

**5. PROTOCOL TO THE AGREEMENT ON THE IMPORTATION OF EDUCATIONAL,
SCIENTIFIC AND CULTURAL MATERIALS OF 22 NOVEMBER 1950**

Nairobi, 26 November 1976

ENTRY INTO FORCE: 2 January 1982, in accordance with article VIII(17a).

REGISTRATION: 2 January 1982, No. 20669.

STATUS: Signatories: 13. Parties: 46.

TEXT: United Nations, *Treaty Series*, vol. 1259, p. 3.

Note: The Protocol, approved on 30 March 1976 by a Special Committee of Governmental Experts convened in pursuance of resolution 4.112 of the eighteenth session of the General Conference of UNESCO, was adopted on the Report of Programme Commission II at the thirty-fourth plenary meeting of the nineteenth session of the General Conference of UNESCO at Nairobi, Kenya, on 26 November 1976, and opened for signature on 1 March 1977.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Succession(d)</i>
Armenia		23 Aug 2010 a	Liberia.....		16 Sep 2005 a
Australia.....		5 Mar 1992 a	Lithuania.....		21 Aug 1998 a
Austria	4 Feb 1993	28 Jun 1994	Luxembourg.....	18 Jun 1980	22 Jun 1982
Barbados		10 Apr 1979 a	Montenegro.....		23 Oct 2006 d
Belgium	18 Jun 1980	25 Sep 1986	Netherlands ⁴	18 Jun 1980	15 Jul 1981 A
Bosnia and Herzegovina ¹		1 Sep 1993 d	New Zealand ⁵	9 Nov 1981	
Bulgaria		14 Mar 1997 a	Niger		29 Dec 2008 a
Burkina Faso.....		3 Dec 2009 a	North Macedonia ¹		2 Sep 1997 d
Croatia ¹		26 Jul 1993 d	Oman	19 Dec 1977	
Cuba.....		15 May 1992 a	Portugal.....		11 Jun 1984 a
Cyprus.....		3 Aug 2004 a	Republic of Moldova.....		3 Sep 1998 a
Czech Republic.....		22 Aug 1997 a	Russian Federation		7 Oct 1994 a
Denmark	18 Jun 1980	17 Feb 1983	San Marino		30 Jul 1985 a
Egypt.....		18 Sep 1981 a	Serbia ¹		12 Mar 2001 d
Estonia		1 Aug 2001 a	Slovakia		9 Jun 1997 a
Finland.....		17 Feb 1987 a	Slovenia ¹		6 Jul 1992 d
France	18 Jun 1980	3 Jan 1986	Spain		2 Oct 1992 a
Germany ^{2,3}	18 Jun 1980	17 Aug 1989	Sweden.....		30 Jul 1997 a
Greece.....		4 Mar 1983 a	Togo.....		16 Nov 2009 a
Holy See		22 Feb 1980 a	United Kingdom of Great Britain and Northern Ireland ⁶	18 Jun 1980	9 Jun 1982
Iraq.....		13 Apr 1978 a	United States of America.....	1 Sep 1981	15 May 1989
Ireland.....	18 Jun 1980	18 Jun 1980	Uruguay		20 Apr 1999 a
Italy.....	18 Jun 1980	2 Jul 1981 A	Venezuela (Bolivarian Republic of).....		1 May 1992 a
Kazakhstan.....		21 Dec 1998 a			
Latvia.....		20 Nov 2001 a			

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or succession.)

AUSTRALIA

"Pursuant to paragraph 16 (a), Australia declares that it will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the Protocol."

AUSTRIA

"Austria shall not be bound by Part II, Annex C.1, Annex F, Annex G and Annex H."

BARBADOS

"The Government of Barbados hereby declares that it will not be bound by annex H."

BELGIUM

In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of Belgium made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

CYPRUS⁷

"The Republic of Cyprus declares in accordance with the provisions of paragraph 16 (a) of the said Protocol that it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol."

DENMARK

In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of Denmark made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

Pursuant to paragraph 16 (a) of the said Protocol, the Government of Denmark declares that shall not be bound by part II, part IV, annex C.I, annex F, annex G and annex H of the Protocol.

FINLAND

[Finland] shall not be bound by parts II and IV and annexes C.1, F and G of the Protocol.

FRANCE

In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of France made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

... The Government of France shall not be bound by parts II and IV and annexes C.1, F, G and H of the Protocol.

GERMANY^{2,3}

GREECE

The Government of Greece shall not be bound by part II, part IV, and annexes C.1, F, G and H of the Protocol.

IRAQ⁸

Entry into the above Protocol by the Republic of Iraq shall, however, in no way signify recognition of Israel or be conducive to entry into any relations with it.

IRELAND

"In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of Ireland made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

"Ireland will not be bound by Part II, Part IV, Annex C.I, Annex F, Annex G and Annex H, or by any of those Parts or Annexes."

ITALY

"In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of Italy made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

"(a) Italy shall not be bound by part II, part IV, annex C.1, annex F, annex G and annex H;

"(b) Italy, within the framework of the European Economic Community, will examine the possibility of accepting annex C.1 in the light of the position adopted by other Contracting Parties with regard to that annex."

LITHUANIA

"As provided in paragraph 16 (a) of part VIII of the Protocol the Republic of Lithuania declares that it will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H."

LUXEMBOURG

In accordance with the provisions of paragraph 16 (a) of the said Protocol, the Government of Luxembourg made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

The Government of Luxembourg will not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the Protocol and will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex.

NETHERLANDS⁴

"The Government of the Netherlands made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

"In conformity with paragraph 16 (a) of the said Protocol, the Kingdom shall not be bound by part II, part IV, annex C.1, annex F, annex G and annex H thereof."

NEW ZEALAND

"The Government of New Zealand shall not be bound by annex C.1, annex F and annex H of the Protocol."

PORTUGAL

Pursuant to article 16 (a) of the Protocol, [Portugal] shall not be bound by parts II and IV (a) and annexes C.1, F, G and H of the Protocol.

SPAIN

Pursuant to article 16 of the Protocol, Spain shall not be bound by parts II and IV and annexes C.1, F, G and H of the Protocol.

SWEDEN

"Sweden shall not be bound by Parts II, IV, and Annexes C.1, F, G and H of the Protocol."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The Government of the United Kingdom of Great Britain and Northern Ireland made a declaration according to the terms of which it shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H of the said Protocol, and within the framework of the European Economic Community, it will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

"The United Kingdom shall not be bound by Part II, Part IV, Annex C.1, Annex F, Annex G and Annex H;

"The United Kingdom, within the framework of the European Economic Community, will examine the possibility of accepting Annex C.1 in the light of the position adopted by other Contracting Parties with regard to that Annex."

"The Government of the United Kingdom of Great Britain and Northern Ireland reserves the right to extend the Protocol at a later date, to any territory for whose international relations the Government of the United Kingdom is responsible and to which the Agreement on the Importation of Educational, Scientific and Cultural Materials has been extended in accordance with the provisions of article XIII thereof."

UNITED STATES OF AMERICA

"Pursuant to article VII, Section 16 (a), of the Protocol, the United States hereby declares that it will not be bound by Annexes C.1, F, G, and H. The United States will examine the possibility of withdrawing this declaration with regard to annex C.1, and of accepting that annex, in the light of the position adopted by other Contracting Parties with regard to that annex."

Notes:

¹ The former Yugoslavia had acceded to the Protocol on 13 November 1981. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

² See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.

³ See note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

⁴ For the Kingdom in Europe and as from 1 January 1986 for Aruba. See also note 1 under "Netherlands" regarding Aruba/Netherlands Antilles in the "Historical Information" section in the front matter of this volume.

⁵ The signature of the Protocol extends to Tokelau Islands.

⁶ In a communication received on 20 April 1989, the Government of the United Kingdom of Great Britain and Northern Ireland declared that subject to the same declarations

made by the United Kingdom, the Protocol shall extend, with effect from the date of receipt of the said communication, to the following territories for whose international relations the Government of the United Kingdom is responsible:

Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Anguilla, Cayman Islands, Falkland Islands, South Georgia and the South Sandwich Islands, Gibraltar, Montserrat, St. Helena, St. Helena Dependencies, Turks and Caicos Islands, the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus.

In this connection, on 7 August 1989, the Secretary-General received from the Government of Argentina an objection, identical in essence, *mutatis mutandis*, to the one made in this regard in note 21 in chapter IV.3, however also referring to General Assembly resolutions 41/40/, 42/19 and 43/25.

⁷ Within a period of one year from the date of the depositary notification transmitting the declaration (i.e., 14 June 2006), none of the Contracting Parties to the said Protocol had notified the Secretary-General of an objection either to the deposit itself or to the procedure envisaged. Consequently, the declaration in

question was accepted for deposit upon the above-stipulated one year period, that is on 14 June 2007.

⁸ With reference to the declaration made by the Government of Iraq, the Secretary-General received from the Government of Israel on 1 May 1979, the following communication:

"The instrument deposited by the Government of Iraq contains a statement of a political character in respect to Israel. In the view of the Government of Israel, this is not the proper place for making such political pronouncements, which are moreover, in flagrant contradiction to the principles, objects and purposes of the Organization. That pronouncement by the Government of Iraq cannot in any way affect whatever obligations are binding upon it under general international law or under particular treaties.

"The Government of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

