

ARTICLE XII.

Legal status of the Organisation

The provisions of Articles 104 and 105 of the Charter of the United Nations Organisation concerning the legal status of that Organisation, its privileges and immunities shall apply in the same way to this Organisation.

ARTICLE XIII.

Amendments

1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority; provided, however, that those amendments which involve fundamental alterations in the aims of the Organisation or new obligations for the Member States shall require subsequent acceptance on the part of two-thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated by the Director-General to the Member States at least six months in advance of their consideration by the General Conference.

2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this Article.

ARTICLE XIV.

Interpretation

1. The English and French texts of this Constitution shall be regarded as equally authoritative.

2. Any question or dispute concerning the interpretation of this Constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its rules of procedure.

ARTICLE XV.

Entry into force

1. This Constitution shall be subject to acceptance. The instruments of acceptance shall be deposited with the Government of the United Kingdom.

2. This Constitution shall remain open for signature in the archives of the Government of the United Kingdom. Signature may take place either before or after the deposit of the instrument of acceptance. No acceptance shall be valid unless preceded or followed by signature.

3. This Constitution shall come into force when it has been accepted by twenty of its signatories. Subsequent acceptances shall take effect immediately.

4. The Government of the United Kingdom will inform all members of the United Nations of the receipt of all instruments of acceptance and of the date on which the Constitution comes into force in accordance with the preceding paragraph.

In faith whereof, the undersigned, duly authorised to that effect, have signed this Constitution in the English and French languages, both texts being equally authentic.

Done in London the sixteenth day of November, 1945 in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the Governments of all the Members of the United Nations.

[Here follow the signatures of the heads of the delegations.]

§ 287n. Representatives in General Conference; number; citizenship; compensation

The President by and with the consent of the Senate shall designate from time to time to attend a specified session or specified sessions of the General Conference of the Organization not to exceed five representatives of the United States and such number of alternates not to ex-

ceed five as he may determine consistent with the rules of procedure of the General Conference: *Provided, however,* That each such representative and each such alternate must be an American citizen. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at such rates provided for members of the Senior Foreign Service under section 3962 of this title, or provided for Foreign Service officers under section 3963 of this title, as the President may determine, for such periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Whenever a representative of the United States is elected by the General Conference to serve on the Executive Board, or is elected President of the General Conference and thus becomes an ex officio adviser to the Executive Board, under provision of article V of the constitution of the Organization, the President may extend the above provisions for compensation to such representative during periods of service in connection with the Executive Board.

(July 30, 1946, ch. 700, § 2, 60 Stat. 712; July 31, 1956, ch. 804, title I, § 112, 70 Stat. 740; Pub. L. 88-426, title III, §§ 305(1), 306(g), Aug. 14, 1964, 78 Stat. 422, 430; Pub. L. 96-465, title II, § 2206(a)(3), Oct. 17, 1980, 94 Stat. 2161.)

Editorial Notes

REFERENCES IN TEXT

Article V of the constitution of the Organization, referred to in text, is article V of the Constitution of the United Nations Educational, Scientific, and Cultural Organization, which is set out as a note under section 287m of this title.

AMENDMENTS

1980—Pub. L. 96-465 substituted “members of the Senior Foreign Service under section 3962 of this title, or provided for Foreign Service officers under section 3963 of this title,” for “Foreign Service officers in the schedule contained in section 867 of this title.”

1964—Pub. L. 88-426, § 306(g), substituted provisions permitting payment of compensation at such rates provided for Foreign Service officers in the schedule contained in section 867 of this title for provisions which limited compensation at not more than \$15,000 per annum.

1956—Act July 31, 1956, increased maximum compensation of representatives and alternatives from \$12,000 to \$15,000.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective on first day of first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

REPEALS

Section 112 of act July 31, 1956, cited as a credit to this section, was repealed by section 305(1) of Pub. L. 88-426.

§ 287o. National Commission on Educational, Scientific, and Cultural Cooperation; membership; meetings; expenses

In fulfillment of article VII of the constitution of the Organization, the Secretary of State shall cause to be organized a National Commission on Educational, Scientific, and Cultural Corporation¹ of not to exceed one hundred members. Such Commission shall be appointed by the Secretary of State and shall consist of (a) not more than sixty representatives of principal national, voluntary organizations interested in educational, scientific, and cultural matters; and (b) not more than forty outstanding persons selected by the Secretary of State, including not more than ten persons holding office under or employed by the Government of the United States, not more than fifteen representatives of the educational, scientific, and cultural interests of State and local governments, and not more than fifteen persons chosen at large. The Secretary of State is authorized to name in the first instance fifty of the principal national voluntary organizations, each of which shall be invited to designate one representative for appointment to the National Commission. Thereafter, the National Commission shall periodically review and, if deemed advisable, revise the list of such organizations designating representatives in order to achieve a desirable rotation among organizations represented. To constitute the initial Commission, one-third of the members shall be appointed to serve for a term of one year, one-third for a term of two years, and one-third or the remainder thereof for a term of three years; from thence on following, all members shall be appointed for a term of three years each, but no member shall serve more than two consecutive terms. The National Commission shall meet at least once annually. The National Commission shall designate from among its members an executive committee, and may designate such other committees as may prove necessary, to consult with the Department of State and to perform such other functions as the National Commission shall delegate to them. No member of the National Commission shall be allowed any salary or other compensation for services: *Provided, however,* That he may be paid transportation and other expenses as authorized by section 5703 of title 5. The Department of State is authorized to provide the necessary secretariat for the Commission.

(July 30, 1946, ch. 700, § 3, 60 Stat. 713; Pub. L. 87-139, § 9, Aug. 14, 1961, 75 Stat. 341.)

Editorial Notes

REFERENCES IN TEXT

Article VII of the constitution of the Organization, referred to in text, is article VII of the Constitution of the United Nations Educational, Scientific, and Cultural Organization, which is set out as a note under section 287m of this title.

¹ So in original. Probably should be "Cooperation".

CODIFICATION

"Section 5703 of title 5" substituted in text for "section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2)" on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1961—Pub. L. 87-139 substituted provisions for payment of transportation and other expenses as authorized by section 5703 of title 5, for provisions authorizing payment of actual transportation expenses plus a \$10 maximum per diem.

§ 287p. Citizenship of members

Each such member of the National Commission must be an American citizen.

(July 30, 1946, ch. 700, § 4, 60 Stat. 713.)

§ 287q. General and special conferences; expenses; acceptance of services and gifts or bequests of money or materials

The National Commission shall call general conferences for the discussion of matters relating to the activities of the Organization, to which conferences organized bodies actively interested in such matters shall be invited to send representatives: *Provided, however,* That the travel and maintenance of such representation shall be without expense to the Government. Such general conferences shall be held annually or biennially, as the National Commission may determine, and in such places as it may designate. They shall be attended so far as possible by the members of the National Commission and by the delegates of the United States to the General Conference of the Organization. The National Commission is further authorized to call special conferences of experts for the consideration of specific matters relating to the Organization by persons of specialized competences. The Department of State may pay their transportation and other expenses as authorized by section 5703 of title 5, for the period of actual attendance and of necessary travel. The National Commission is further authorized to receive and accept services and gifts or bequests of money or materials to carry out any of the educational, scientific, or cultural purposes of the National Commission as set forth in this subchapter and in the constitution of the Organization. Any money so received shall be held by the Secretary of State and shall be subject to disbursement through the disbursement facilities of the Treasury Department as the terms of the gift or bequest may require and shall remain available for expenditure by grant or otherwise until expended: *Provided,* That no such gift or bequest may be accepted or disbursed if the terms thereof are inconsistent with the purposes of the National Commission as set forth in this subchapter and in the constitution of the Organization. Gifts or bequests provided for herein shall, for the purposes of Federal income, estate, and gift taxes, be deemed to be a gift to or for the United States. The National Commission and Secretary of State shall submit to Congress annual reports of receipts and expenditures of