

AGREEMENT

BETWEEN

THE UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION  
(UNESCO)

AND

THE GOVERNMENT OF THE KINGDOM OF BAHRAIN

REGARDING THE ESTABLISHMENT IN BAHRAIN  
OF THE "ARAB REGIONAL CENTRE FOR WORLD HERITAGE" – (ARC-WH)

UNESCO Headquarters  
5 February 2010

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The United Nations Educational, Scientific and Cultural Organization (UNESCO) on the one hand, and the Government of the Kingdom of Bahrain on the other hand,

Having regard to the resolution whereby the UNESCO General Conference seeks to favour international cooperation in respect of the establishment in Bahrain of the **Arab Regional Centre for World Heritage (ARC-WH)**, as a category 2 Center under the auspices of UNESCO, Document number 35 C/20, dated 17 July, 2009, adopted by the General Conference of UNESCO in October 2009 (35/C/Resolution 53),

Considering that the Director-General has been authorized by the General Conference in the aforementioned Resolution to conclude with the Government of the Kingdom of Bahrain the present agreement,

With a view of defining the terms and conditions governing the establishment and the operation of the aforementioned Centre,

HAVE AGREED AS FOLLOWS:

*Article I – Definitions*

In this Agreement:

"UNESCO" refers to the United Nations Educational, Scientific and Cultural Organization;

"Government" means the Government of the Kingdom of Bahrain;

"Centre" means the Arab Regional Centre for World Heritage (ARC-WH) in the Kingdom of Bahrain;

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“World Heritage Convention” refers to the Convention concerning the Protection of the World Cultural and Natural Heritage adopted by the UNESCO General Conference at its 17th session on 16 November 1972.

“Arab States region” refers to the following Member States: Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

#### *Article II – Establishment*

The Government agrees to take, in the course of the year 2010, any measures that may be required for the setting up of the Centre, as provided for under this Agreement.

#### *Article III – Participation*

1. The Centre shall be an autonomous, independent legal entity at the service of Member States and Associate Members of UNESCO which, by their common interest in the objectives of the Centre, desire to cooperate with the Centre.

2. Member States of UNESCO wishing to participate in the Centre’s activities, as provided for 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 IV – 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 V – Juridical personality*

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

- to contract;
- to institute legal proceedings;
- to receive subventions;
- to obtain payments for services rendered;
- to own and dispose of movable and immovable property, and;
- to acquire as necessary, the means to fulfil its mandate.

#### *Article VI – The legal instrument establishing the Centre*

This Agreement – after its entry into force in accordance with Article XX - shall be the

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constitutive act of the Centre and may only be amended by mutual consent of the parties pursuant to Article XXIII of this Agreement.

#### *Article VII – Mission/objectives/functions*

1. The Centre's mission is to strengthen implementation of the 1972 World Heritage Convention in the Arab States region, by strengthening application of the decisions and recommendations of the World Heritage Committee for the benefit of World Heritage sites in the region.

2. To this end, the main objective of the Centre shall be:

- to act as a relay for the action of the World Heritage Centre and its partners in the Arab States region by federating regional energies around the conservation, promotion and presentation of the region's cultural and natural heritage, in order to increase balanced representation of Arab States properties on the World Heritage List, promote better protection and management of such World Heritage properties, mobilize regional and international financial support for these purposes, and raise awareness of World Heritage in the region.

3. In support of these objectives, the main functions of the Centre shall be:

- The provision of information relating to the World Heritage Convention and its application, including development and management of an Arabic language web site, the translation and publication of relevant documents, and promotion of the establishment of new conservation programmes at universities, in all the Arab Region States.
- The provision of assistance to Member States of the Arab States region as defined in Article I to improve their capacity to implement the World Heritage Convention (including understanding of World Heritage policy, concepts, rules of procedure, preparation of tentative lists, preparation of nominations, monitoring of state of conservation, education programmes, etc.) by facilitating organization of appropriate World Heritage training at ARC-WH's premises or anywhere else in the region, and responding to requests for assistance by Member States of the Arab States region as defined in Article I.
- The provision of logistical and financial support for regional activities in support of the World Heritage Convention including hosting of meetings, conferences, training workshops or exhibitions in the region; the identification of appropriate facilities and services (lecture rooms, equipment, competent translators, etc. for planned meetings of UNESCO and other international institutions in the region, and the raising of funds to support World Heritage activities in the region.

4. The Centre shall pursue the above objectives and perform the above functions in close coordination with existing UNESCO entities, initiatives and programmes concerned with the implementation of the World Heritage Convention in the Arab States region.

#### *Article VIII – Governing Board*

1. The Centre shall be guided and supervised by a Governing Board renewed every two years and composed of:

1(a) Members with right to vote:

- The Minister in the Government of the Kingdom of Bahrain with responsibility for Culture, or his/her representative, as Chairperson of the Governing Board;
- A representative of the Ministry of Foreign Affairs of Bahrain;
- A representative of each of the Member States from the "Arab States region" as defined in Article I of the present Agreement, which shall send to the Director-General of UNESCO a notification, in accordance with the stipulations of Article III, paragraph 2, above; these Member States from the "Arab States region" having to be at the same time members of the World Heritage Committee at the moment of the formation of the Governing Board;
- Representatives of a limited number of Member States, which shall send to the Director-General of UNESCO notification, in accordance with the stipulations of Article 3, paragraph 2, above in order to ensure, as far as possible, equitable geographical representation;
- A representative of the Director-General of UNESCO.

1(b) Observers with no right to vote

- A representative of each the Advisory Bodies to the World Heritage Committee .i.e. ICOMOS, IUCN and ICCROM;
- A representative of the Nordic World Heritage Foundation (NWHF);
- A representative of the World Heritage Institute for Training and Research – Asia and the Pacific (WHITR-AP);
- Member States referred to in Article III, paragraph 2, hereof but which are not members of the Governing Board.

2. The composition of the Governing Board may be modified in accordance with the procedures for revision defined in Article XXII of this Agreement.

3. The Governing Board shall:

- a) decide on the participation of regional intergovernmental organizations and international organizations in the work of the Centre as observers with no right to vote;
- b) determine the composition of the Executive Committee, and of the Advisory Committee;
- c) approve the initial development strategy and working methods of the Centre;
- d) approve the long-term and medium-term programmes of the Centre;
- e) approve the annual work plan and budget of the Centre including staffing provisions, infrastructure requirements and operating costs;
- f) examine the annual reports submitted by the Director of the Centre.;

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- g) issue the rules and regulations and determine the financial, administrative and personnel management procedures of the Centre;
  - h) convene special consultative sessions to which it shall invite, in addition to its own members, representatives of other interested countries and international organizations in order to expand the Centre's fundraising strategy and strengthen its capacities to draw up proposals to broaden the scope of the services provided by the Centre, and to carry out its projects and activities.
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 summoned by the Chairperson, either at his/her own initiative or at the request of the Director-General of UNESCO, or at the request of half of its members.
5. The Governing Board shall adopt its own rules and procedures. For its first meeting, the applicable procedures shall be established by the Government and UNESCO.

#### *Article IX – Executive Committee*

1. The Governing Board shall establish the Executive Committee, from among its members, to ensure continuity in day-to-day management of the Centre, between sessions of the Governing Board.
2. The Executive Committee shall be composed of the Chairperson of the Governing Board, the Chairperson of the Advisory Committee, a representative of the Director-General of UNESCO and one to three members from the Governing Board to be determined by the Governing Board.
3. The Director of the Centre, shall participate in the Committee as an ex-officio member without the right to vote.

#### *Article X – Advisory Committee*

1. The Governing Board shall appoint the Chairman and the members of the Advisory Committee from among scientific, technical and legal experts recommended by the competent government authorities of Bahrain, Member States of the Arab States region as defined in article I, by the UNESCO Secretariat and by the Advisory Bodies to the World Heritage Committee so designated under the World Heritage Convention (IUCN, ICOMOS and ICCROM).
2. The Advisory Committee shall provide technical advice for planning, execution, review and monitoring of the programme of the Centre.
3. The Director of the Centre, shall participate in the Advisory Committee as an ex-officio member without the right to vote.

#### *Article XI – Secretariat*

1. The Centre's Secretariat shall consist of a Director and any other staff required for the effective operations of the Centre.

2. The Director shall be appointed by the Chairperson of the Governing Board in consultation with the Director-General of UNESCO.

3. The other members of the Secretariat may include:

- a) members of UNESCO's staff who may be temporarily seconded and made available to the Centre in accordance with UNESCO's relevant regulations and rules and by the decisions of its governing bodies;
- b) any person appointed by the Director of the Centre, in accordance with the procedures laid down by the Governing Board;
- c) officials who are made available to the Centre by the Government of the Kingdom of Bahrain, in accordance with its civil service law and its executive regulation.

#### *Article XII – Duties of the Director of the Centre*

The Director of the Centre shall discharge the following duties:

- a) direct the work of the Centre in conformity with the 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 of the Governing Board, the Executive Committee and the Advisory Committee and submit to them any proposals that he/she may deem useful for the administration of the Centre;
- d) prepare reports on the Centre's activities to be submitted to the Governing Board and UNESCO;
- e) represent the Centre in law and in all its dealings with third parties;
- f) make decisions on technical, financial and/or administrative tools and systems to be used, and logos and standard formats to be utilized;
- g) present and disseminate information related to the Centre;
- h) communicate with any partner relevant to the Centre;
- i) prepare internal regulations for the Centre, for approval by the Governing Board.

#### *Article XIII – Financial arrangements*

1. The Centre's resources shall be allotted by the Government of Bahrain from such contributions as it may receive from States Parties to the World Heritage Convention, from intergovernmental organizations or international non-governmental organizations and from payments for services rendered.

2. The Centre may receive such contributions, along with gifts and legacies, with the approval of the Governing Board, and in accordance with relevant laws and regulations.

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3. The Centre may receive for purposes of project and activity implementation funds allocated by other bodies which reinforce and support the Centre's objectives. Receipt of such funds shall be the subject of agreements for use, management and financial reporting on expenditure among the parties concerned.

4. The Centre may maintain accounts in any currency, hold funds and foreign exchange of any kind and transfer them freely.

#### *Article XIV – Contribution of UNESCO*

1. UNESCO is prepared to provide assistance in the form of technical contributions and advisory services aimed at the rapid setting up of the Centre and its long-term effective and efficient operations, in line with the strategic goals and objectives of UNESCO.

2. UNESCO shall agree to:

- provide the assistance of its experts in the specialized fields of the Centre;
- second temporarily its staff. Such secondment may be decided by the Director-General on an exceptional basis if justified by the implementation of a joint activity/project within a priority area as approved by UNESCO's governing bodies;
- collaborate with the Centre in various programmes which it implements and in which the participation of the latter seems appropriately complementary and necessary, in accordance with its relevant rules and regulations.

3. In all the cases listed above, such contributions shall not be provided unless they have been specifically foreseen and approved in UNESCO's Programme and Budget.

#### *Article XV – Contribution of the Government of Bahrain*

1. The Government of Bahrain agrees to provide the necessary resources, either financially or in kind, needed for the administration and proper functioning of the Centre. In particular it shall:

- make available to the Centre appropriate office space, equipment and facilities;
- cover all communication, utilities and maintenance costs for the Centre, as well as the expenses of holding any and all the sessions of the Governing Board, the Executive Committee, the Advisory Committee;
- make available to the Centre the administrative staff required for the effective performance of its functions;
- contribute to programme activities such as information dissemination and sharing, capacity-building activities, research programmes, publications and logistical support;

2. The Kingdom of Bahrain shall also seek financial support for the Centre to implement projects not financed by its annual budget through partnerships and funding and/ or arrangements with other international, regional and national organizations in organizing its activities.

#### *Article XVI – Privileges and Facilities*

1. The Government shall authorize the entry, free of visa charges, the sojourn on its territory and the exit of any person invited by the Centre to attend the sessions of the Governing Board, the Executive Committee, and the Advisory Committee and for any other official purpose.
2. The goods, assets and income of the Centre shall be exempt from all direct taxes. Furthermore, the Centre shall be exempt from the payment of any fees or taxes with respect to equipment, supplies and material imported or exported for its official use.

#### *Article XVII – Responsibility*

As the Centre is legally separate from UNESCO, 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 XVIII – Evaluation*

1. UNESCO 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 agrees to submit to the Government, at the earliest opportunity, a report on any evaluation conducted.
3. UNESCO shall reserve the option to terminate this Agreement or to request a revision of its contents, in light of the results of an evaluation, in accordance with Article XXI, paragraph 2, hereof

#### *Article XIX – Use of UNESCO name and logo*

1. The Centre may mention its affiliation with UNESCO, inserting after its title, the mention of “under the auspices of UNESCO”.
2. The Centre is authorized to use the UNESCO logo or a version thereof on its letterheaded paper and documents in accordance with the conditions established by UNESCO.

#### *Article XX – Entry into force*

This Agreement shall enter into force when the contracting parties have informed each other in writing of the completion of all official formalities required to that effect in accordance with the laws of the Kingdom of Bahrain and with UNESCO internal regulations. The date of receipt of the last notification shall be deemed to be the date of entry into force of this Agreement.

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*Article – XXI Duration*

This Agreement is valid for a period of six years as from its entry into force and may be renewed by tacit agreement of the two parties.

*Article XXII – Termination*

1. Each of the contracting parties shall be entitled to terminate the Agreement unilaterally.
2. The termination shall take effect within six months following receipt of the notification sent by one of the contracting parties to the other.

*Article XXIII – Amendment*

The present Agreement may be amended with the mutual consent of the Government and UNESCO.

*Article XXIV - Settlement of disputes*

1. Any dispute between UNESCO and the Government concerning the interpretation or application of this Agreement, if it is 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 the third, who shall preside over the tribunal, 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.
2. The arbitration tribunal's decision shall be final.

*Article XXV*

Done on 5 February 2010, in two originals in the Arabic and English languages, both texts being equally authentic. In the case of any divergence between the texts, the English text shall prevail.

IN WITNESS WHEREOF, the undersigned have signed this Agreement.



Irina BOKOVA  
Director General

For the United Nations Educational,  
Scientific and Cultural Organization



Mai BINT MUHAMMAD AL KHALIFA  
Minister of Culture and Information

For the Government  
of the Kingdom of Bahrain

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