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**REPORT BY THE DIRECTOR-GENERAL ON THE FEASIBILITY STUDY  
FOR THE ESTABLISHMENT OF A REGIONAL CENTRE FOR  
SHARED AQUIFER RESOURCES MANAGEMENT IN TRIPOLI,  
LIBYAN ARAB JAMAHIRIYA, AS A CATEGORY 2 CENTRE  
UNDER THE AUSPICES OF UNESCO**

## SUMMARY

In response to an initial proposal by the Government of the Libyan Arab Jamahiriya to establish on its territory a regional centre for the study and assessment of the African region's shared aquifer resources placed under the auspices of UNESCO, the 15th session of the Intergovernmental Council of the International Hydrological Programme (IHP) adopted Resolution XV-10 in June 2002 welcoming the establishment of the centre and requesting UNESCO's assistance in preparing the necessary documentation to be submitted to UNESCO's governing bodies.

The present document consists of a report by the Director-General assessing the feasibility of the proposal, supplemented by Annexes containing Resolution XV-10 of the Intergovernmental Council of IHP and the proposed draft agreement between UNESCO and the Government of the Libyan Arab Jamahiriya concerning the proposed centre. This feasibility assessment was undertaken following the decision of the Executive Board at its 175th session and in conformity with document 33 C/19 relating to the principles and guidelines for the establishment and functioning of institutes and centres under the auspices of UNESCO (category 2) as approved by the General Conference in 33 C/Resolution 90.

Decision proposed: paragraph 15.

## Introduction

1. The Government of the Libyan Arab Jamahiriya has proposed the establishment of the Regional Centre for Shared Aquifer Resources Management (RCSARM) as a category 2 centre placed under the auspices of UNESCO with the aim of focusing on African water resources, providing training facilities for African experts, organizing seminars and meetings to facilitate the sharing of knowledge among African countries. This document outlines the background and the nature of the proposal and the foreseeable consequences of the creation of this Centre, especially with regard to the benefits that the Centre will bring to Member States and the Centre's relevance to UNESCO's programmes. In accordance with the relevant document 33 C/19 and 33 C/Resolution 90 of the General Conference concerning the establishment of international or regional centres under the auspices of UNESCO a decision from UNESCO's Executive Board will be sought approving the centre and authorizing the Director-General to sign the agreement between UNESCO and the Government of the Libyan Arab Jamahiriya establishing the centre.

2. While very large quantities of freshwater resources are held in the world's largest transboundary aquifers located in arid water scarce regions short of surface water, the issues concerning the management of transboundary aquifers have only recently been given appropriate scientific attention. While shared groundwaters have major importance for regional water security and supply sustainability, there are gaps in principles and technology constraining the action for management and development of the shared resources. The strategic plan for the sixth phase of the International Hydrological Programme (IHP-VI: 2002-2007) approved by the General Conference at its 31st session has five major themes divided into 21 focal areas. Groundwater management forms a central priority throughout the UNESCO International Hydrological Programme (IHP). The sixth phase of UNESCO IHP focuses on the assessment of groundwater on a global scale, the understanding of the role of groundwater in the global climate change, the formulation of groundwater resources indicators and the preparation of an inventory of non-renewable groundwater and transboundary aquifers. Groundwater is also given particular importance within the education component of the IHP programme.

3. Improving freshwater management is currently seen with a sense of urgency, not only in the Millennium Development Goals but also from the recommendations of the World Summit for Sustainable Development in Johannesburg, South Africa in 2002 and the Fourth World Water Forum in Mexico, March 2006. In this context, the emphasis that has since 2002 been placed on "water and associated ecosystems" as a principal priority within UNESCO's Major Programme II (Natural sciences) is of particular significance.

4. At the 14th session of the UNESCO IHP Intergovernmental Council, Resolution XIV-12 was adopted, launching the International Project on Shared Aquifer Resources Management (ISARM). Shared water resources is the topic of the IHP VI Theme 2, Focal area 2.2 on "international river basins and aquifers". The ISARM project is directed towards the development of best practices for the management of transboundary groundwater resources. The project is developed through regional ISARM working groups established in cooperation with FAO, UNECE, UNESCWA, UNILC, OAS, OSS and other regional ISARM partners and related networks and scientific centres.

5. The Government of Libya has established a UNESCO IHP National Committee that is a very active UNESCO partner. It is actively supporting the UNESCO IHP programme in the region. The Government of Libya supported the organization of two UNESCO IHP international meetings: the first was an international conference on Regional Aquifer Systems in Arid Zones – Managing non-renewable resources, held in Tripoli, Libya in November 1999 and the other an international workshop on Managing Shared Aquifer Resources in Africa, held in Tripoli, Libya, in June 2002. On these occasions the African countries and related institutions identified and presented information on about 40 of the principal shared aquifers in the region and established a regional network of ISARM focal points in Africa. Issues for management of transboundary aquifers were reviewed and concluded in the landmark Tripoli Conference Statement. The countries agreed to cooperate on the implementation of joint management best practices, and give attention to shared

aquifers and groundwater in regional integrated water resources policy and international basin programmes. United Nations-ESCWA, one of UNESCO's regional ISARM partners, has concluded a preliminary inventory of the principal shared aquifers in the Near East/ESCWA region. The execution of regional GEF projects has recently been initiated by UNESCO with several ongoing and planned projects on regional aquifers, including a project on the Nubian sandstone aquifer executed in cooperation with the IAEA.

6. Following the recommendations of the participants of the above international meetings held in Tripoli in 1999 and 2002, the Government of Libya offered to establish a centre for shared aquifer resources management placed under the auspices of UNESCO on its territory, at the 15th session of the Intergovernmental Council of the International Hydrological Programme (IHP) (Resolution XV-10) in June 2002. The Centre is expected to play an important role in Africa and in the Arab States for the dissemination of data and technology and for capacity-building and awareness-raising on transboundary aquifers resources studies, with projects on shared aquifer management and subregional capacity-building programmes. The declarations and conclusions made in the following recent African Summit and Ministers' meetings have provided region-wide support and guidance for the establishment and priority functions of the RCSARM and other regional water centres. *The Sirte Declaration on the Challenges of Implementing Integrated and Sustainable Development on Agriculture and Water in Africa*, made by the Heads of State and Government of the African Union at The Assembly of the African Union, second extraordinary session, in Sirte, Libya, 27-28 February 2004 gave priority to the implementation of integrated water and agricultural programmes to enhance sustainable development in Africa. The countries also committed themselves to promoting the establishment of centres within the region. The African Ministers' Council on Water, fifth ordinary session, in Entebbe, Uganda, 4-6 November 2004 emphasized the importance of the shared surface and groundwaters in Africa. In the above context and to further advance the African Strategy on shared aquifer management, the Government of Libya will support the organization of a second International Workshop on Managing Shared Water Resources in Africa foreseen to be held in Tripoli in November 2007. The progress of the implementation of the African Strategy depends on dissemination and exchange of knowledge, data, information and research where the RCSARM Centre, to be established in Tripoli is expected to act as an important institution and focal point for UNESCO's ISARM activities in Africa.

7. In fulfilment of the actions called for by the Resolution XV-10 adopted at the 15th session of the IHP Intergovernmental Council, several UNESCO missions were undertaken to Libya in 2004 and 2006. There was ample access to high-level authorities and institutions of the Government of the Libyan Arab Jamahiriya. Support for the operation of the Centre under the auspices of UNESCO was provided by the Libyan Government through the Libyan General Water Authority.

## **CONSIDERATION OF THE FEASIBILITY OF THE PROPOSED CENTRE**

### **Overview of the proposal**

8. The proposal made by the Government of the Libyan Arab Jamahiriya has endeavoured to address in detail the requirements specified in document 33 C/19, as approved by the General Conference in 33 C/Resolution 90. Among the most salient aspects are the following:

- (a) Objectives: the objectives of the Centre are to:
  - (i) generate and provide scientific and technical information and support exchange of information on regional shared groundwater management issues, with the emphasis on Africa and Arab States;
  - (ii) promote cooperation on multidisciplinary research and compilation of case studies on shared groundwater management in the region involving international

institutions and networks, especially those under the UNESCO/IHP and WMO auspices;

- (iii) undertake capacity-building on integrated water and agriculture management within the African region at institutional, professional and educational level including awareness-raising activities to the general public and to specific targeted audiences;
  - (iv) seek and respond to invitations for cooperation with international institutions and centres and to advance methodology in the field of shared groundwater management, support and cooperation with the IHP ISARM Project.
- (b) Functions: the functions of the Centre emphasize the pursuit of sustainable development and integrated water resources management through the development of scientific research, education, training and awareness-raising at all levels, the development of appropriate policies and practices to promote, develop and coordinate cooperative research on technology for integrated shared groundwater resources, facilitate the networking of scientists in the region and the transfer of information and knowledge.
- (c) Structure and Legal Status: the RCSARM Centre shall enjoy on the territory of the Libyan Arab Jamahiriya, the personality and legal capacity necessary for the exercise of its functions, in particular the capacity to contract, institute legal proceedings, acquire and dispose of movable and immovable property.

The Constitution of the Centre shall include provisions concerning:

- (i) legal status granting to the Centre, under national legislation, the autonomous legal capacity necessary to exercise its functions and to receive subventions, obtain payments for services rendered, and acquire all necessary means;
- (ii) a governing structure for the Centre allowing UNESCO representation within its governing body.

The Centre will be hosted by the General Water Authority which is a part of the Ministry of Agriculture as an independent entity exerting its functions and executing its activities and programmes using its own capacity and drawing on the capabilities of the General Water Authority, universities, national research centres and other governmental and non-governmental organizations in Libya and in the region, in accordance with the regulations of the Libyan Arab Jamahiriya. The Government of Libya will take appropriate measures, in accordance with laws and regulations of the Libyan Arab Jamahiriya, to ensure that the Centre shall enjoy the capacity for the exercise of its functions as required for UNESCO category 2 centres (33 C/Resolution 90). The Centre will be established as a hub at regional level for the sustainable management of the shared groundwater resources. The Director of the Centre will be appointed by the Chairperson of the Governing Board in consultation with the Director-General of UNESCO. The Centre shall be guided and supervised by a Governing Board whose membership comprises a representative of the Director-General of UNESCO. Its structure would be defined by the annexed agreement (Annex II). The General Water Authority shall have a permanent representation within the Centre's governing body.

- (d) Financial matters: the Government of the Libyan Arab Jamahiriya will cover the costs of the facilities, including equipment, utilities, communications, secretariat staff and maintenance of infrastructure, projects, training and other scientific activities of the Centre. It being understood that UNESCO may only contribute to concrete activities/projects of the Centre if those are deemed to be in line with UNESCO's

programme priorities and as foreseen in the budget approved by UNESCO's governing bodies. UNESCO will not, however, provide financial support for administrative or institutional purposes. Furthermore, the Centre may require the support of UNESCO in securing additional resources from UNESCO Member States and other regional and international organizations.

(e) Areas of cooperation with UNESCO: The cooperation expected from UNESCO once the proposed Centre is established is as follows:

- (i) providing advice in the formulation of the short-, middle- and long-term period of the Centre;
- (ii) in conformity with the relevant policies of the Intergovernmental Council of IHP, assigning to the Centre the implementation of activities within the framework of its regular biennial budgets and programmes, particularly those appropriate to reinforce its start-up period;
- (iii) encouraging intergovernmental and non-governmental financial entities, as well as Member States of UNESCO, to provide financial and technical assistance and to propose appropriate projects to the Centre, and facilitating contacts with other international organizations relevant to the functions of the Centre;
- (iv) providing the Centre with IHP publications and other pertinent materials and disseminating information on the activities of the Centre via the IHP website, newsletters and other mechanisms at its disposal;
- (v) participating, when appropriate, in the scientific and training meetings held by the Centre.

9. Relationship between the activities of the Centre and UNESCO's objectives and programmes:

The General Conference at its 31st session endorsed as principal priority of the natural sciences programme for 2002-2007 "water and associated ecosystems", which, among other objectives, pursues promoting capacity-building and scientifically sound policy decisions for sustainable use of fresh water and supporting ecosystems. Moreover, the General Conference stressed the necessity of paying special attention to water resources management at both the 31st and 32nd sessions of the General Conference. The creation of the Centre focusing on groundwater resources management with particular focus on the African region thus complies with the objectives set and with the foreseen programmes of UNESCO in fresh water for the coming biennium and the medium term.

10. Regional and international impact of the Centre:

- (a) Coverage: geographically the Centre will carry out regional research projects on groundwater resources. The Centre is ready to welcome involvement from all countries of the region sharing concerns on groundwater resources issues and willing to contribute to and benefit from the Centre.
- (b) Potential impacts: currently, a regional centre on transboundary aquifer systems devoted to the assessment of the status of groundwater resources at local and regional level does not exist. The Centre is thus expected to contribute to enhance technical and scientific cooperation and knowledge transfer in related topics at both regional and international levels. The potential impact of the Centre on scientific and technical cooperation at interregional level is thus significant.

- (c) Technical cooperation: technical cooperation with other established or proposed institutes and centres being part of UNESCO or placed under its auspices, including the Category 2 Centre on Water Resources in Cairo, the UNESCO-IHE Institute for Water Education in Delft, the Category 2 Centre on Water Law in Dundee, the Category 2 ICHARM Centre in Japan, among others. Other relevant international and regional agencies and scientific NGOs can be linked to the Centre through UNESCO. Furthermore, the Centre has the intention to obtain the auspices of WMO. In particular, close cooperation is foreseen with the Category 2 Centre on Groundwater Resources Assessment and Information Systems (IGRAC) to be established in the Netherlands. Cooperation with other United Nations entities, including FAO and UNU, is envisaged.

11. Results expected from UNESCO's contribution:

- (a) Role of the Centre in executing the Organization's programme:

As pointed out in paragraphs 5, 6 and 8 of this document, the Centre fits well with UNESCO's objectives in general and the freshwater programme in particular. The preparatory work for the establishment of the Centre facilities and capacity has demonstrated that it can collaborate with a great number of activities as specified in the IHP-VI and planned for IHP-VII, particularly activities related to transboundary groundwater resources and their assessment in developing countries. The outstanding scientific experience in the field of groundwater resources of the General Water Authority, the support already provided by the Government of Libya to set the basis for the UNESCO inventory of transboundary aquifer in Africa and its commitment to continue supporting, both financially and logistically, as assessed by the UNESCO staff missions, provides a solid base for the activities of the Centre in Libya. The Centre will complement existing UNESCO-IHP regional and international centres and will contribute to the UNWWAP.

- (b) Potential impact of UNESCO's contribution on the Centre's activities:

The assistance of UNESCO to the Centre is necessary from a dual standpoint:

- (i) UNESCO's catalytic function during the nascent period of the Centre is to lend its technical and organizational expertise;
- (ii) UNESCO's role as a bridge to other countries, international organizations and relevant NGOs working on sustainable groundwater resource management issues is essential for successful exposure of the Centre.

12. Summary evaluation of the proposal submitted:

- (a) From the previous paragraphs it is clear that the establishment of the Centre is fully in line with UNESCO's objectives and programmes and that the Centre would contribute to the execution of the freshwater programme of UNESCO, while UNESCO's aegis is necessary for the Centre's international standing and development.
- (b) The strong support shown since 1999 by the Libyan Government for IHP projects on transboundary aquifer systems is a favourable precondition.
- (c) Furthermore, the Intergovernmental Council of IHP has supported the establishment of the Centre through the decisions of the 14th session of the IHP Council.
- (d) The proposed institutional structure of the Centre is compatible with the decision taken at the 33rd session of the General Conference on the guidelines for the establishment of a Centre as a category 2 centre placed under the auspices of UNESCO.

- (e) UNESCO-IHP expects to associate the Centre with some of the relevant activities of its programme for the seventh phase of the IHP programme 2008-2013, achieving a dual effect: supporting the start-up period of the Centre while having the Centre contribute to the execution of IHP's programme.
- (f) The risks that UNESCO could incur in the establishment of the Centre would be low, due primarily to the strong support from the Government of Libya in providing an appropriate infrastructure and core funding for the Centre.

13. The points cited above indicate that the viability of the proposed Centre under the auspices of UNESCO is high and that UNESCO's governing bodies should give it due consideration. A draft agreement is attached (Annex II) that addresses the legal, managerial and administrative aspects of the proposed Centre. The draft agreement for the proposed Centre has been elaborated through a process of consultation between the Libyan Government Authorities and the UNESCO Secretariat.

14. The Director-General welcomes the proposed establishment of the Regional Centre in Libya. He recognizes that the establishment of such a regional centre under the auspices of UNESCO could only be of benefit to UNESCO, the international community and the Libyan Arab Jamahiriya. The Centre would be established in line with the guiding principles for UNESCO's strategy for water centres as delineated by the IHP Council (IHP/IC-XVII/8 – July 2006). The strategy is currently under preparation and shall be presented to the Bureau of the IHP Intergovernmental Council for its consideration in June 2007. Furthermore, the Centre would be in conformity with document 33 C/19 relating to the principles and guidelines for the establishment and functioning of institutes and centres under the auspices of UNESCO (category 1 and 2) as approved by the General Conference in 33 C/Resolution 90.

#### **Proposed draft decision**

15. In the light of the above report, the Executive Board may wish to consider a decision along the following lines:

The Executive Board,

1. Recalling 33 C/Resolution 90 and 175 EX/Decision 11,
2. Further recalling resolution XV-10 adopted at the 15th session of the IHP Council in June 2002 (Annex I),
3. Having examined document 176 EX/14 and its Annexes,
4. Welcomes the proposal of the Government of the Libyan Arab Jamahiriya to establish the Regional Centre for Shared Aquifer Resources Management under the auspices of UNESCO, and requests that it ensure that it is in line with the guiding principles for UNESCO's strategy for water centres as delineated by the IHP Council (IHP/IC-XVII/8 – July 2006) which shall form the basis for the strategy for UNESCO water centres currently under preparation that will be considered by the Bureau of the IHP Intergovernmental Council in June 2007, as well as in conformity with document 33 C/19 relating to the principles and guidelines for the establishment and functioning of institutes and centres under the auspices of UNESCO (category 1 and 2) as approved by the General Conference in 33 C/Resolution 90,
5. Recommends to the General Conference at its 34th session that it approve the establishment of the Regional Centre for Shared Aquifer Resources Management (RCSARM) in Tripoli, Libyan Arab Jamahiriya, as a centre under the auspices of UNESCO (category 2), and to authorize the Director-General to sign the Agreement presented in Annex II to document 176 EX/14, in accordance with paragraph 4.

## ANNEX I

### RESOLUTION XV-10

#### REGIONAL CENTRE FOR THE MANAGEMENT OF SHARED GROUNDWATER RESOURCES UNDER THE AUSPICES OF UNESCO AND WMO

The Intergovernmental Council of the International Hydrological Programme of UNESCO

- Noting**
- i. that water scarcity in most countries implies a serious threat to sustainable and balanced socio-economic growth,
  - ii. the increasing dependence on groundwater resources and in particular the development of shared groundwater resources, which require more emphasis on their study and assessment,
- Acknowledging**
- that, for more than three decades, Libya has been very active in cooperating with neighbouring countries for establishing joint management regulations with the assistance from international organizations and, at present, all shared aquifers in Libya are being managed by joint commissions, bilateral and multilateral committees and joint regional study projects,
- Noting with satisfaction**
- that Libya proposes to create and to host in Tripoli a Regional Centre for the Management of Shared Groundwater Resources under the auspices of UNESCO with the aim of:
- i. coordinating with IGRAC,
  - ii. assisting countries to implement joint management through the strengthening of their respective institutions, building capacities, raising awareness, encouraging investment and supportive legal frameworks,
  - iii. conducting inventories of shared aquifers following the guidelines of the ISARM framework document,
  - iv. preparing policy guidelines for sound and sustainable development of shared aquifers,
- Requests**
- UNESCO's assistance in preparing the documentation to be submitted to the governing bodies of UNESCO towards the creation of this Centre according to 21 C/36 Section B(ii),
- Invites**
- Member States and in particular the existing UNESCO network of centres and institutes which address relevant groundwater issues, especially at the regional level, to lend active support to the proposed Centre.

## ANNEX II

### DRAFT AGREEMENT BETWEEN THE GOVERNMENT OF THE LIBYAN ARAB JAMAYIRIA AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

### CONCERNING THE ESTABLISHMENT AND OPERATION OF THE REGIONAL CENTRE FOR SHARED AQUIFER RESOURCES MANAGEMENT (RCSARM) IN TRIPOLI, LIBYA

#### Preamble

Bearing in mind the Constitution of the United Nations Educational, Scientific and Cultural Organization, adopted on 16 November 1945,

Considering that, at the International Workshop on Managing Shared Aquifer Resources in Africa, held in Tripoli, Libya, in June 2002 the representatives of the African countries and related institutions identified and presented information on about 40 of the principal shared aquifers in the region and recommended that consideration be given to the feasibility of setting-up a regional Centre on the management of transboundary aquifers,

Also considering that in response to an initial proposal by the Government of Libya to establish on its territory a regional centre for the study and assessment of the African region's shared aquifer resources placed under the auspices of UNESCO, the 15th session of the Intergovernmental Council of the International Hydrological Programme (IHP) adopted Resolution XV-10 in June 2002 welcoming the establishment of the Centre,

Bearing in mind that the Government of Libya has already taken effective steps to provide the necessary facilities for the Centre,

Considering that the Director-General of UNESCO has been authorized by the General Conference of UNESCO to conclude with the Government of the Libyan Arab Jamahiriya an agreement in conformity with the draft which was submitted to the General Conference.

Desirous of defining the terms and conditions governing the contribution that shall be granted to the said centre in this Agreement,

Have agreed as follows:

#### **Article 1** **Interpretation**

In this Agreement, "UNESCO" refers to the United Nations Educational, Scientific and Cultural Organization and the Government of Libya is hereinafter referred to as "the Government",

#### **Article 2** **Establishment**

The Government shall agree to take any measures that may be required for the establishment of the Regional Centre for Shared Aquifer Resources Management (RCSARM) Centre (hereinafter referred to as "the Centre") located in the premises of the General Water Authority (hereinafter referred to as GWA) in Tripoli, Libya as provided for under this Agreement.

### **Article 3 Participation**

1. The Centre shall be an autonomous institution at the service of Member States of the Organization which, by their common interest in the objectives of the Centre's activities in the sustainable development of groundwater resources, desire to cooperate with the Centre through their respective UNESCO's International Hydrological Programme (IHP) National Committees.

2. Member States of UNESCO wishing to participate in the Centre's activities, as provided under this Agreement shall send the Director-General of UNESCO notification to this effect. The Director-General shall inform the Centre and the Member States mentioned above of the receipt of such notifications.

### **Article 4 Purpose of the agreement**

The purpose of this agreement is to define the terms and conditions governing collaboration between UNESCO and the Government concerned and also the rights and obligations stemming therefrom for the parties.

### **Article 5 Juridical personality**

The Centre shall enjoy on the territory of the Libyan Arab Jamahiriya the personality and legal capacity necessary for the exercise of its functions, in particular the capacity:

- to contract;
- to institute legal proceedings;
- to acquire and dispose of movable and immovable property.

### **Article 6 Constitution**

The Constitution of the Centre shall include provisions concerning:

- (i) legal status granting to the Centre, under national legislation, the autonomous legal capacity necessary to exercise its functions and to receive subventions, obtain payments for services rendered, and acquire all necessary means;
- (ii) a governing structure for the Centre allowing UNESCO representation within its governing body.

### **Article 7 Objectives and functions**

1. The mission of the Centre is to contribute to the strengthening of the capacity in groundwater resources management in the region and in particular on regional shared groundwater management issues, with the emphasis on Arab States and Africa:

- To promote cooperation on multidisciplinary research and compilation of case studies on shared groundwater management in the region involving international institutions and networks, especially those under the UNESCO/IHP and WMO auspices.

- To undertake capacity-building on integrated water and agriculture management within the African region at institutional, professional and educational level including awareness-raising activities to the general public and to specific targeted audiences.
  - To seek and respond to invitations to cooperation with international institutions and centres and to advance and keep updated information and methodology in the field of shared groundwater management. The Centre will put particular emphasis on developing countries, in order to support sustainable utilization and management of the groundwater resources, to promote the role of groundwater in integrated water resources planning and to elucidate climate change adaptation measures, and drought and floods mitigation.
2. The Centre shall pursue the above objectives and perform the above-mentioned functions in close coordination with the Organization's programmes on water resources.
3. The Centre's capability to perform the above functions will depend on the extent to which international and regional support can be mobilized.

### **Article 8 Governing Board**

The Centre shall be guided and supervised by a Governing Board composed of:

1. Permanent members as follows:
  - (a) The Minister of Agriculture or his/her representative;
  - (b) The Minister of Education (to which the UNESCO National Commission reports) or his/her representative;
  - (c) A representative of the Sector of Scientific Research reporting directly to the Cabinet;
  - (d) The Director-General of the General Water Authority or his/her representative;
  - (e) A representative of the Great Man-Made River Authority;
  - (f) A representative of the Director-General of UNESCO.
2. Temporary members as follows: according to the decision of the representatives of the Governing Board a seat shall be accorded to a limited number of Member States from the region who have sent notification to the Director-General of UNESCO and who make a substantial contribution to the annual budget or running of the Centre.
3. The Governing Board shall:
  - (a) approve the long-term and medium-term programmes of the Centre;
  - (b) approve the annual work plan and budget of the Centre, including the staffing table;
  - (c) examine the annual reports submitted by the Director of the Centre;
  - (d) issue the rules and regulations and determine the financial, administrative and personnel management procedures of the Centre;
  - (e) decide on the participation of regional intergovernmental organizations and international organizations in the work of the Centre.

4. The Governing Board shall meet in ordinary session at regular intervals, at least once every calendar year; it shall meet in extraordinary session if convened by its Chairperson, either on his or her own initiative, or at the request of the Director-General of UNESCO.
5. The Governing Board shall adopt its own rules of procedure. For its first meeting the procedure shall be established by the Government and UNESCO.
6. The Chairperson of the Governing Board will be the representative of the Minister of Agriculture.
7. The Governing Board shall establish the term and the indicators for the evaluation of the Centre and appoint the evaluators.

#### **Article 9 Executive Committee**

In order to ensure the effective running of the Centre between its sessions, the Governing Board may delegate to a standing Executive Committee, whose membership it fixes, such powers as it deems necessary.

#### **Article 10 Technical Advisory Committee**

1. The Governing Board will request technical advice from a Technical Advisory Committee (TAC).
2. The TAC will be composed of:
  - (a) six members selected in representation of the IHP National Committees of the region. They will be identified by the IHP Council and appointed every four years on a rotational basis by the Governing Board,
  - (b) representatives of other Member States and international experts shall also be invited. They will be identified from the UNESCO IHP Shared Aquifer Resources Management (ISARM) project network. Representatives of relevant national, regional, international institutions, associations and water-related United Nations agencies can also be invited.

The regional representatives will be identified by UNESCO's IHP Council through their respective UNESCO IHP National Committees and shall be appointed for a period of four years on a rotational basis by the Governing Board. The six regional representatives will contribute in identifying regional and local activities that may require specific expertise from the Centre. When needed, the representatives of the other national, regional and international institutions will be invited by the Director of the Centre in consultation with the Governing Board to receive advice to broaden the scope of the services provided by the Centre, carry out its projects and activities, expand the Centre's fund-raising strategy and strengthen its capacities.

#### **Article 11 Secretariat**

1. The Centre's secretariat shall consist of a Director and such staff as is necessary for the proper functioning of the Centre.
2. The Director shall be appointed by the Chairperson of the Governing Board in consultation with the UNESCO Director-General.
3. The other members of the Secretariat may comprise:

- (a) members of UNESCO's staff who would be temporarily seconded and made available to the Centre, as provided for by UNESCO's regulations and by the decisions of its governing bodies;
- (b) any person appointed by the Director, in accordance with the procedures laid down by the Governing Board;
- (c) Government officials who may be made available to the Centre, as provided by the Government's regulations.

### **Article 12 Duties of the Director**

The Director shall discharge the following duties:

- (a) direct the work of the Centre in conformity with programmes and directives established by the Governing Board;
- (b) propose the draft work plan and budget to be submitted to the Governing Board for approval;
- (c) prepare the provisional agenda for the sessions for the Governing Board and submit to it any proposals that he or she may deem useful for the administration for the Centre;
- (d) prepare reports on the Centre's activities to be submitted to the Governing Board;
- (e) represent the Centre in law and in all civil acts.

### **Article 13 Contribution of UNESCO**

1. UNESCO shall provide the technical assistance required to formulate the Centre's short-term, mid-term and long-term programmes.
2. In conformity with the relevant policies of the IHP Intergovernmental Council, UNESCO's IHP may collaborate with the Centre for the implementation of the IHP ISARM Project in the region and agreed water-resources activities of relevance to the IHP within the framework of its regular biennial budget and programmes, particularly those appropriate to reinforce its start-up period.
3. The Organization will encourage international governmental and non-governmental financial entities, as well as Member States of the Organization, to provide financial and technical assistance and to propose appropriate projects to the Centre and will facilitate contacts with other international organizations relevant to the functions of the Centre.
4. The Organization will provide the Centre with IHP publications and other pertinent material, and will disseminate information on the activities of the Centre through the IHP website, newsletters and other mechanisms at its disposal.
5. The Organization will participate, when appropriate, in scientific, technical and training meetings held by the Centre.
6. UNESCO may only contribute financially to concrete activities of the Centre if those are deemed in line with UNESCO's IHP programme priorities. UNESCO will not provide financial support for administrative or institutional purposes.

#### **Article 14 Contribution of the Government**

The Government shall provide all the resources either financial or in kind needed for the administration and proper functioning of the Centre. The Government of the Libyan Arab Jamahiriya shall provide financial resources for the implementation of the programme and the activities of the Centre. The Government shall entirely assume the maintenance of the premises and make available the administrative and technical staff necessary for the performance of its functions.

#### **Article 15 Other conditions**

1. Assistance by the Organization shall not preclude the Government from receiving additional assistance from other United Nations Agencies or Member States of the Organization, whether under unilateral action or bilateral agreements with the Government, or from private foundations.
2. The Government shall inform and consult the Organization regarding assistance described in the preceding paragraph.

#### **Article 16 Responsibility**

As the Centre is legally separate from the Organization, the latter shall not be legally responsible for it and shall bear no liabilities of any kind, be they financial or otherwise, with the exception of the provisions expressly laid down in this Agreement.

#### **Article 17 Evaluation**

1. UNESCO and the Government jointly and/or separately may, at any time, carry out an evaluation of the activities of the Centre in order to check:
  - whether the Centre makes an important contribution to the strategic goals of UNESCO;
  - whether the activities effectively pursued by the Centre are in conformity with those set out in this Agreement.
2. UNESCO and the Government shall agree to submit to the Governing Board of the Centre, at the earliest opportunity, a report on any evaluation.
3. Each of the contracting parties shall reserve the option of denouncing this Agreement or of requesting a revision of its contents, following the results of an evaluation.

#### **Article 18 Use of UNESCO name and logo**

1. The Centre may mention its affiliation with the Organization. It may therefore use after its title the mention "under the auspices of UNESCO".
2. The Centre is authorized to use UNESCO's logo or a version thereof on its letter-headed paper and documents in accordance with the conditions established by the governing bodies of UNESCO.

**Article 19**  
**Entry into force**

This Agreement shall enter into force, following its signature by the contracting parties when they have informed each other in writing that all the formalities required to that effect by the domestic law of the country and by UNESCO's internal regulations have been completed. The date of receipt of the last notification shall be deemed to be the date of entry into force of this Agreement.

**Article 20**  
**Duration**

This agreement is concluded for a period of ten years as from its entry into force, and may be tacitly renewed.

**Article 21**  
**Final clauses**

1. Notwithstanding the above, both UNESCO and the Government shall be entitled to denunciate this Agreement unilaterally upon written notice to the other Party, in which case the Agreement shall end ninety (90) days after the date of receipt of such a notification. Nevertheless, the denunciation shall not affect the obligations established under this Agreement and entered into by the Parties which have not been fulfilled on the date of notification mentioned above.
2. This Agreement may be revised by consent between the Government and UNESCO.
3. Any dispute between UNESCO and the Government concerning the interpretation or application of this Agreement, if not settled by negotiation or any other appropriate method agreed to by the parties, shall be submitted for final decision to an arbitration tribunal composed of three members, one of whom shall be appointed by a representative of the Government, another by the Director-General of UNESCO, and a third, who shall preside over the tribunal, shall be chosen by the first two. If the two arbitrators cannot agree on the choice of a third, the appointment shall be made by the President of the International Court of Justice. The Tribunal's decision shall be final.
4. The obligations entered into by UNESCO and the Government under this Agreement shall be respected beyond the term of the Agreement in as much as required by the commitments made with respect to the withdrawal of the Organization's personnel, funds and property and the settlement of accounts between the Parties to this Agreement.

Done in Paris on ..... 2007, in two original copies,

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For the United Nations Educational,  
Scientific and Cultural Organization

.....  
For the Government of Libya