



United Nations
Educational, Scientific and
Cultural Organization

Executive Board

Hundred and eightieth session

180 EX/28

PARIS, 3 October 2008
Original: English

Item 28 of the provisional agenda

CONSIDERATION OF THE PROCEDURE TO BE FOLLOWED FOR THE NOMINATION OF THE DIRECTOR-GENERAL OF THE ORGANIZATION

SUMMARY

The Executive Board is required, pursuant to Rule 58 of its Rules of Procedure, to set in motion the procedure for the nomination of the Director-General and therefore needs, at the present session, to examine the proposal of the Chairman contained herein, together with other confidential details provided in document 180 EX/PRIV.1 Rev. and 180 EX/PRIV.3 (Draft contract of the Director-General), to initiate the required action.

1. The Director-General, Mr Koïchiro Matsuura, was appointed by the General Conference at its 33rd session (2005) for a second term of office of four years, which will expire on 14 November 2009.
2. The provisions concerning the appointment of the Director-General, which appear in Article VI, paragraph 2, of the Constitution, are as follows:

“2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of four years, under such conditions as the Conference may approve. The Director-General may be appointed for a further term of four years but shall not be eligible for reappointment for a subsequent term. The Director-General shall be the chief administrative officer of the Organization.”
3. Under the Constitution it devolves on the Executive Board to nominate a candidate for the important functions of the post and to submit his or her name to the General Conference.
4. The procedure to be followed is set out in Rule 58 of the Rules of Procedure, which stipulates, *inter alia*, that at least six months before the expiry of the term of office of the Director-General the Board shall invite Member States to send it, confidentially, the names and full biographical details of persons who might be considered for the post of Director-General.
5. For this purpose, annexed to this document are the constitutional provisions and rules governing the appointment of the Director-General (Annex).

6. The Chairman intends to propose to the Executive Board the following procedure:
- (a) Immediately after the end of the 180th session, the Chairman would dispatch to Member States a letter inviting them to submit to him confidentially, by 31 May 2009 at the latest, the names of candidates for the post of Director-General, together with full biographical details. This letter (Appendix) would contain two annexes setting out the relevant Rules of Procedure of the General Conference and of the Executive Board (Annex A) and the draft contract established on the basis of the contract currently in force between the United Nations Educational, Scientific and Cultural Organization and the Director-General (Annex B), to be found in document 180 EX/PRIV.3.
 - (b) Communication to Member States and Members of the Executive Board (confidentially) of the list of names suggested, by the first week of June 2009 at the latest.
 - (c) The Chairman of the Executive Board will invite the candidates to submit to the Board the text setting out their vision for UNESCO, by 1 August 2009 at the latest. The text should not exceed 2,000 words in English or in French.
 - (d) At the 182nd session (the session preceding the 35th session of the General Conference), consideration by the Executive Board in private meeting of the names put forward, pursuant to paragraphs 2 and 3 of Rule 58 of the Rules of Procedure. The Board would interview the candidates before consideration in private meeting of the designation of the candidate whom it would recommend to the General Conference. The interviews with the candidates would be simultaneously video broadcast in Room XI, access to which would be limited to one representative from each Member State of UNESCO not a Member of the Executive Board, pursuant to Rule 29, paragraph 1, of the Rules of Procedure of the Executive Board.
 - (e) The candidate to be proposed by the Executive Board to the General Conference would be chosen by secret ballot by the Board pursuant to paragraph 1 of Rule 54 and paragraph 3 of Rule 58 of the Rules of Procedure of the Board.
 - (f) The Board would inform the General Conference of the name of the candidate nominated by the Board pursuant to paragraph 4 of Rule 58 of the Rules of Procedure and submit to the General Conference a draft contract establishing the terms of appointment, salary, allowances and status of the Director-General.
7. The Board is invited to consider and approve, at its 180th session, the draft letter (Appendix) containing two annexes that the Chairman intends to send to all Member States inviting them to submit to him confidentially, by 31 May 2009 at the latest, the names and detailed biographies of the candidates who might be considered for the post of Director-General and to inform them of the procedure proposed in paragraph 6 above regarding other steps to be taken preparatory to the appointment of the Director-General by the General Conference at its 35th session.

ANNEX

PROVISIONS OF THE CONSTITUTION AND RULES OF PROCEDURE RELATING TO THE APPOINTMENT OF THE DIRECTOR-GENERAL

A. CONSTITUTION

Article IV, paragraph B.7

“The General Conference shall elect the Members of the Executive Board and, on the recommendation of the Board, shall appoint the Director-General.”

Article VI, paragraphs 1 and 2

- “1. The Secretariat shall consist of a Director-General and such staff as may be required.
2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of four years, under such conditions as the Conference may approve. The Director-General may be appointed for a further term of four years but shall not be eligible for reappointment for a subsequent term. The Director-General shall be the chief administrative officer of the Organization.”

B. RULES OF PROCEDURE OF THE GENERAL CONFERENCE

“Chapter XIX – Appointment of the Director-General

Rule 105 – Nomination by the Executive Board

After discussion at a private meeting, the Executive Board shall submit for approval by the General Conference a nomination for the post of the Director-General of the Organization. It shall submit at the same time a draft contract establishing the terms of appointment, salary, allowances and status of the Director-General.

Rule 106 – Vote on the nomination

The General Conference shall consider this nomination and the draft contract at a private meeting and shall then come to a decision by secret ballot.

Rule 107 – Subsequent nominations

Should the General Conference fail to elect the person proposed by the Executive Board, the Executive Board shall submit another name within forty-eight hours.

Rule 108 – Contract of appointment

The contract shall be signed jointly by the Director-General and the President of the General Conference acting in the name of the Organization.”

C. RULES OF PROCEDURE OF THE EXECUTIVE BOARD

“Rule 58 – Nomination of Director-General

1. At least six months before the expiry of the term of office of the Director-General or as soon as possible in case of vacancy at any other time, the Executive Board shall invite Member States

to suggest, confidentially, the names of persons who might be considered for the post of Director-General, requesting them at the same time to provide full biographical details regarding these persons.

2. The Executive Board shall consider in private meeting all the names so suggested, together with any proposed by Members of the Board, provided that no candidature shall be considered unless biographical details are available.

3. The person to be nominated by the Executive Board shall be chosen by secret ballot.

4. The Chairman of the Board shall inform the General Conference of the candidate nominated by the Board.”

APPENDIX

DRAFT OF THE LETTER TO BE SENT TO MEMBER STATES AFTER THE 180th SESSION

Reference: CL/SCX ...

24 October 2008

Sir/Madam,

The General Conference, at its 33rd session, appointed Mr Koïchiro Matsuura Director-General of the United Nations Educational, Scientific and Cultural Organization for a second term of office of four years from 15 November 2005 (33 C/Resolution 07). This term of office will therefore end on 14 November 2009.

The provisions concerning the appointment of the Director-General, which appear in Article VI, paragraph 2, of the Constitution, are as follows:

"2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of four years, under such conditions as the Conference may approve. The Director-General may be appointed for a further term of four years but shall not be eligible for reappointment for a subsequent term. The Director-General shall be the chief administrative officer of the Organization."

Further, the Rules of Procedure of the General Conference and the Rules of Procedure of the Executive Board contain provisions relating to this matter, which are reproduced in Annex A.

To give effect to the above-mentioned constitutional provisions and regulations the Executive Board, at its 180th session (30 September-17 October 2008), instructed me forthwith to invite the Governments of all Member States to communicate to it confidentially the names and biographical details of persons who could be considered as candidates for the post of Director-General. The Board will be very grateful if your Government is able to assist it in this connection by suggesting the names of persons, not necessarily restricted to nationals of your country, who might be considered to possess the necessary qualifications.

As my predecessors have done before, in similar circumstances, I have the honour to recommend respectfully that the Governments of Member States take account of personal, professional and administrative qualities in the careers of candidates whom they wish to propose, which are likely to qualify them for the discharge of international duties at a high level. Vision, responsibility, objectivity, equanimity and ability to resist all pressure are foremost among these qualities.

In doing so, Member States may be invited to recall UNESCO's mission most recently set out in document 34 C/4: "As a specialized agency of the United Nations, UNESCO contributes to the building of peace, the eradication of poverty, sustainable development and intercultural dialogue through education, the sciences, culture, communication and information."

In facing the challenges of the new millennium, it is important to highlight the personal qualities required for the UNESCO Director-General. The point of departure is that the General Conference, in the interests of all Member States, should appoint the best person for the post who should have the following qualities:

- leadership and proven administrative and management skills;*
- a strong commitment to all the objectives of the Organization;*
- a visionary and active approach to the role of UNESCO in the community of nations;*
- good knowledge of the United Nations system;*
- commitment to the highest moral and ethical standards;*

- *strong communication skills so as to develop effective internal and external communication strategies, vision and objectives for the Organization;*
- *empathy and sensitivity to civil society as an important UNESCO constituency by utilizing, as appropriate, the existing structures and in particular the National Commissions for UNESCO.*

The above reflects the duties and responsibilities of the Director-General as envisaged in Article VI of UNESCO's Constitution. It should be noted that, according to the Constitution, "the responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might prejudice their positions as international officials. Each State Member of the Organization undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties".

Attached for your information is a draft contract based on the contract approved by the General Conference in 33 C/Resolution 07 at the time of the appointment of Mr Koïchiro Matsuura (Annex B). The Executive Board may amend this draft contract before submitting it to the General Conference, which is obviously at liberty to modify the conditions thereof.*

It should be borne in mind that the seat of the Organization is in Paris and that the usual working languages of the Secretariat are English and French.

It is intended to continue the procedure established in 1999 when the Executive Board introduced interviews of candidates into the procedure for the nomination of the Director-General. The Executive Board has suggested the following procedure:

- *each candidate may make a presentation ranging from 15 to 25 minutes;*
- *in response to objective questions by Board Members to the different candidates, replies to each question should not exceed five minutes.*

The Executive Board attaches the utmost importance to the nominations made by Governments being treated as strictly confidential. For this reason, they should be sent, under registered cover marked "Personal and confidential", to the Chair of the Executive Board, at the following address: UNESCO, 7 place de Fontenoy, 75352 Paris 07 SP.

To enable them to be better known by the Board and to give them the opportunity to set out their vision for UNESCO, I will invite the candidates to submit to the Executive Board, no later than 1 August 2009, a text not exceeding 2,000 words, in English or in French. Furthermore, the Board will interview all the candidates at its 182nd session, to be held in September 2009.

In the opinion of the Executive Board, the Member States' replies must reach me at the latest by 31 May 2009, so that I could make a public statement on these candidatures no later than 8 June 2009.

No candidatures will be accepted beyond the deadline of 31 May 2009.

Accept, Sir/Madam, the assurances of my highest consideration.

Olabiyi Babalola Joseph Yai

cc: *Permanent Delegations to UNESCO
Executive Board Members*

* Draft contract contained in document 180 EX/PRIV.3.

ANNEX A

RULES OF PROCEDURE OF THE GENERAL CONFERENCE

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Rule 108 – Contract of appointment

The contract shall be signed jointly by the Director-General and the President of the General Conference acting in the name of the Organization.”

RULES OF PROCEDURE OF THE EXECUTIVE BOARD

“Rule 58 – Nomination of Director-General

1. *At least six months before the expiry of the term of office of the Director-General or as soon as possible in case of vacancy at any other time, the Executive Board shall invite Member States to suggest, confidentially, the names of persons who might be considered for the post of Director-General, requesting them at the same time to provide full biographical details regarding these persons.*

2. *The Executive Board shall consider in private meeting all the names so suggested, together with any proposed by Members of the Board, provided that no candidature shall be considered unless biographical details are available.*

3. *The person to be nominated by the Executive Board shall be chosen by secret ballot.*

4. *The Chairman of the Board shall inform the General Conference of the candidate nominated by the Board.”*

ANNEX B

Draft contract contained in document 180 EX/PRIV.3