

ARTICLE H 9. USE AND DISPOSITION OF PAPERS AND REPORTS  
OF SEMINARS AND SIMILAR AD HOC MEETINGS\*

CONTENTS

<u>Chapter</u>	<u>Page</u>
I. SCOPE OF THE DIRECTIVE . . . . .	504
II. TYPES AND DEFINITIONS . . . . .	504
III. STATUS AND FINANCING OF MEETINGS . . . . .	505
IV. TYPES OF DOCUMENTATION . . . . .	506
A. Reports and papers of expert groups . . . . .	506
B. Reports and papers of seminars, workshops, training courses and symposia . . . . .	507
V. ACQUISITION OF AUTHORSHIP RIGHTS . . . . .	507
VI. ATTRIBUTION OF AUTHORSHIP . . . . .	507
A. Discussion papers . . . . .	507
B. Policy papers . . . . .	508
C. Country papers . . . . .	508
VII. DISPOSITION OF REPORTS AND PAPERS . . . . .	509
VIII. PERMISSION TO REPRINT . . . . .	509
IX. TRANSLATION RIGHTS . . . . .	511

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\* Based on document ST/AI/189/Add.22.

## I. SCOPE OF THE DIRECTIVE

This directive relates to papers prepared for ad hoc meetings such as seminars, meetings of expert working groups and workshops organized by the United Nations Secretariat within the approved programme of work and to the reports of such meetings. 1/ It relates to the documentation of all such meetings, whether financed from the regular budget or from extrabudgetary funds.

## II. TYPES AND DEFINITIONS

The principal types of ad hoc meetings are described below.

(a) Meetings of groups of experts (or expert working groups) are small meetings of recognized experts in a given field, convened by the Secretary-General, sometimes at the request of a legislative body, for the purpose of obtaining advice, information and an exchange of experience on a clearly defined topic. Although the experts may be nominated by Governments, they normally attend in their personal capacity, without governmental responsibility. 1/, 2/ Such meetings are normally financed from the regular budget and are convened for a brief period, usually from one week to 10 days. The recommendations of such groups should relate only to technical matters such as processes or to substantive matters on which they have been asked to advise; they should not relate to matters within the competence of legislative bodies such as the convening of meetings. (See also chapter IV, section A, below).

(b) Seminars are meetings of persons qualified in a particular field, convened by the Secretary-General for the purpose of studying new techniques, sharing experience and exchanging views on a clearly defined subject. As a seminar is not a legislative or advisory body, the participants should not formulate recommendations unless they are

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1/ It does not relate to meetings of ad hoc bodies such as ad hoc committees or to meetings of "groups of governmental experts" such as those established from time to time in the field of disarmament; nor does it necessarily apply to certain types of meetings organized by the United Nations Development Programme, in particular ad hoc meetings relating to operational activities, for which special arrangements are made in agreement with the parties concerned.

2/ This statement does not, of course, apply to "governmental experts", whose mandate is clearly to present the expert views of their respective Governments.

requested by a legislative body to do so. <sup>3/</sup> A seminar may, if it so wishes, record its conclusions in its report.

(c) Workshops are meetings of qualified persons convened by the Secretary-General for the purpose of intensive study of a given topic. They often include the discussion of practical sample projects. The participants may, if so requested, make recommendations to the Secretary-General with regard to practical or technical aspects of the subject studied.

(d) Training courses are courses arranged for the theoretical and practical instruction of participants, often for the purpose of training persons in certain skills to be used in developing countries. The report on the course, prepared by the officials responsible for organizing it, should be a factual statement of the methods used and of the results achieved. It should not contain recommendations but may contain an assessment of the success or failure of the methods used and suggestions for methods to be used in future courses.

(e) Symposia are major meetings of high-level experts convened by the Secretary-General, usually at the request of a legislative body, and directed to a discussion of policy and developments in a particular field. Like a meeting of experts, a symposium may, if so requested, formulate recommendations, addressed to the Secretary-General, on technical matters within the purview of the participants.

### III. STATUS AND FINANCING OF MEETINGS

Ad hoc meetings in the sense of this directive fall into two categories:

(a) Meetings organized by the Secretariat pursuant to a specific mandate from a legislative body or as part of the approved work programme, and normally financed from the regular budget;

(b) Meetings organized by the Secretariat, sometimes in co-operation with Governments, often as part of interregional projects under the United Nations Development Programme, and normally financed from extrabudgetary funds.

Except for meetings organized pursuant to a specific mandate from a legislative body, ad hoc meetings in these two categories are not part of the regular conference and meetings programme, and are not covered by the conference servicing budget. Specific provision must

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<sup>3/</sup> As, for example, in the case of seminars organized under the Programme of Advisory Services in the Field of Human Rights, established by General Assembly resolution 926 (X).

therefore by made in the relevant project budgets for all documentation required for the meetings, and the Documents Control Section, Department of Conference Services, must be informed in good time of the requirements.

#### IV. TYPES OF DOCUMENTATION

The main types of documentation for ad hoc meetings are as follows:

- (a) Discussion papers prepared by United Nations staff members or by experts commissioned to prepare such papers;
- (b) Background papers, usually prepared by the United Nations Secretariat;
- (c) Country papers (that is, papers presenting the experience of various countries) prepared by persons (often fellows) designated by Governments;
- (d) A final report of the meeting.

##### A. Reports and papers of expert groups

Reports and papers of groups of experts may be issued in several different ways, subject to the considerations set forth below.

Expert groups appointed by the Secretary-General fall essentially into two categories:

- (a) Advisory and other expert groups appointed by the Secretary-General at the specific request of a legislative body;
- (b) Advisory and other expert groups appointed by the Secretary-General to advise him on, and assist him in, implementing the various parts of the work programme of a given Secretariat unit.

The recommendations, advice and suggestions of expert groups are generally directed to, and primarily for the use of, the Secretary-General. Unless the legislative body which requests the Secretary-General to appoint such a group specifies that the report of the group should be made available to a legislative body, the report is submitted to the Secretary-General; only a concise report by the Secretary-General setting forth his recommendations for action is normally submitted to a legislative body.

When a legislative body requests that the report of a group of experts should be submitted to it, the report is issued as a document bearing the symbol of the body concerned or of its parent organ, as appropriate, and is considered to be part of the regular documentation for meetings.

B. Reports and papers of seminars, workshops, training courses and symposia

Reports and papers of seminars, workshops, training courses, symposia and the like are usually issued as internal papers. If they are considered to be of wide interest, a request may be submitted to the Publications Board for their publication and, subject to the Board's concurrence, they may be issued as publications with an appropriate symbol.

V. ACQUISITION OF AUTHORSHIP RIGHTS

The United Nations may acquire authorship rights in papers for ad hoc meetings in any of the following ways:

- (a) It may request staff members to prepare papers;
- (b) It may engage experts or consultants to prepare papers under a special service agreement;
- (c) It may invite experts to a meeting and ask them to submit papers under an arrangement by which they would not receive remuneration but their travel costs and per diem would be paid;
- (d) It may request Governments to submit "country papers", that is, papers stating the experience of a given country in respect of the subject of the meeting.

VI. ATTRIBUTION OF AUTHORSHIP 4/

A. Discussion papers

Discussion papers prepared by staff members are normally attributed to the United Nations Secretariat. Policy papers prepared by staff members and submitted to meetings of expert groups convened at the request of a legislative body may be attributed to the Secretariat or to the Secretary-General. Under staff rule 112.7 all rights to such papers are vested in the United Nations. The rule reads as follows:

"All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his or her official duties shall be vested in the United Nations."

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4/ See also article H 2.

Discussion papers prepared by experts or consultants may be attributed to the consultant by name; however, when such a paper has been heavily revised by a United Nations staff member, attribution to the consultant should be given in an oblique way, for example by a statement in a footnote or preface that the paper was prepared by the Secretariat with the assistance of the consultant or that the consultant prepared the original draft that served as the basis for the paper. Similar formulas may be used to indicate the relative degree of participation by the Secretariat and consultants in various studies.

#### B. Policy papers

When a consultant is engaged to prepare a policy paper that is to be issued as a report of the Secretary-General, usually in response to a request from a legislative body, the question of rights in or to the paper, including title, copyright and patent rights, should be dealt with in the agreement or contract under which the consultant is engaged by the Organization. Normally, authorship of the paper should not be attributed to the consultant, but a reference may, in appropriate cases, be made in a footnote to the consultant's contribution to the paper. Upon submission of the paper to the United Nations, the Organization should acquire and hold all rights to it. The standard agreement provides in this respect:

"The United Nations shall have the right to all property rights, including but not limited to patents, copyrights and trademarks, in material which bears a direct relation to or is made in consequence of the work performed under a contractor's contract with the United Nations. At the request of the United Nations the contractor shall do the necessary to secure such property rights and to transfer them to the Organization in compliance with the requirements of the applicable law. The United Nations shall not be bound to publish any manuscript or materials delivered under this contract."

#### C. Country papers

Country papers prepared by fellows or other persons designated by Governments are normally attributed to the Governments concerned, with or without the name of the author, as the Government chooses. If it is desired that the United Nations should acquire rights to or in such papers - for instance, when the papers are issued for a meeting organized by the United Nations - this fact should be clearly stated in the letter or other communication by which the United Nations requests the Government in question to submit a paper. Preferably, a specific agreement regarding title, copyright or patent or other rights should be entered into between the parties concerned, namely the Government, the author and the United Nations.

## VII. DISPOSITION OF REPORTS AND PAPERS

Reports of meetings other than those of expert groups appointed in pursuance of the request of a legislative body are usually issued as unofficial papers. As indicated above, they may, subject to the agreement of the Publications Board, be issued as publications with an appropriate symbol.

In accordance with General Assembly resolution 2292 (XXII), annex, paragraph (a), papers prepared for seminars and similar meetings are not as a rule issued as part of the report or annexed to it. In exceptional cases, they may be included in the report or annexed to it, subject to the agreement of the Chief Editor.

Subject to the agreement of the Publications Board, the report and papers may be published by a third party. In such cases, the Board should be informed of the status of the papers; it should be told in particular whether the United Nations has exclusive right to the papers, or whether any of the papers are copyrighted by the authors or subject to the agreement of Governments. The Board should be informed also of the way in which the papers have been acquired and whether an honorarium has been paid to the authors.

## VIII. PERMISSION TO REPRINT 5/

Permission to reprint is usually given freely by the United Nations, its policy being to facilitate dissemination of the content of its documentation. Each case must however be considered on its own merits and in the light of the considerations set forth below.

Papers prepared for expert group meetings organized at the request of a legislative body and financed from the regular budget, and the reports of such meetings, are normally issued under an official United Nations document symbol and given general distribution. Once issued, they are in the public domain and cannot be copyrighted. If the United Nations wishes to retain copyright, it should issue them only to a small and clearly defined group of recipients and mark them "Restricted".

Other papers do not normally bear an official United Nations symbol and do not receive general distribution. They are intended to be internal papers and are normally distributed only to the participants and essential services. They do not, by reason of their distribution at the meeting, enter into the public domain. In order to

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5/ See also article H 6.

emphasize the restricted nature of such papers, however, it is advisable to have them marked "For participants only". Such papers may not be reproduced or reprinted, even by the authors, without the express permission of the United Nations.

A paper given even minimal distribution beyond the group for which it is prepared enters into the public domain and may therefore be freely quoted and copied, provided only that due acknowledgement is made to the United Nations. Therefore, if the United Nations intends to take out copyright in all or some of the papers included in a book or other publication, it should make arrangements with the authors of individual papers so they will neither have their papers reproduced elsewhere, even in the name of the United Nations, nor transfer the rights to the papers to any other person until after the copyrighted United Nations publication has appeared in print. If, on the other hand, the United Nations does not intend to publish the paper, it may grant the author permission to have it published elsewhere in his own name.

If the United Nations does not intend to publish papers to which it holds title, it may grant an external publisher permission to do so and the Organization is not obliged to seek the consent of the author. In the case of papers submitted by Governments, however, the United Nations may deem it desirable to inform the Governments concerned of its intention and to respect any reservation they may express on the subject.

If the United Nations decides to permit an external publisher to publish papers submitted to ad hoc meetings without remuneration to the authors, the United Nations should, as a courtesy, inform the authors of its intention; should any object to commercial use of papers they have given to the United Nations free of charge, the papers should be withdrawn and the matter discussed further with the authors with a view to a mutually agreed solution.

When a seminar or similar meeting is organized jointly by the United Nations and another body or Government, all relevant questions concerning title and other rights to or in the report and papers of the seminar or other meeting should be addressed and clearly settled in an agreement between the parties concerned. As a general rule, the United Nations shall acquire and hold all rights, including title and copyright, to and in the report and papers, and it is usually agreed that the United Nations shall issue them. If the United Nations wishes to consider the possibility of external publication subsequent to the meeting, it is incumbent upon the United Nations to consult with the other body or Government concerning the arrangements that must be made before any of the papers or the report are issued.



Although the papers are in the public domain, no individual or legal entity may publish a collection of them in his or its own name, even if the individual or entity adds original material such as an analysis of the papers or of the meeting.

An expert who has accepted an invitation from the United Nations to participate in a meeting does not necessarily thereby give permission to the United Nations to publish any statement he may deliver. If the agreement refers to a lecture and not specifically to a written paper, the United Nations should obtain written permission from the expert before publishing or granting a third party the right to publish the lecture.

#### IX. TRANSLATION RIGHTS

Papers issued by the United Nations without copyright, being in the public domain, may be translated into other languages by outside persons provided that appropriate acknowledgement is made to the United Nations. Requests for permission to translate or for confirmation of the right to translate are often, in such cases, submitted to the United Nations as a courtesy. In replying to such requests, the Secretary of the Publications Board states that the translated version should bear an indication that it is a translation from the original language and that it is not an official translation by the United Nations, and also asks that a copy of the translation be sent to the United Nations.

A paper to which the United Nations holds copyright may not be translated by an external body without the written permission of the United Nations. Requests for such permission should be addressed to the Secretary of the Publications Board.