall be defined by the Committee.
- 10.5 The ad hoc subcommittees and working groups shall meet in accordance with the decisions of the Committee or its Bureau, and shall themselves elect their Chairman, Vice-Chairman and, if necessary, Rapporteur.
- 10.6 Unless otherwise decided by the Committee, the present Rules shall apply to the work of the ad hoc subcommittees and working groups.

Rule 11 – Secretariat

- 11.1 The Secretariat of the Committee shall be provided by the Director-General, who shall make available to the Committee a member of the UNESCO Secretariat to act as Secretary of the Committee, together with the staff and other means required for its operation.
- 11.2 The Secretariat shall provide the necessary services for the sessions of the Committee and the meetings of the Bureau, ad hoc subcommittees and working groups.
- 11.3 The Director-General or his representative shall participate in the work of the Committee without the right to vote. He may, at any time, make either oral or written statements to the Committee or its subsidiary bodies on any question under consideration.
- 11.4 The Secretary or his representative may make either oral or written statements to the Committee, its ad hoc subcommittees and working groups and its Bureau concerning any question under consideration.

Rule 12 – Adoption and amendment of the Rules of Procedure

- 12.1 The Committee shall adopt its Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the members present and voting.
- 12.2 These Rules of Procedure, except when they reproduce provisions of the Committee's Statutes, may be amended by a decision of the Committee taken in plenary meeting by a two-thirds majority of the members present and voting, provided that the proposal for amendment has been placed on the provisional agenda of the session.
- 12.3 The Committee may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Committee's Statutes, by a decision taken in plenary meeting by a two-thirds majority of the members present and voting.