Fourteenth plenary meeting of the 40th session of the General Conference

Friday 22 November 2019 at 3.10 p.m.

President: Mr Altay Cengizer (Turkey)

Item 7.4 – Draft amendment to Article V of the Constitution (continued)

1. The President:
   Welcome. I will wait a few more minutes so that every delegation takes its place. Distinguished delegates, I declare open the resumption of our plenary. As you will recall, we have a number of speakers on the speakers list for item 7.4 "Draft amendment to Article V of the Constitution". I now give the floor to the representative of Norway, to be followed by the Netherlands.

2. Norway:
   Thank you, Mr President. Let me first just address some misunderstanding expressed by a previous speaker who spoke just before me. The procedure of the Working Group on Contributions will continue to meet every two years. A Member State that comes into arrears of more than two years, or more than two sessions of the General Conference and is a Member of the Executive Board will not lose its rights. We live in times of change, Mr President. UNESCO needs to be willing to change to stay relevant, applying similar rules to the Executive Board as to the General Conference in order to give incentives to those countries who can afford to pay their assessed contributions to UNESCO. To do so is reasonable, as long as it comes with safeguards, taking care of those countries that are not in a position to meet their commitments. The proposed amendment tabled by Sweden, supported by a number of countries, among those my own country, includes such safeguards. The proposal does take care of States that are not able to fulfill their basic obligation due to reasons beyond the State's control. In addition, Mr President, the scale of assessment as decided by the United Nations General Assembly is based on each country's capacity to pay. The diversity with respect to possibility to pay, which has been highlighted in the debate here today, is therefore already fully taken care of. UNESCO is important. In order to do its job, the Organization needs money. Those countries who can afford to pay should be given every incentive to do so. There have been attempts at describing the countries that are not in a position to pay their dues as those who will be hit by a change to the Constitution on this point. In fact, Mr President, the truth is just the opposite. Those countries most in need will benefit the most from incentivizing big countries who can afford to pay to do so, thus enabling UNESCO to assist those most in need even more. This proposal does not constitute any new principle and no new obligation on Member States. We find this proposal mature and urge colleagues to strengthen UNESCO by supporting it and ensure its adoption at this General Conference. Thank you, Mr President.

3. The Netherlands:
   Thank you, Mr President, and thank you for your fair and clear guidance in this debate. Let me start by congratulating those Member States elected to the Executive Board and other bodies. We also wish to thank countries that supported the Netherlands in becoming a Member of the Executive Board. We look forward to working together in the years to come.

   4.1 Netherlands:
   Thank you, Mr President, and thank you for your fair and clear guidance in this debate. Let me start by congratulating those Member States elected to the Executive Board and other bodies. We also wish to thank countries that supported the Netherlands in becoming a Member of the Executive Board. We look forward to working together in the years to come.

   4.2 As one of the co-signers, the Netherlands supports the amendment as presented by Sweden. We, the Netherlands, want a strong UNESCO with full resources, not bogged down by contribution arrears. The multilateral system is already under pressure and credibility and universality can no longer be taken for granted. As one of the co-signers, the Netherlands supports the amendment as presented by Sweden. We believe the amendment does not entail a new obligation. Paying one's dues is an existing obligation under the present Constitution.

   4.3 Furthermore, we do not think this amendment is punitive towards developing countries. It takes into account situations beyond the control of Member States that will prevent them to pay their contributions. For the Netherlands, it is a principle of good governance to motivate countries to pay their dues in time. Moreover, this amendment is an important step to strengthen the impact of the implementation of UNESCO's programme and the 2030 Agenda. Both are more strongly felt on country level in developing countries. The Netherlands feels this amendment is fair, appropriate and timely. Thank you very much, Mr President.

5. The President:
   Thank you very much Your Excellency. Now Paraguay, to be followed by Latvia.

6.1 Paraguay:
   Muchas gracias, señor Presidente. La Delegación del Paraguay no se encuentra en condiciones de acompañar esta propuesta de enmienda de la Constitución. Consideramos una penalidad excesiva para los Países Miembros que no pueden cumplir sus obligaciones con el presupuesto de la Organización y que pretende, además, restringir el derecho de nuestros países a ser elegidos. Da la impresión de que vivimos en una burbuja aquí, sin observar lo que pasa fuera de este edificio. En varias regiones de nuestro mundo vemos estallidos sociales, nuestros pueblos se rebelan por las condiciones de vida, las carencias, la exclusión, el costo de la vida y aquí pretendemos sancionar a países que no pueden cumplir con sus compromisos.

   6.2 El mundo atraviesa un periodo difícil en lo político y en lo económico que se refleja en el decrecimiento de la economía mundial y que afecta a todos los países y, aun así, muchos de nuestros países están dispuestos a aumentar sus contribuciones apoyando el aumento del presupuesto de la Organización, y, además, se ha demostrado que una gran mayoría está dispuesta a hacer esfuerzos para normalizar sus aportes. Los países no aportan no por capricho de sus
7. **The President:**
   Thank you. Latvia, to be followed by Portugal.

8. **Latvia:**
   Thank you, Mr President. First of all, I would like to express our gratitude to Sweden for preparing this amendment regarding improved measures for assessed contributions. As co-sponsors of this amendment, we see assessed contributions as Member States commitment towards UNESCO, and at the same time also ownership and responsibility, not only to decide about priorities, but also contribute to the Organization's budget, so that priorities can be implemented. We had a long and difficult budget discussion, but agreement on expenditure is not enough, if there are not sufficient funds to be spent. We all would like to see the Organization strong and capable of facing its challenges, so it's time to do something. We can ensure that this decision will support and protect Member States in difficulties. It is drafted to make sure that those who can afford to pay their contributions comply with their obligations and do it on time. We do not see valid reasons for adjourning this debate. It is high time we take a decision. Thank you for your attention.

9. **The President:**
   Thank you. Portugal, to be followed by Ethiopia.

10. **Portugal:**
    Thank you, Mr President. These amendments originated from the last General Conference resolution regarding the overall management of assessed contributions and the Executive Board follow-up recommendations adopted by consensus on measures to improve the collection of assessed contributions. Our goal is that we collectively reinforce good governance, best international practice and of course, transparent accountability. They were carefully drafted in order to implement faithfully the recommended measures, making use of the long-established mechanism for assessing voting rights in the General Conference. The extension of this procedure to voting rights in and eligibility for the Executive Board guarantees coherence and uniformity, and provides for protection of Member States that have reasons beyond their control not to honour their contributions. Portugal fully supports these amendments and it sees no reasons, good reasons, for divergent views on this method, including on the question of whether the amendments create new obligations or not.

10.2 To conclude, we did not hear from those against these proposals anything that would, in our view, justify postponing a decision, and the rules to amend the Constitution do not impose a consensus. Therefore, this assembly should proceed with the examination of the draft resolution. Thank you.

11. **The President:**
    Thank you. Ethiopia, and then Bangladesh.

12.1 **Ethiopia:**
    Thank you, Mr President. Mr President, my delegation would like to thank Sweden and the other co-sponsors for bringing this amendment forward. My delegation fully supports this amendment for two reasons. One, because we want to see a strong UNESCO and two, out of enlightened self-interest as a least developed country. The arguments we have heard are that this amendment will affect primarily those of us, least developing countries, who would not be able to pay and therefore would be excluded from the organs of the Organization that make decisions. As a least developed country, I beg to differ. I beg to differ in that it is the current state whereby countries that are able to pay and are not paying that is creating difficult situations for us and weakening the Organization. As least developed countries, we need UNESCO more than anyone else. We need it for our education policy. We need it to promote and protect our cultural assets. We need it to implement the programmes we have voted on. It is therefore imperative to strengthen the Organization resource-wise.

12.2 It is therefore incumbent on those who profess to uphold the multilateral values to actually support this amendment as a concrete sign of solidarity with those of us who need this Organization. Mr President, we see in this Organization a dangerous trend whereby multilateralism à la carte is being implemented. While we welcome voluntary contributions, the bedrock of the Organization is the assessed contributions, which help the Organization to effectively implement the programmes we have voted on. It is therefore imperative to strengthen the Organization resource-wise.

12.3 Regarding the legal arguments raised, the same rules apply at the General Conference level, and therefore these same rules should apply at the Executive Board level. There is consistency and harmonization. Thirdly, the amendment clearly excludes countries that are in a situation of armed conflict, economic crisis or other emergencies. Therefore, that risk of seeing these countries being victims of this amendment is clearly excluded.

12.4 Lastly, I wish to point out that least developed countries or developing countries in our own multilateral regional forums, have stronger rules in terms of assessed contributions than those existing at the international level. I will point out here the African Union, where assessed contributions that are not honoured exclude the country not only from voting, but from speaking. So we beg this organ to pass this amendment in support of us developing and least developed countries. Thank you.

13. **The President:**
    Thank you Excellency. Now Bangladesh, to be followed by Estonia.
14.1 Bangladesh:
Thank you, Mr President. Thank you for giving us the floor. Bangladesh takes this obligation very seriously. Payment of assessed contributions on time is a constitutional obligation and we believe that Member States have the obligation to meet their obligations on time. We have heard and listened as well to the debates on both sides of the aisle arguing in favour of the respective positions, and for us it is very important when we take an issue as serious as the Constitution’s amendment. We hope to see a broad-based consensus on such an amendment. We think it is important for all the membership to be on board. It is not a question of unanimity. We understand that is possibly an impossible expectation. But at the same time, we feel that the House should strive to reach as close to consensus as possible.

14.2 Now, given the divergent views that have surfaced here and argued, and given some of the issues, particularly with regard to whether legal obligations will be created or not, and then there are arguments both in favour and against, we are of the view that perhaps we should give some more time to reflect on it and in deeper extent and analyse the ramifications of the amendment that is proposed. One of the issues that does concern us is the possibility of excluding the voices that we would like to hear much more. We are talking about the developing and least developed countries. If we look at the present scenario, it does indicate that a lot of developing countries perhaps would be affected more. Now there are some built-in provisions to safeguard and take care of the situation that a particular country may find itself in. But given the very broad nature of this amendment proposed, perhaps it may be wise to sit back and take a closer look at all the ramifications that it may entail once it is adopted. We would therefore be in favour of postponing a discussion and deferring to the next session of the General Conference. Thank you, Mr President.

15. The President:
Thank you your Excellency. Estonia, to be followed by Luxembourg.

16.1 Estonia:
Thank you, Mr President. The Estonian delegation as a co-sponsor would like to express its strong support for the amendment proposed by Sweden. The non-payment of assessed contributions has led UNESCO to a perilous financial situation. We feel it is important to clarify some points that should be kept in mind when considering the present proposal.

16.2 Firstly, the amendment proposed by Sweden would not concern countries that are in difficulties, and I quote “beyond the control of the Member State”. This point was very well explained by the distinguished representative of Palestine and many others before me.

16.3 It is also very important to underline that we are not looking at a completely new proposition, as this procedure already exists for the voting rights at the General Conference and is thus in principle already accepted by the Member States. As it was mentioned in several previous statements, when the procedure was applied at the General Conference it was not found to be a new legal obligation. Thus, it would not be consistent with previous practice to say that it would create a new legal obligation when applied to the Executive Board.

16.4 Mr President, the situation of UNESCO’s budget directly affects the projects on the ground that are seen as the most vital part of UNESCO’s work, as they reach the populations of our countries. Budgetary stability is important in order to achieve the objectives of Agenda 2030 and work more efficiently on the priorities of Africa and gender equality. As co-sponsors of this amendment we firmly believe that the Member States should take every opportunity to discuss all budgetary improvements, and we hope to have a full discussion on the amendment today. Thank you.

17. The President:
Thank you. Just to let you know that I have added the Dominican Republic and Algeria to the end of the speakers list. We will now continue with Luxembourg.

18.1 Luxembourg:
Merci Monsieur le Président. Monsieur le Président, après avoir reçu ce matin une longue leçon de démocratie, de droit international, et au passage de quelques leçons de morale, je serai bref en m’exprimant seulement au nom de mon propre pays. Avec seulement 600 000 habitants nous n’avons pas pour habitude de parler au nom des autres, nous préférons leur laisser la dignité de s’exprimer en leur nom propre, et beaucoup l’ont fait de façon très éloquente.

18.2 Monsieur le Président, notre délégation s’est portée co-auteur de la proposition d’amendement de l’Acte constitutif présenté par la Suède. Nous considérons que l’amendement présenté est de nature technique, puisqu’il entend établir un parallélisme entre les pratiques au Conseil exécutif et à la Conférence générale. Il s’agit donc aussi d’une question de cohérence juridique, comme l’a rappelé notre collègue du Bénin. Nous croyons, par ailleurs, que les pays faisant face à une situation financière difficile sont dûment protégés dans la proposition présentée par la Suède, tout comme ils le sont déjà dans notre Acte constitutif.

18.3 Monsieur le Président, nous ne devrions pas politiser une question aussi technique que celle de la contribution financière à notre Organisation. Rendre notre Organisation plus forte est dans l’intérêt de tous, petits et grands. C’est pour cette raison que nous soutenons la proposition d’amendement et nous pensons que nous devrions l’examiner maintenant, sans plus tarder. Merci.

19. The President:
Thank you. Now New Zealand, to be followed by Canada.

20.1 New Zealand:
Thank you, Mr President. We thank the cross-regional group of co-sponsors for their leadership on this very important issue, and for bringing forward this amendment, which we fully support. This is cross-regional group comprised of, I guess, large contributors, small contributors and countries from all regions of the world, and it is very evident if you cast your eye over the list of co-sponsors, UNESCO has been in a perilous financial situation for many years. There may
well be many factors contributing to this, but when you have the top 25 contributors in arrears of $106 million, something
is broken and needs to be fixed. That is a staggering amount of money.

20.2 Mr President, how can UNESCO carry out its programme of work with efficiency, effectiveness and have impact
at the country level when Member States that have the means do not fulfil their duty to pay up? How can we be serious
about leaving nobody behind if we do not pay our assessed contributions? Since population was brought up by a previous
speaker, I would note that our population is five million, not nearly as small as some of our brothers and sisters in the
Pacific, but nonetheless small. We are small but proud, and have pride in doing the right thing.

20.3 We are also ardent defenders of multilateralism. A core tenet of this is our obligation, which is contained in
UNESCO’s Constitution, to pay our dues under the system of assessed contributions. As mentioned by previous speakers,
this is not a new legal obligation, but merely gives effect to an existing obligation. This pre-existing obligation enjoins us, in
a spirit of solidarity, to contribute in a manner that will enable UNESCO to carry forth its mandate. For New Zealand’s part,
we pay our dues on time and we will continue to pay them – notwithstanding the 7.2% increase in our assessed
contribution under the new budget ceiling.

20.4 Mr President, this is not a punitive amendment. Countries will not be penalized for situations of non-payment
beyond their control. It is fair and it is reasonable. It is very important for UNESCO’s future financial stability, its ability
to deliver, and it supports our collective obligation to make our contribution in a spirit of solidarity. It is fair. It is reasonable. It
is the right thing to do. Thank you, Mr President.

21. The President:
Thank you Excellency. Now Canada, to be followed by Cameroon.

22.1 Canada:
Monsieur le Président, le Canada soutient cet amendement à la Constitution, parce que nous croyons qu’il est
juste et équitable. Le paiement des contributions est une obligation pour tous les États membres. La contribution de
each member country is established in accordance with agreed criteria by our governments. This contribution is calculated in
fonction de la capacité de chaque État à payer.

22.2 Comme l’ont dit la Suisse, la Guinée et beaucoup d’autres délégations, cet amendement ne vise pas ceux qui ne
peuvent pas payer, mais ceux qui ne veulent pas payer. En effet, depuis bientôt 10 ans, l’UNESCO subit des crises de
trésorerie en raison de la décision de certains grands contributeurs de suspendre le paiement de leurs contributions pour
exercer des pressions sur l’Organisation. En 2011, lorsque nous avons fait face à une telle situation, nous avons cru qu’il
s’agissait d’un moment exceptionnel dans la vie de l’Organisation. Malheureusement, à nouveau, en 2017, d’autres États
ont choisi de retenir le paiement de leurs contributions pour faire pression sur l’Organisation.

22.3 L’UNESCO vit une situation unique au sein des Nations Unies. Il est temps que nous prenions les moyens
nécessaires pour assurer la sécurité financière de notre Organisation. Nous ne croyons pas que cet amendement
 constitue une injustice envers les pays vulnérables. Nous croyons que la plus grande injustice envers ces pays est de
restreindre volontairement les moyens financiers de l’Organisation, empêchant ainsi l’UNESCO de mettre en œuvre ses
programmes en vue de les soutenir.

22.4 Le mécanisme par lequel le Groupe sur le droit de vote étudie les communications a fait ses preuves. Les critères
pour accorder le droit de vote aux États qui vivent des situations hors de leur contrôle sont justes et n’ont jamais été
contestés. Finalement nous rejetons l’idée qu’il s’agisse d’une nouvelle obligation et nous jugeons qu’il est temps
d’adopter une telle disposition dans notre Acte constitutif.

23. The President:
Merci. Cameroon, to be followed by Tonga.

24.1 Cameroon:
Merci Monsieur le Président. Le Cameroun apprécie à sa juste valeur le souci, voir même le zèle de notre Maison
commune qui est à l’origine d’un projet d’amendement que la Suède et tous ses cosignataires soumettent à l’examen de la
Conférence générale en cette session.

24.2 Le Cameroun relève que la pratique actuelle sauvegarde le respect d’un principe qui devrait continuer d’être
observé. Le principe de la flexibilité, et de la souplesse. Un principe qui fait tolérer jusqu’à deux années de cumul des
arriérés au-delà desquels la sanction de privation des droits de vote et d’éligibilité s’impose.

24.3 Nous relevons ensuite que le projet d’amendement qui est en discussion invoque également le principe de
flexibilité, mais en le restreignant au point tel qu’il lui enlève tout effet. Enlever la nouvelle flexibilité promise dans
l’amendement consisterait à suspendre immédiatement de ses droits l’État membre en difficulté pour les lui redonner
automatiquement aussitôt qu’il aura versé les sommes dues. La flexibilité se remet ainsi à l’automaticité du
recouvrement des droits de la remise en œuvre des droits de l’État qui était frappé.

24.4 Il est nécessaire, Monsieur le Président, de tenir compte des États en développement, du fait que leur handicap
s’aggrave quand on considère leur appartenance à de multiples autres organisations, impliquant autant d’exigences de
paiement des contributions dues. Un intervenant l’a rappelé tout à l’heure du côté africain, l’Union africaine et d’autres
organisations demandent à tout le monde le même tarif, y compris à ceux qui ont des difficultés déjà grandes parce que
pays pauvres et en voie de développement.

24.5 Comment ne pas se rendre compte qu’en l’absence de toute réelle flexibilité et de toute souplesse, l’orientation
proposée par le projet demande, devrait aboutir à éliminer à la longue de nombreux pays parmi les moins développés.
Les éliminer du bénéfice, du bénéfice de la solidarité, constituant le fondement même du multilatéralisme onusien.
24.6 Le Cameroun pense donc que la flexibilité, qui est pratiquée jusqu’ici, pourrait et même devrait être poursuivie en même temps que se poursuivrait une recherche orientée dans la direction de trouver une méthode et une forme d’action sur les retardataires. Une méthode, une forme d’action qui ne nécessiterait pas de modifier vaille que vaille l’Acte constitutif. Voici la position du Cameroun. Merci Monsieur le Président.

25.1 Le Président:
Merci Votre Excellence. La Côte d’Ivoire, vous pouvez descendre de votre place. Vous êtes sur une autre liste.

25.2 Je now invite Tonga, to be followed by the Czech Republic.

26.1 Tonga:
Thank you, Mr President, for allowing the Kingdom of Tonga to take the floor. The population of my country is 100,000, and so I feel very privileged to speak at this forum alongside other Member States whose populations are in the millions or billions and also having the same voting right. I would start with one of my favourite quotes from a Nigerian-born American political scientist, Ndudwe Kalu, which says: the things you do for yourself when you are gone, are gone, but the things you do for others remain as your legacy. Mr Ndudwe specializes in institutional development and organizational change, and it is time for a change at UNESCO. We need a strengthened UNESCO. On this note, the Kingdom of Tonga wholeheartedly congratulates Sweden and the cross-regional list of co-sponsors of the amendment for bringing this fair and moral amendment to the 40th session of the General Conference, to improve the payment of assessed contributions and positive consequences. They are not doing it for themselves, but for the future survival of this Organization. Like the quote I read out, they will leave a legacy behind.

26.2 The Kingdom of Tonga strongly believes that the amendment does not involve a new obligation. It does not target vulnerable or developing States, but advocates a principle of good governance and to help achieve UNESCO’s mission at the country level. Moreover, Tonga does not want the amendment to be postponed to the next General Conference, but to be addressed now. Who is UNESCO’s genuine and loyal friend? I believe the Kingdom of Tonga is. Why? Because we uphold the constitutional and fundamental obligation to pay our assessed contribution, and we have always tried to pay on time because we can afford to and because we want to as a moral obligation. Yesterday, one of the speakers mentioned that the Pacific countries are paid by UNESCO to come and vote at the General Conference, which I found to be a very unfair statement. The air fare that UNESCO pays for Pacific Member States is only a very small percentage of the cost of participation in General Conference. It is a big sacrifice for Pacific Island delegations to fly 30 hours to Paris to cope with freezing weather, to stay at expensive hotels, etc. All this surpasses the cost of an airfare provided by UNESCO. We are here at UNESCO not because UNESCO paid for our airfare, but because we are a genuine friend and a Member of UNESCO, a strong believer in its ideals for peace, diversity, morality and international solidarity. We try to do everything that UNESCO asks us to do from A-to-Z, especially the many tasks that are expected of the National Commission to UNESCO. Despite all that we do, we feel we are still being punished by the current electoral system that continues to deny us the right to sit on the Executive Board.

26.3 I believe that the Culture Commission has adopted the proclamation of a World Olive Tree Day, as strongly recommended by the Executive Board at its 206th session to promote the values of peace, harmony and environmental sustainability. Environmental sustainability includes financial sustainability for UNESCO. All Member States are the roots of the olive tree, and in order for the olive tree to survive, the roots have to collectively grow together, including timely payment of assessed contributions. The assessed contributions constitute the regular budget. It is alarming to hear of $106 million in arrears, of which quite a high percentage is owed by countries that can afford to pay but do not want to pay. Non-payment of contributions will continue to hinder the implementation of UNESCO’s programmes. Thank you Mr President.

27. The President:
Thank you Excellency. Malta is now at the end of the speakers’ list. I now invite Czechia, to be followed by Togo please.

28.1 Czechia:
Thank you Mr President. It is firstly also for us to take the floor. So let us congratulate you on your election as the President of the 40th session of the General Conference. Regarding the discussion, the Czech Republic would like to associate with those who already said that payment of the contributions is an existing obligation in this Organization under the Constitution, since 1945. The assessed contributions constitute the regular budget, and it is crystal clear that the non-payment of contributions hinders the implementation of the UNESCO programme.

28.2 It is in the interest of all of us not to repeat the situation from the past, when the non-payment led to the financial crisis of the Organization. We would like to emphasize that these amendments are not against any country, but only against those who are not willing to pay. Member States in a difficult situation are still protected through the procedures for situations beyond the control of the Member States. In conclusion, the Czech Republic would like again to express its support to these amendments to be able to ensure the best conditions for UNESCO’s work and activities. Thank you.

29. The President:
Thank you. Slovakia is now at the end of the speakers’ list. Togo, to be followed by Lithuania.

30.1 Togo:
Merci Monsieur le Président. Le Togo est co-auteur du projet de résolution qui figure au point 7.4 de notre ordre du jour. Monsieur le Président, le budget ordinaire de notre Organisation est sans aucune mesure avec le mandat qui lui a été confié par l’ensemble des États membres. En votant le programme et le budget, les États membres donnent à la Directrice générale une feuille de route, une sorte de mandat, pour œuvrer en faveur de la mise en œuvre de ce
programme. Nous signalons que comparée à d’autres agences du système des Nations unies qui œuvrent dans des domaines comparables, notre Organisation arrive un peu comme parent pauvre, avec des moyens relativement limités.

30.2 C’est dire que pour ce budget, que nous jugeons insuffisant, le minimum que nous puissions faire c’est de veiller à ce qu’il ne reste pas fictif. Il doit être régulièrement alimenté et sans retard par le paiement régulier de toutes les contributions par les États membres. Payer nos contributions c’est éviter que la Directrice générale soit obligée de contracter des prêts bancaires avec des intérêts pour payer le personnel de l’Organisation. Ne pas payer nos contributions c’est être dans la situation d’une Organisation qui ne peut pas demander des comptes à la Directrice générale parce qu’elle ne lui a pas fourni les moyens dont elle a besoin.

30.3 Nous comprenons que certains États, dans des circonstances données, puissent être dans des situations hors de leur contrôle qui les rendent incapables de s’acquitter de leurs contributions. L’amendement proposé fait preuve de souplesse et prévoit comment une telle situation doit être traitée. En dehors de ces cas de force majeure, nous pensons que chaque État membre doit s’accompagner de sa contribution. Il s’agit d’une obligation qui s’impose à chacun d’entre nous, et même d’un devoir.

30.4 Monsieur le Président, nous regrettons que l’Organisation soit obligée de prendre des mesures contraignantes pour récupérer ses cotisations, mais si c’est la seule voie qui nous reste, nous n’avons pas d’autre choix que de l’emprunter. À ce stade, aucune autre voie ne nous a été proposée. Nous confirmons donc notre soutien au projet de résolution présenté par la Suède et qui figure au point 7.4 de notre ordre du jour. Nous sommes en faveur du projet d’amendement proposé et nous pensons que cet amendement doit être adopté à la 40e session de la Conférence générale de l’UNESCO. Nous vous remercions Monsieur le Président.

31. **The President:**

Angola is now at the end of the speakers’ list. Lithuania, to be followed by the Seychelles.

32.1 **Lithuania:**

Thank you very much, Mr President. I use this occasion to congratulate all countries that were elected to the Executive Board and wish them all the best in their work for the benefit of this Organization. Lithuania fully supports this amendment. We co-sponsored it and thank Sweden for all – not just for initiative, because the initiative was actually started by the Executive Board – but also for all the work of discussion or for fine-tuning the proposal, responding to concerns by Sweden and that was presented here at the beginning of our discussion. I will reiterate once more with our co-sponsors that it is obvious that the obligation to pay contributions to UNESCO has always existed since the establishment of this Organization, and is applicable to each and every Member State. I do not believe that we have to seek consensus on this issue. If a Member State has objective reasons that impede it to pay its contributions on time, there is a mechanism to analyse the explanations by the Member States that are in arrears. During this current session of the General Conference, we have witnessed that all the Members who have provided the required communications and responses have been identified as eligible to vote by the Working Group on Contributions. That was done based on established criteria that are very widely known, even though in some cases at first glance it might seem to someone that certain countries should not be eligible, but they were recognized as such.

32.2 The same mechanism will be applied if we adopt the proposed amendment, and Lithuania strongly pronounces that this amendment should be discussed now in this session. The issue of paying contributions is about our duties. And this amendment is also about discipline and about real multilateralism, because paying assessed contributions is part of multilateralism. I fully agree, and follow those speakers who were talking about some countries that are not willing to pay, but actually using non-payment. And we are witnessing that for almost 10 years, and unfortunately not a single case, to politically influence directions or a situation in UNESCO. That is absolutely unacceptable. I do not believe this amendment will fully resolve that issue, but at least it is trying to address it, because once we learn to ride a bicycle or to swim, we cannot unlearn it, and it is always the danger that we have opened Pandora’s box and more unpleasant surprises might come from it. So, we have to put a barrier for this temptation to use assessed contributions, or not paying them, to politically push the Organization in one or another direction, what was already called “multilateralism à la carte”.

32.3 I do not understand how the impact of this amendment can be interpreted as a new obligation, as already stated, and I encourage all who care about multilateralism in this Organization, real multilateralism, to vote for this amendment to be discussed now and not postponed for whatever invented or supposed procedural reasons or for consensus reasons. As I say, we do not need consensus to accept that we have to pay our assessed contributions. Thank you very much, Mr President.

33. **The President:**

Thank you Excellency. The Seychelles, to be followed by Iran.

34.1 **The Seychelles:**

Thank you, Mr President. Mr President, thank you for giving Seychelles the floor. I avail of this opportunity to congratulate you upon your election as President of this 40th session of the General Conference, and also to sincerely commend your leadership style, which is impartial, forward-looking and result-oriented.

34.2 Mr President, Seychelles is a co-sponsor of this draft resolution under consideration, and our stance is principled. Mr President, serving on the Executive Board is a privilege because not all Members of the Organization enjoy such a status. Like all privileges, it ceases to be one and turns into an injustice the moment it gets sullied by unethical practices such as non-compliance with the financial obligations of the Organization. Members of the Board are selected through elections. They are elected based on a moral contract with other Member States and their election represents a trust that other Member States have in their capability to deliver on the mandates of UNESCO. When Members seeking election to the Executive Board choose not to pay their assessed contribution, despite having the means to do so, they jeopardize the delivery of the mandate of UNESCO. Such Members cannot be eligible to the Executive Board, which is the organ that
ensures that UNESCO can deliver on these same mandates. If such Members are already on the Board, it is logical that they should lose their right to vote as through their actions they have already voted against UNESCO’s mandates. Member States who choose not to pay the assessed contribution and are seeking election to the Executive Board or are already on the Board, are in a situation of breach of trust with the Organization, and as such cannot be trusted with taking decisions in its best interest.

34.3 Mr President, for a country honouring all its international obligations, including financial ones, is central to upholding multilateralism, which is the backbone of the rule-based International order. Failing to pay assessed contributions to international organizations means paying lip service to the ideals that these organizations promote. Seychelles, a small island developing State of only 93,000 inhabitants, but nonetheless of equal sovereign status to any other independent country, is of the view that non-compliance with financial obligations to international organizations for no good reason is a red line that no country should cross without running the risk of sanctions. We call on all Member States of UNESCO present in this room to vote in favour of this amendment to the conception of UNESCO. At a time when there are concerns about the financial stability of our Organization, it is imperative that we do not condone any practice that contributes jeopardizing the programmes of this school. Thank you, Mr President.

35. The President:
Thank you Excellency, Iran, to be followed by Belgium.

36.1 Iran (Islamique république d’) :
Merci beaucoup Monsieur le Président. Monsieur le Président, la délégation iranienne est consciente de l’importance de la situation financière actuelle de l’UNESCO, et de la bienveillance des co-auteurs de cet amendement. Comme nous le savons, une grande majorité des pays membres ont toujours rempli leur devoir. C’est parce qu’ils respectent parfaitement leur responsabilité morale. C’est dans cet esprit que mon pays, malgré des restrictions imposées que vous connaissez a beau chercher de trouver des moyens pour remplir ses obligations grâce à l’aide remarquable du Secrétariat que, profitant de cette occasion, j’aimerais bien l’en remercier.

36.2 Toutefois il va de soi que nous ne devons pas comparer l’UNESCO aux institutions financières et leurs règlements et obligations. D’autre part, comme l’Acte constitutif de l’UNESCO est la base de notre alliance collective, il nous faut d’être très prudents lorsqu’il s’agit de l’amender. Mon pays continue à croire à la clairvoyance des donateurs de cette Maison. Par conséquent, nous croyons que ce genre de question doit être le sujet de consultations intenses et structurées entre tous les États membres, dans une atmosphère sereine et constructive.

36.3 Nous sommes d’avis qu’il nous faut une solution consensuelle, qui répond à la fois aux soucis financiers et protège à la fois la solidarité et l’unité de l’UNESCO. Monsieur le Président, la délégation iranienne, profondément attachée au dialogue, considère qu’il est opportun de suivre une fois de plus la voie de dialogue. Merci de votre attention.

37. The President:
Merci Excellence. Belgium, to be followed by Netherlands.

38.1 Belgique :
Merci Monsieur le Président. En ce qui concerne le fond de cet amendement, plusieurs délégations ont déjà exprimé notre position de façon beaucoup plus éloquente que je ne pourrai jamais le faire. La Belgique s’aligne avec les interventions de la Suède, du Ghana, de l’Albanie, de l’Égypte et beaucoup d’autres. Je vais concentrer mon intervention sur la question des obligations nouvelles, ce qui est une question juridique. Plusieurs États membres ont mentionné qu’il faut éviter la politisation de l’UNESCO. Et bien, nous devrions dès lors baser notre décision sur des considérations juridiques et non politiques.

(Notre tour de parole est victime d’un malentendu)

38.2 Mr President, distinguished delegates, Member States have an obligation to pay contributions. This obligation has existed since the very first version of UNESCO’s Constitution in 1945. And we’re adding nothing to it. We’re not asking Member States to do anything more than that. All this amendment does is attach consequences to an existing obligation. There is an analogy to be made with contract law. Contracts contain obligations; if you do not respect those obligations, there can be consequences. Those consequences are not new obligations. They are just what the word suggests: consequences to pre-existing obligations. Only this amendment that we’re presenting today is less strict than contract law. If you have a contract with an electricity company and you cannot pay the bills, they will cut off your power regardless of the circumstances. This amendment is nothing like that. If a Member State cannot pay its contributions for reasons beyond its control, it will still be able to vote and it will still be eligible to the Executive Board. We are not going to leave Member States in difficult situations in the dark.

38.3 Mr President, distinguished delegates, several delegates yesterday mentioned that they had consulted legal experts in their capitals, while we consulted some legal experts as well. Only they are slightly older, but therefore not less eminent, because they are the founding fathers of UNESCO. And I do apologize. I have to say founding fathers, because unfortunately at that time, there weren’t that many founding mothers. At the fourth session of the General Conference in 1949, an amendment was adopted to introduce a possible loss of voting rights in the General Conference in case of non-payment. This was only four years after the Constitution was adopted, including this concept of new obligations, and a lot of the founding fathers who wrote the Constitution were still there at that time. And about this amendment, they decided, and I quote, “considering that this amendment does not involve new obligations for the Member States”. Are we going to decide 70 years later that those founding fathers misinterpreted the Constitution that they themselves wrote?

38.4 And while we’re talking about this 1949 amendment, please allow me a small parenthesis. During the debates then, a delegate proposed to postpone the decision because certain countries were at that time in financial difficulties. The General Conference decided not to postpone because, and I quote, “the text of the proposed amendment itself met the
case mentioned by him since the General Conference may nevertheless permit such a Member State to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member State”.

38.5 Today, for this amendment in the text itself, we are offering the exact same guarantees. As to the criteria for conditions beyond control, the distinguished delegate of Benin has addressed this during his excellent intervention. But let me just add that the document in question, 30 C/19, also mentioned, and I quote, “On reflection, however, the group felt that it was difficult to devise perfectly objective criteria that could be applied to all possible situations and cover in advance all the reasons that a State could cite”. So this means, in other words, that criteria were kept rather general on purpose, precisely to allow some flexibility, which is only to the advantage of the Member States.

38.6 Mr President, distinguished delegates, it has been mentioned before that on 22 occasions in the history of UNESCO, the Constitution has been amended, sometimes with multiple amendments. Only once did the General Conference decide that an amendment contained new obligations. Are we going to ignore the precedents? Are we going to ignore the legal arguments to decide the legal issue on purely political grounds? Is that what de-politicization looks like? I sincerely hope not. I thank you for your indulgence.

39. The President: Thank you. Now Poland, to be followed by Colombia.

40.1 Poland:
Thank you Mr President. First of all, let me join previous speakers and congratulate you on your election and warmly welcome your able leadership and efforts to facilitate the discussion. Poland supports the amendment proposed in 40 C/PLEN/DR.2. We believe that this change to the UNESCO Constitution is very timely and needed. We hope that the General Conference will adopt this decision by consensus during this very session. This is a matter of responsibility, consistency and fairness. We do not see any reason to postpone the substantive discussion on this draft. I would like to call on all delegations which are not clearly against the amendment, but wish to have more time to debate on it. Please take your time now. Let us discuss this together. Let us consider all possibilities for possible consequences that could worry you. Let us do it now, because the time is now: the time to take all possible measures to strengthen this Organization and to stabilize its financial situation. It cannot wait another two years.

40.2 This amendment is not concerning the type of contribution nor the system of punishment. It is about taking seriously our commitment to this Organization in difficult times. We cannot take as a starting point to our discussion that Member States have only rights. That is not the way of working of UNESCO or any other organization. We should rather assume that none of us intend to fall behind with the contributions without objective reason. And when there are some objective reasons, we have a proper protection mechanism included in the proposed amendment.

40.3 We also need to be very careful and to not connect the voting rights nor differ the power of vote of a given Member State depending on its area or its population. Otherwise, we would need to give one-third of the voting rights to only two from 193 Member States. But multilateralism and the whole United Nations system is based on a quite opposite rule; it is based on recognition and respect for the equality of States. That is very noble that some of the bigger countries seem to try protect them from themselves. This amendment was presented in spring in a very transparent way, and as far as we know it had not raised any debate or open questioning. And speaking of that, let me thank Sweden for a very carefully prepared draft and for the coordination with the Secretariat of all technical aspects to implement this amendment as smoothly and as predictably as possible. For Poland, this is a very simple change of technical character, which could have, however, a beneficial impact for UNESCO’s budget.

40.4 It would not create any new obligation because we all already have the same obligation to pay our contributions on time and not to put obstacles to the functioning of the Organization that we Member States constitute, guide and task. Therefore, we are talking not only about searching for practical solutions to stabilize the UNESCO financial situation, but also about reaffirming our commitment and support for this Organization right here and right now, when it really needs it. We see the proposed amendment as a very simple, clever and natural solution that we can take. It is just about being consequent and adopting the same goal as we already agreed in reference to the General Conference. So a maiori ad minus. If we could agree for this rule in the case of the most important body, the General Conference, we should not have any doubt to apply it to the Executive Board. Poland shares the view that the basic values of UNESCO are dialogue and search for consensus. Genuine dialogue, that means listening to it to others, respect for diversity of opinions and willingness to find a common ground, and sometimes the compromise – the solution that it’s not necessarily the best option for me, but maybe it’s the best option for us. Therefore, we believe that it’s still possible to reach consensus around adoption of DR.2 and to prove that we all are ready to take responsibility for the future of this Organization. Thank you, Mr President.

41. The President: Thank you. Colombia, to be followed by Fiji.

42.1 Colombia:
Gracias, Presidente. Yo creo que usted va a comprender lo difícil que puede ser para nosotros intervenir en este momento. Nosotros asumimos la Constitución con todas las consecuencias. Desde hace varios meses, Presidente, Colombia se ha pronunciado en contra de las tres enmiendas y esperamos que esta Conferencia sea la Conferencia de la Constitución y no la Conferencia de las enmiendas. Y repito, Presidente, no hay justificación. Cuando nos comprometimos con la Constitución nos comprometimos con todo y estamos en esa lucha. No creo que haya algo más duro que lo que ya dice la Constitución y la aceptamos tal como está. No creo que haya una sanción más fuerte como la que impone la Constitución y me gustaría prestarle los zapatos a alguien para el cual, por ejemplo, su situación nacional
es tan simple como pagar la electricidad. Afortunadamente, ese no es el caso de muchos de nuestros países. Esta
enmienda, Presidente, es hostil, excesiva y arrogante.

42.2 Hay algo en el programa MAB, Presidente, que se llamaba “El proceso de salida”. El proceso de salida durante un
Estado parte no daba sus informes de sus reservas de biosfera. En el programa MAB, Presidente, hicimos del proceso
de salida, un proceso de excelencia. Lo que propone Suecia, con un buen espíritu, deja muchos vacíos. Aquí se ha dicho
bastante que esa enmienda simplemente se refiere a los Estados que no quieren pagar, pero, realmente, va a afectar a los
Estados que no pueden pagar. Y fuera de eso, Presidente, crea un vacío en la toma de las decisiones. A lo largo de cada seis meses esta enmienda tendrá que aplicarse y hay muchísimos vacíos institucionales sobre la manera de aplicarse. Esta es una enmienda que me recuerda mucho el escarnio público, la estigmatización. Yo ya he sentido voces en esta sala de algunos países que se presentan como estandartes de la moral y la verdad, Presidente, nuestro compromiso y la lucha que tenemos en esta Organización es absolutamente consciente y la asumimos con toda la integridad posible. Un país ya culpa a los países que no pagan la cuota de que no se apliquen los ODS. Y luego se dice que no, que simplemente esta enmienda va para los países que no quieren pagar. Esa no es la sensación que está dejando este debate, Presidente. Nosotros tomamos las palabras que han dicho Pakistán, Paraguay, Brasil, India, Argentina, Cuba, Rusia, Serbia, China y llamamos para que la Constitución se mantenga, Presidente. Y esperamos que en la próxima Conferencia General podamos desplegar la creatividad en otros flancos mucho más potentes de esta Organización. Muchas gracias, Presidente.

43. The President:
I would like to announce that, as with the previous amendment, I would like to have two speakers from the proponents and opponents, so that they can wrap in five minutes each the salient arguments and viewpoints of their understanding. For one of the sides I already have Albania. Then Brazil I also have. Then you will decide among yourselves and inform the desk please for the two other speakers. Thank you. Now Fiji, to be followed by Iceland.

44. Fiji:
Thank you Mr President. I speak from a so-called vulnerable country, a small island developing State of 850,000
citizens over 333 islands. In the past year, we have cleaned our financial slate with UNESCO. We have paid our
outstanding fees from 2010 in relation to the Participation Programme funding and assessed contributions in the region of
over $275,000. That is against what I think is our assessed contribution of $20,000. We are happily now up to date. While
we cannot necessarily define them as voluntary contributions, I wonder if those put us in some of the top funders of
UNESCO. If one measure to encourage payment does not work, other measures may be needed. I have to ask, what
message does it give when our leaders on the governing bodies of UNESCO are not paying themselves, when we expect
to lead by example? Paying fees is the right thing to do in terms of assessed contributions. We welcome and thank
those Members who have made additional and voluntary contributions. We also look forward, Mr President, to SID's being a
priority in terms of funding of this Organization. We also support Ghana and other countries in that there is no new
obligation. But perhaps we need to re-emphasize the current obligation to pay fees. We also agree, Mr President, that
there is no need to postpone. Thank you.

45. The President:
Thank you. Iceland, to be followed by the Dominican Republic.

46. Iceland:
Thank you, Mr President. Iceland co-sponsored this amendment because a full and timely payment by Member
States of their assessed contributions is crucial for the well-being of UNESCO and ensures that UNESCO has the
necessary resources to fulfil its mandate and deliver on its programmes. This amendment is about encouraging those who
can pay their assessed contributions to do so while continuing to protect others. As has been explained, a Member State
in a situation of fragility when it cannot pay its contributions due to conditions beyond its control, such as armed conflict,
economic crisis and natural disasters, will not be affected. And as regards the issue of new obligations, we do not see this
as a new obligation. There is a clear pre-existing obligation from Member States to pay their assessed contributions in full
and on time. This has been a clear Constitutional obligation since 1945. Finally, we support this amendment because it
seeks to ensure the best conditions for UNESCO. It promotes solidarity and encourages us to live up to our
responsibilities and uphold the values of multilateralism. Thank you.

47. The President:
Thank you. Dominican Republic, please.

48. República Dominicana:
Muchas gracias, señor Presidente: la República Dominicana, considera que no se trata de pagar o no pagar. Esta
enmienda solo muestra, una vez más, la apatía o el desinterés o, incluso, el desconocimiento a poner de manifiesto sobre el interés de esta institución, la valiosa condición que nos coloca en el sector de los pensantes, entiéndase, la creatividad, llámese así a la capacidad o facilidad para inventar o crear, generar nuevas ideas o conceptos que den como resultado soluciones originales y no seguir tomando el mismo discurso de bebé recién nacido o un anciano de 75 años. Ciertos es que necesitamos aumentar nuestra capacidad presupuestaria para poder lograr nuestros objetivos. Utilicemos, entonces, esta creatividad para poder lograr nuestros objetivos, utilicemos esta creatividad que evidencie nuestra experiencia de 75 años. Miremos esta Organización no solo en la importancia de los 153 Estados Miembros que la componen y que muchos de ellos habitan en estas cuatro paredes, no, miremos la UNESCO desde fuera y pongámosla a prueba. Busquemos soluciones que evidencien que somos valorados por el mundo de fuera, el mundo para el cual hemos trabajado por 75 años. Seamos creativos, justifiquemos nuestro paso por esta Organización. Todos podemos y debemos entonces solucionar desde dentro y desde fuera. Muchos saben que desde nuestra llegada a la UNESCO hemos tratado de aprender la lengua francesa y al parecer para lograrlo se necesita cierta edad. Hoy intentaremos mostrar que cuando se quiere se puede.
48.2 Soyons créatifs pour arrêter de jouer qui sera le plus fort ici. Soyons créatifs, car je suis sûr que de cette façon on pourrait remplir les espaces vides où nous tous, nous sortirons vainqueurs et surtout reconnus comme tels hors ces quatre murs de cette Organisation.

(L’orateur poursuit en espagnol)

48.3 Estimamos, señor Presidente, estimada sala, por tal caso, que debemos darnos más espacio para discutir este tema. Vayamos paso a paso, sin pausa pero sin prisa. Que se siga debatiendo, que se siga discutiendo. Seamos creativos pero constructivos. Sigamos las discusiones más adelante para poder madurar esta propuesta, tomando en cuenta todos los factores que hasta el momento se han esbozado. Profundicemos las discusiones, pues, es evidente que, tal y como está propuesto, no se puede adoptar. Muchas gracias, señor Presidente.

49. **The President:**

Thank you. For the five-minute speeches later on, Albania will be speaking, then Brazil will be speaking, then Ethiopia and Argentina. Now we continue with Algeria, to be followed by Côte d’Ivoire.

50.1 **Algérie :**

Merci Monsieur le Président. Je prends la parole pour la première fois. Permettez-moi donc de vous exprimer mes plus chaleureuses félicitations à l’occasion de votre élection à la Présidence de la Conférence générale.

50.2 Monsieur le Président, mon pays, qui a toujours soutenu et défendu les principes de justice, d’équité et de solidarité, estime que l’amendement en question ne vise nullement les pays en difficulté financière, qui sont d’ailleurs protégés par des dispositions et autres mesures prévues à cet effet, et qu’il convient d’ailleurs de consolider. Cet amendement, Monsieur le Président, ne comporte par ailleurs, selon la vision de mon pays, aucune obligation nouvelle. En revanche, il permettrait de mettre à l’abri l’UNESCO de toute tentative de pression que pourraient exercer certains pays sur notre Organisation à travers le non-paiement de leurs contributions. C’est pour cela, Monsieur le Président, que mon pays apporte son appui à l’amendement proposé. Merci.

51. **The President:**

*Merci Côte d’Ivoire to be followed by Malta.*

52.1 **Côte d’Ivoire :**

Merci Monsieur le Président. Monsieur le Président, permettez-moi de vous féliciter pour l’inclusivité des débats que vous avez su instaurer depuis le début de cette session.

52.2 Monsieur le Président, la Côte d’Ivoire a besoin de l’UNESCO et nous répétons que l’Organisation doit avoir les moyens de sa politique. Raison pour laquelle nous estimons que tous les pays membres de l’UNESCO devraient pouvoir respecter leurs engagements financiers vis-à-vis de l’Organisation. Cependant, des pays peuvent se trouver dans l’impossibilité de payer leurs contributions pour des raisons politiques, économiques, ou en raison de catastrophes naturelles. La Côte d’Ivoire a elle-même rencontré des difficultés politiques pendant plusieurs années.

52.3 Nous affirmons que l’Organisation doit pouvoir analyser la situation des pays qui ne peuvent honorer leurs engagements. Si les raisons des manquements sont objectives et valables, on devrait pouvoir faire des exceptions. En conclusion, Monsieur le Président, la Côte d’Ivoire soutient l’amendement proposé par la Suède car nous en sommes co-auteurs. Je vous remercie.

53. **The President:**

*Merci Votre Excellence. Malta to be followed by Slovakia.*

54.1 **Malta :**

Thank you, Mr President. Since this is the first time I intervene, allow me to convey on behalf of my delegation my congratulations to you on your election and most sincere compliments on the way you are conducting these debates. Earlier on, we heard that this amendment classifies the responsible and irresponsible countries. Malta finds that to be a too harsh and apocalyptic judgment. We do not think that this amendment classifies the responsible and irresponsible States. First of all, this amendment is acknowledging that some States may be unable to pay due to reasons beyond their control, and put a specific mechanism for that. So the amendment is accommodating enough and does not in any way classify those who do not pay as irresponsible from the onset.

54.2 Secondly, if there happen to be States who consistently and deliberately do not pay, it is their actions that unilaterally put whatever adjective it is to their behaviour and not this amendment in itself. Thirdly, we are hearing time and time again that the collection of these uncollected contributions will not change much in UNESCO’s budget. Fine. That means we are not in such a bad situation after all, perhaps. However, this is not just about the real value of money. This is more about a matter of principle, a principle of being a member in an organization, and you abide by its rules, which by the way are not being imposed freshly now, with this amendment; the obligations have already been there. Everyone here knows his dues.

54.3 Finally, I want to put forth a question to all Member States here. We are discussing whether we should put some pressure on Member States to pay their dues, because if they do not, there are consequences. Let us all hypothesize that we drop this amendment or vote against it, so there are no real consequences for lack of payment. What happens next? Who would draw attention to those who do not pay? With what weight will anyone there draw attention to those States who fail to pay their dues? In this way, assessed contributions will virtually become voluntary. We pay them if we want, because if we so decide not to pay them, there are no positive or negative reinforcements. Malta believes that in principle there is nothing wrong with this amendment. If anything, to make sure it is fair, then we ought to pass this amendment here and now, and then think of more improved and systematic manners in which to build a structure that is clement
enough with those who need clemency, so that this does not become in any way a punishment to those who do not deserve it. But if needs be, it will be negative reinforcement for those whose actions would be deserving. Thank you.

55 The President:
Thank you. And thank you for your kind words, and other delegations. It really encourages me at this desk. So thank you. Now Slovakia to be followed by Angola. That will be the last speaker. But then I will give the floor to four speakers, which I already named. Slovakia, please, and then Angola.

56.1 Slovaquie:

56.2 Premier paradoxe. Certains affirment que la mesure proposée va frapper surtout les vulnérables, les plus pauvres, les pays en voie de développement. Mais si on regarde la liste des cosignataires, co-sponsors, on doit voir qu’il y a parmi eux pas mal de pays en développement, au moins une douzaine. Et ça donne l’impression que les défenseurs ne sont pas en phase avec ce qu’ils défendent. Bien sûr, quand les grands pays défendent les petits, les intérêts des petits c’est magnifique, mais dieu sait pourquoi j’ai l’impression que dans cette enceinte chacun défend en premier lieu ses propres intérêts.

56.3 Deuxième paradoxe. Certains disent que la mesure proposée, si elle est adoptée, ne peut pas remédier à la situation financière de l’UNESCO parce qu’il s’agit de sommes négligeables, de quelques gouttes dans le budget de l’Organisation. Mais, même si c’était vrai, on oublie une chose. Le fait d’honorer ses obligations financières ou ne pas les honorer, ce n’est pas uniquement l’affaire du porte-monnaie. Monsieur le Président, quand je paie pour quelque chose, quand je congédon quelque chose, j’exprime à travers de cela aussi mon intérêt, mon engagement. Quand je ne paie pas, ça signifie le plus souvent que je m’en fiche. Et ça peut être encore plus nuisible à l’UNESCO que le simple fait de ne pas payer une contribution financière à temps.

56.4 Troisième paradoxe qui émane, à mon avis, de notre discussion. L’expérience récente a démontré qu’il est tout-à-fait possible de ne pas honorer ses obligations financières, et pendant des années, et en même temps de continuer à siéger au Conseil exécutif, à titre quasi permanent. Oui, Monsieur le Président, dans l’état actuel des choses, c’est tout-à-fait possible. Est-ce logique ? Est-ce « fair » par rapport à l’Organisation et tous les partenaires ? Ma délégation ne le pense pas. Que chacun garde son opinion sur le sujet, nous avons respecté ces opinions. Mais il faut trouver un remède contre cela, au plus vite, non pas dans un futur non déterminé. Donc, nous ne sommes pas en faveur de reporter ce sujet, formellement à la prochaine Conférence générale mais réellement sine die. Merci.

57. The President:
Merci Votre Excellence. Angola please.

58.1 Angola:
Merci Monsieur le Président. Nous prenons la parole pour la première fois. Comme l’ont fait les autres qui nous ont précédés, nous apprécions beaucoup votre Présidence, la manière dont vous conduisez les travaux. Ça ne fait que donner de la confiance à nous tous.

58.2 Monsieur le Président, l’Angola prend la parole pour dire clairement que ce qui est en discussion, c’est l’obligation que tous les États membres ont, du fait de l’Acte constitutif, de payer à temps leurs obligations. Je n’ai pas entendu, malgré le climat qui existe, qu’un seul pays ici membre de la Conférence générale ait renié ce principe.

58.3 Il nous semble que la question se poserait de savoir quel est le mécanisme pour la récupération du droit de vote qui serait suspendu à cause d’une mesure correcte de suspension. J’ai assisté à une des sessions du Comité juridique où la question avait été posée de savoir, si on parle de l’automaticisme de récupération du droit de vote, comment cela se passerait. D’autant plus qu’il n’en revient qu’à la Conférence générale de rétablir ce droit. Or, le groupe de travail qui juge de la situation des cotisations ne le fait que de manière aléatoire, au moins une fois avant la Conférence générale. Et donc, j’ai compris, qu’au cours de cette session, on aurait dû suggérer que soit, disons, sortie de cette Conférence générale, la question de l’automaticisme. Parce que sinon on aura à attendre l’autre Conférence générale pour rétablir le droit de vote à ceux qui l’auront perdu pendant les deux sessions. Je crois que c’était une question de réflexion, c’est pourquoi nous portons notre réserve.

58.4 L’autre question, nous pensons que c’est une question qui est la vraie, la vraie question. Si nous considérons le principe de flexibilité, ceux qui ne paient pas ponctuellement leurs cotisations, ils vont toujours s’arranger pour être à jour à la veille de la Conférence générale. Et donc, pour nous, l’efficacité de cet amendement n’est pas assurément garantie.

58.5 Et c’est une autre question de conscience d’appartenir à cette Organisation. On aura toujours ce retard qu’on a vérifié, et ce retard ne vient pas des pays les moins avancés. Et c’est à ce sujet, je pense que c’est une réflexion qui doit se faire. Pourquoi les gens attendent à la veille de la Conférence générale pour régulariser leur situation ? Ils laissent pendant tout le biennium l’impossibilité de bénéficier des contributions qui sont obligatoires. Et donc, c’est de ce côté-là qu’on se limite à pouvoir mettre en œuvre le programme qui est approuvé pour le biennium. Donc, il faut qu’il y ait une corrélation entre le versement, la ponctualité, et çà c’est l’affaire des États membres. Et si on donne une flexibilité de deux ans, on n’a pas l’efficacité de l’amendement qui est en train d’être suggéré. Merci beaucoup.

59. The President:
Merci Votre Excellence. Now we are moving to the five minutes each for speeches. I give the floor first to Albania, to be followed by Brazil.
60.1 **Albania:**

Thank you very much, Mr President, and thank you again for your indulgence in making sure that we have a thorough discussion on this issue. This session will certainly be remembered also for this largesse. And as you rightly asked many speakers to speak slowly, I will speak slowly, but please do not be very tough on the five minutes, because this is a very important issue. Sweden, in its introductory statement this morning and countless other delegations, representatives of countries of all regions, sizes, populations in their millions and development index, made a very clear explanation of what this proposal, this proposed amendment is about. In a summarized word, this proposal is just yet another concrete, sincere, honest and transparent effort to ensure that we collectively work and agree that our Organization be able to function normally, perform better and deliver more.

60.2 Mr President, now that we are about to move ahead, I think it is worth to highlight and remind the room of some key points. First, this proposal is not and has not been rushed. Discussion has taken place. Explanations have amply been made. Views have been largely outlined. Opinions have been freely expressed. Concerns have been respectfully heard. As rightly reminded by Egypt, by St. Vincent and the Grenadines, by Portugal and certainly I forget others, the previous General Conference and Executive Board sessions have discussed about acting upon this issue, so it is not a surprise for anyone.

60.3 Second, I do not know in which words and in what language it needs to be said and repeated to be understood. This amendment is not addressed against any particular group of States. Even less so those in difficulty. We heard the word punishment repeated several times here. It is clearly not. Countries in difficulty are fully protected and understood and we have a solid mechanism that has proved itself. This is the truth, the real truth. There is no other. There is no alternative truth. Actually, it was difficult, if not painful, to understand from some of the interventions on exactly who speaks on whose behalf. Those countries that cannot pay for reasons that are beyond their control are fully protected. We know it. We have proved it. We heard this clear and loud by many developing countries, including least developing countries (LDCs), stating in plain terms that the amendment is not directed against them, that this amendment is needed, that this amendment actually helps them. I do not know how this can be made clear. So we must be true and coherent. The issue, the real issue is about those countries that can pay to do so. So honour their obligations in full and on time, not at their choosing, not à la carte. As we heard this afternoon, LDCs have even stronger rules and we are reminded about that and obligations on this very particular issue. Therefore, doing less or the opposite here while arguing to support and help them would be highly inappropriate, morally questionable, if not – and the word was used this morning – shameful. Further, as a representative myself of a country that has known hard times and has been in the past in difficulty to pay its dues for a short time, but we were there. I know what I am talking about. Therefore, in total honesty, it needs to be straight. This amendment is to make sure that the common obligation to pay does not become a cherry-picking exercise, for whatever reason, putting in great difficulty and jeopardising the Organization.

60.4 Some $106 million in unjustified unpaid contributions is not peanuts for this Organization. Someone else in other circumstances would have probably, outside this room, called such an attitude undue political pressure or even blackmail. Therefore, let us make it clear, it is not this proposal, the amendment, that would put the Organization or its Member States in any difficulty. It is the contrary: lack of action, lack of enforcement of the Constitution, lack of payment without reason that may allow similar situations that we have known in the past to be repeated. We should have some memory. We do not want this anymore.

60.5 Third, solidarity and rights. When we say and claim, and rightly so, that we are all equal, this means both in rights and obligations. The very first obligation is to pay the assessed contributions, as we have agreed as the primary and most important source of the budget, which is what makes the Organization function. It would be ridiculous to call on and encourage countries to make voluntary, more voluntary contributions when Member States do not pay their dues. It would be useless to ask the Secretariat to do more efforts to raise money when Member States choose not to pay regularly and in time their assessed contributions. This is why I think that this approach is a muscular expression of solidarity. It needs to be strengthened and the amendment embodies it.

60.6 Fourth, and this is – and I will be short on this because it was very clearly explained by several delegations, and particularly by Australia – that this provision will in no way infringe the rights of the regional groups. Member States from every regional group will still be able to fully participate, draft, help reach agreements and consensus and work normally.

60.7 Fifth, this amendment does not bring any new obligations. It is already there enshrined in the Constitution and we need to make sure it is rightly and properly enforced. Obligations, just like laws outside this building, are not optional. Belgium made an excellent explanation of it. Laws must be enforced, they must be implemented, and we all must abide by them.

60.8 Sixth, the ability to amend the Constitution that has happened so many times, 22 times, every two General Conferences is a positive and enriching development, and in no way a proof of failure. As voiced this morning, time changes, the world changes, new realities emerge, and we need to adapt and respond. This amendment responds to an issue that is well known and to a need that has been clearly identified.

60.9 Seventh, now that our Organization is recovering, the amendment put forward constitutes a clear message that if we truly strive to have a stronger UNESCO with the necessary resources to help Member States implement the SDGs, the agenda 2030, we must do our part, and it starts by regularly and faithfully paying our dues. The very essence of this amendment, Mr President, is to make sure we all together, in shared responsibility, united by rights and bound by obligations and responsibilities, create the best conditions for UNESCO’s works and activities, for a UNESCO that we want to be more efficient, more impactful at the country level. No one would question that we are on the right course, as the last two years have shown. We just need to carry on, and this amendment just helps us in this approach, in this drive.

60.10 Eighth and last, Mr President: it is not rare that the outside public opinion, a bit everywhere in every country, in every society, thinks that we diplomats spend our time in endless, fruitless discussions, without much impact in terms of
value for money, either congratulating each other or quarrelling with one another, and then at the end of the day, join for a
drink. We know this is not true, at least not as portrayed, but we also know that we can and must do more and better so
that our efforts towards cooperation, solidarity, results for the wellbeing of our citizens, action for peace and security, for
understanding and cooperation among nations, for a better future for all, for a better and more result-oriented Organization,
are known and recognized. And this is achieved by acting, not by waiting, not by postponing, not by meeting to decide on
another meeting, by reading a report to draft another, which would then lead to another one. Mr President, we all cherish
consensus and we all work hard to achieve it. And thankfully, most often we make it. But there are also times when this is
not possible, despite efforts and wisdom. At such times. We need to make a choice, take a decision and move on.

(The speaker continues in French)

60.9 Monsieur le Président, permettez-moi de conclure en disant quelques mots en français. Nous nous trouvons
précisément à un de ces moments de décision, puisque nous sommes pleinement convaincus, en toute sincérité et sans
réserve aucune que cela représente un effort concret afin de fournir à notre Organisation ce dont elle a le plus besoin pour
la rendre plus forte, notre travail mieux ordonné et l'ensemble plus discipliné. C'est pour toutes ces raisons, Monsieur le
Président, et chers collègues, que j'appelle tous les pays membres à rejeter la motion de remettre cette question à plus
tard. Je vous remercie.

61. The President:
Thank you Ambassador. Seeing the importance of the subject under discussion, I increase these last three
speeches to seven minutes. It would be more effective on the general public opinion if you concentrate on your most
salient points, because I am doing this, understanding that you have all listened to the debate and giving you, not a last
chance maybe, but a chance to explain what you think you have not explained fully. That is the idea behind it. So, Brazil,
Ethiopia and Argentina can prepare themselves for a seven-minute speech. Now Brazil please.

62.1 Brazil:
Thank you very much, Mr President. And thank you and my congratulations for the extraordinary atmosphere you
have provided all of us in the debate of this, of this extremely important issue for all of us. I would like to say that after
carefully listening, and I do listen to everybody, I am not here only selling my fish, or trying to convince others, or trying to
impose the point of view of my country. I listened to everything that was said here in the interventions at this plenary. And
it is clear that all Member States are committed to the financial stability and budgetary resilience of this Organization. No
one denied the obligation to timely pay their contributions to the regular budget. We are all on the same side, I hope, when
we sincerely express our willingness to strengthen this Organization. But we are now once again trying to amend the
Constitution. This is a major step. Amending the Constitution must result from shared views, not the result of splits and
divisions, not the result of the imposition of the willingness of one group of States upon another.

62.2 When discussing this topic here, we saw many divergent views as to the fact that this amendment that creates
two new obligations, not to vote, not to be elected to the Board, will effectively address UNESCO's financial stability. I am
really afraid that we rush into approving a draft amendment just because we want this amendment to be approved, no
matter whether it will be effective or if it is innocuous. Or if it will only again expose developing countries, vulnerable
countries to the humiliating procedure of every six months being on a list of bad States, bad countries, irresponsible
countries, because there is a list that exposes the countries and after that there is a committee that will see how irresponsible they are, or not.

62.3 So there are also so many questions that were raised during this debate, and the answers to those questions
have not been given. This draft resolution, we listened to so many countries explaining that: look, it is not meant to be
seen like that, I do not believe in my opinion, in my point of view, It is not directed to that. But the only fact that so many
countries had to explain that so much means that this amendment is not clear. And I am talking about what we read in the
text. I read the text. I look at the list of the countries to which that amendment applies, and I really do not have a very clear
vision. It is as if you put in front of me an elephant. I look at it. I see it is big. It is brown. It has big ears. It has tusks. And
there is a group of countries telling me: No, what you are looking at, it is an elephant, but you should not see it as an
elephant. That is what I do see in front of us.

62.4 And I have not heard answers to the questions that were posed during our debate. Many countries raised
questions. Those questions were not answered. And coming to the juridical inconsistencies of the draft resolution, there
are so many that six hours of discussions in the Legal Committee were not enough for those inconsistencies to be
addressed. On a number of occasions, the President of the Legal Committee had to ask the proponent country, “Qu'est-ce
que vous avez dans la tête?” C'est vrai, c'est vrai. Pardon. So how can we amend the Constitution in this kind of
atmosphere of asking the countries, what do they mean by this? What do they mean by that? It is an amendment to the
Constitution. We cannot behave in such an irresponsible way. So, sorry, I think it is very obvious that there are many
divisions, many polarizations and countries taking this opportunity to campaign, to say “African countries, you have to vote
because it will be good for you. Developing countries, don't worry, it will not harm you”. So who is it going to harm? The list
of countries published only shows us African countries, Latin American countries, Asian countries, countries in the Middle
East. That's what the elephant in front of me looks like.

62.5 Therefore, Mr President, in order not to take the fall for such a long time, we are convinced that the amendments
to the Constitution really should reflect our shared decisions. Amendments to the Constitution cannot be impositions,
especially when new sanctions are proposed that will affect many countries. In this line of thought, Brazil, recalling the
draft resolution we proposed joining 26 co-sponsors from all regions, proposing more time to reach a decision that is
juridically consistent and effectively addresses UNESCO's financial situation, and by this I mean leaving no one behind.
So in line with this, therefore, Mr President, based on Rule 75 of the Rules of Procedures of the General Conference,
Brazil wishes to ask for the adjournment of the debate of the item under discussion, so that we can have time to address
this topic in a more inclusive way. We can answer the many questions that were posed at this session today, and we can
come up with an amendment that is juridically consistent and that effectively addresses UNESCO’s financial resilience. Thank you very much

63. **The President:**
Thank you Excellency. Could you please be more specific about your wish for an adjournment? To *sine die*, or what do you have in precise...

64. **Brazil:**
As I mentioned in line with the draft decision I proposed, to adjourn it to the General Conference at its 41st session. Thank you.

65. **The President:**
Yes. Ethiopia please.

66.1 **Ethiopia:**
Thank you, Mr President. I am going to try to be brief, at least not use up to seven minutes, because I am sure all of us are a bit tired. Mr President, I have listened to the debates very, very carefully. And really listening to the debates and the core arguments raised, it seems to me on the substance there is agreement, broad-based agreement among Member States, whether they are big, developed, developing, small island States or landlocked States. I see three arguments or agreements on three fundamental issues, Mr President. All countries – small, big, developed, developing, least developed – have all expressed their attachment to the multilateral system. This gives us hope and warmth at a time when the multilateral system is being challenged.

66.2 Secondly, all countries that have intervened have expressed clearly their view that assessed contributions should be paid on time in order to ensure the effectiveness of the multilateral system, and in particular, the effectiveness of our UNESCO. They all agree, all Member States in their interventions, that this is an obligation, an existing obligation, part of our core obligation as Member States.

66.3 Thirdly, all countries here have expressed the view that our Organization should be adequately resourced to carry out its mandate and deliver on behalf of us, especially those who need it most, the least developing countries or the developing countries. Now during the debate, in all earnest one, only one, core substantive argument has been raised to call for the postponement of this amendment or this proposal. That argument relates to the fact that if this amendment goes through, it will penalize small developing countries, it will jeopardize their representation on the Executive Board – basically that it punishes the small and creates an Organization whereby there is a two-tier membership system. On the surface, this might seem valid, but if you look at the amendment as proposed, this argument does not stand. The proposed amendment clearly stipulates that it excludes countries that are in crisis, whether in armed conflict or facing emergency situations. So if we all agree that the Organization should be adequately resourced, that these resources should be given on time, and if the amendment in question clearly and explicitly excludes countries that face emergency or crisis situations, then we have a broad-based consensus for this amendment to go through. Because, Mr President, what is at stake here is really effective multilateralism and an effective UNESCO. This supposes solidarity. We least developing countries require the solidarity of those that have attained a higher level of development to address our common challenges. It is a multilateralism embedded in solidarity that can succeed in making this world better, Mr President. It is only through solidarity that we can attain unity and that we can achieve the common objectives that we have set for ourselves through Agenda 2030.

66.4 So really, in substance, we are all in agreement. In order to have an effective UNESCO, in order to have a UNESCO that is adequately resourced and does not face treasury issues with arrears exceeding currently $106 million, in order for UNESCO to be present at country level, specifically countries such as ours who need UNESCO to be present, to support us, to support us in benchmarking and in elaborating and monitoring our education policies, we will need UNESCO in promoting and protecting our cultural assets, who need UNESCO in developing, devising, implementing our science policies and benchmarking through its extensive network of best practices elsewhere, we need UNESCO to be sufficiently resourced and this can only happen through the solidarity of all. Mr President, we are all in agreement from what I have listened to for the last couple of hours since this morning. We want this Organization to succeed and to deliver for everybody. And this amendment ensures that. The only, the only substantive argument against that was raised is that it will penalize least developing countries and many, the vast majority of least developing countries that have spoken have clearly said that it does not. So Mr President, I humbly suggest, since there is agreement on the core substantive argument, that we pass this amendment and vote on it and hopefully it comes into force. Thank you, Mr President.

67. **The President:**
Thank you Excellency. Argentina please.

68.1 **Argentina:**
Gracias, señor Presidente. Cuántos bellísimos discursos para fomentar división, incomprensión y aumentar, cada vez más, lo que nos tendría que unir. Nosotros, nuestro país, no estamos en riesgo de perder el voto. Se preguntó aquí en nombre de quién hablan algunas delegaciones. La nuestra, como otras que nos precedieron, hablamos en favor del Diálogo. Diálogo. Diálogo. Parece que es una palabra que retumba y hace un ruido desagradable. Hay que hablar y hay que hablar también de las cosas que no nos gustan. No nos escuchamos durante los dos debates que tuvimos hoy, por lo menos no escucharon una parte del debate. Vimos a muchas delegaciones que leyeron en sus computadoras discursos muy bien preparados, esperemos que los hayan redactado por sí mismos, en favor de alguna determinada posición, pero no escucharon las intervenciones de otros.

68.2 Queremos que se aplique la Constitución y la Constitución tiene normas muy claras para penalizar, es un castigo, penalizar a aquellos que no pagan sus contribuciones. Ninguna, absolutamente, ninguna delegación en esta sala manifestó en ningún momento que no hay que pagar las contribuciones. Nadie pidió que no se pague. Todos, sin ninguna
exceptación, por unanimidad dijimos hay que pagar las contribuciones. El problema es que no queremos que se penalice a los más vulnerables y, en este caso en particular, mi país no está en esa lista. Nos llama muchísimo la atención de que hay países muy vulnerables que están en esa lista y que sostienen que hay que cambiar todas las normas y penalizar aún más. Hay un tema del que no se habló en esta sala y es la necesidad de la cooperación internacional. Hay países que requieren indefectiblemente de esa cooperación internacional aún para pagar sus cuotas y no perder el derecho de voto. Hay países que necesitan esa cooperación internacional para tener educación, para tener o desarrollar sus propias culturas y para desarrollar sus ciencias. Nosotras lo que estamos haciendo es escuchar a algunos países que están en esta lista, que tal vez estén motivados por la necesidad de la que no se habló. Este es un tabú, es políticamente incorrecto, pero cualquiera sabe que es una verdad. Quisiéramos saber los movimientos bancarios que hubo para los pagos de algunas contribuciones que recuperaron el derecho de voto, de qué cuentas salieron y a qué cuenta, por qué cuenta, pasaron. Es grave lo que estoy diciendo, ¿verdad? Pero todos lo sabemos.

68.3 Bien, queremos todos un adecuado financiamiento de la UNESCO, pero no a costa de limitar participación, no a costa de hablar menos y votar menos para proyectos concretos de cultura, ciencia y educación. Queremos un financiamiento real, no de monedas. Estamos hablando de una deuda de 106 millones de dólares. La deuda anual de los países que perdieron su derecho de voto es de aproximadamente 1,700,000 dólares. Monedas. Es un árbol que tapa el bosque, es una hoja de hierba que tapa a todo el bosque. Tenemos una gran frustración y es otro tema tabú: hay algunos países que juegan en el límite y no pagan sus contribuciones para presionar, cuando están en riesgo de perder el derecho de voto, pagan para no perderlo y votan y eligen y deciden. Otros no pueden, los más vulnerables. Y hay algunos países, hay uno en particular que eligió no pagar, lo eligió deliberadamente para perder su derecho de voto y no está más entre nosotros. Yo tengo un hijo, muchos de nosotros sabemos que cuando un niño se frustra y no puede jugar con un determinado juguete, con el Lego o hacer un dibujo, hay algo que no le sale, puede ser que lo que haga es romper el juguete, romper el papel o tirar el pincel o los papeles o lo que haya utilizado. Nuestro deber como padres no es castigarlo, sino ayudarlo, motivarlo para que vuelva a intentarlo hasta que se salga. Estamos hablando, repito, de monedas, no del financiamiento de la UNESCO y nuestra frustración porque no pudimos con Goliat, es atacar a los enanos, es destruir a los más vulnerables y privarlos de la participación y el voto en otro órgano que es el Consejo Ejecutivo. Podemos discutir muchísimo y con mucha intensidad de cómo financiar mejor a la UNESCO, de cómo hacer pagos esos 106 millones de dólares que tienen impagos, que no tienen absolutamente nada que ver con los países que pierden el derecho de voto porque no pueden pagar y no son los países que estuvieron defendiendo con gran intensidad castigarse a sí mismos. ¿Por qué no hablamos claramente de esto? Porque es un tabú, no se puede. Es preferible ir y votar. Estamos, algunos países, no pueden matar a la gallina de los huevos de oro, por lo tanto, lo que hacen es doblegarse a las intenciones y a esta frustración. Reiteradas veces dijimos que hay muchas lagunas, no hay mecanismos para recuperar el voto. No hay mecanismos intersecciones y además se castiga no solamente al país deudor, sino a la totalidad del grupo regional. Nosotros sostenemos, muy vivamente, el aplazamiento del debate y queremos ser creativos para lograr un correcto funcionamiento y financiamiento de esta Organización, pero no castigando a los más débiles. Muchas gracias.

69. The President: Thank you Excellency. We have now reached the end of the debate, but I see China. I assume that you would like to add your voice to Brazil for an adjournment, not enter the debate. Am I correct?

70. 中国：谢谢主席。我们附议巴西的程序动议，将这一议题延期到下一次大会。中方愿再次强调，《组织法》是教科文组织的根本大法，是本组织存在和团结一致的基础；如果在《组织法》上出现严重分歧，后果将是破坏性的。因此，对修订《组织法》应该持极其审慎和高度负责任的态度，应该全面评估各方面影响，应该在充分对话协商、达成共识的基础上稳步推进。

72.2 Monsieur le Président, ce matin il y a quelques délégués qui se sont permis de se faire porte-parole des pays, des petits pays et des pays vulnérables. Notre collègue de l’Argentine l’a répété plusieurs fois. Je suis désolé, je suis représentant d’un pays qu’on peut qualifier de vulnérable, et je n’ai pas donné mandat à l’Argentine de parler en notre nom, ni à un autre pays. Donc je souhaite que l’Argentine nous explique clairement, quand il parlait et défendait des pays vulnérables, de qui s’agit-il ? Merci Monsieur le Président.

73. The President: I understand your point of view, but entering into that would really prolong the debate. I do not really see, your Excellency, a need for that. According to the rules, the representatives of Brazil and China have asked to adjourn the debate of this item to the General Conference at its 41st session. According to Rule 75 of our Rules of Procedure, during the discussion of any question a Member State or Associate Member present may move adjournment of the debate on the item under discussion. Any such motion shall have precedence. In addition to the proposal of the motion, one speaker may speak in favour of, and one against, the motion. The President may limit the time to be allowed to speakers under this
Rule. I will therefore give the floor first to another Member who supports this motion of adjournment, and then to a Member who is against this motion. Who wishes to speak in favour of this motion? India.

74. **India:**
   
   Thank you, Mr President, for allowing me to speak in favour of the proposition for adjournment of this item until the next General Conference that has been made by Brazil. Mr President, please allow us to first reiterate once again, that the payment of assessed contributions is an obligation of all Member States and we fully advocate and practise compliance with one’s financial obligations. We feel that such an important amendment should not be taken when there is as strong a divergence of views as has been evident from the debate that has taken place here today. We believe that more time would allow the two viewpoints to come closer together and allow this issue to be decided on the basis of convergence and consensus rather than divergence and divisiveness. Thank you Mr President.

75. **The President:**
   
   Thank you. I now give the floor to the representative of Ghana to speak against the motion to adjourn the debate.

76. **Ghana:**
   
   Thank you very much, Mr President. Let me, first of all, quickly commend and thank all the co-sponsors and all others who have supported this amendment. The work was accomplished with a lot of assiduity. We have the clarity. We have respect with which the co-sponsors have explained over and over again what this amendment is all about. This amendment has got flexibility and also protection for the vulnerable groups. This amendment has gone through a lot of consultation and we have all come to the consensus that we are obliged to pay our contributions to UNESCO. We have lots of work to do to make UNESCO efficient, useful and relevant in a very tumultuous time. This amendment is timely. It is equitable; it is morally sound; it is just; it is fair; it is principled; it is transparent and it is honest. And Mr President, this is the right thing to do and it is time to do it now. And for that reason, I am encouraging and asking all of the delegates here to vote no, a resounding no to a needless adjournment or postponement. I thank you.

77. **The President:**
   
   Thank you Excellency. Distinguished delegates, as I understand, the room is divided on this sensitive subject. I therefore propose that we proceed immediately to vote on this proposed motion for the adjournment of the debate. Let me remind you that, according to Rule 83, the decision which will be voted on requires a simple majority of the Members present and voting. May I also remind you that, in accordance with Rule 85, the expression “Members present and voting” means Members casting an affirmative or negative vote. Members who abstain from voting are considered “non-voters”. I saw Venezuela raising the flag. You have the floor, Excellency.

78. **República Bolivariana de Venezuela:**
   
   Gracias, señor Presidente, por sus explicaciones sobre la base del proceso actualmente en curso pedimos que, atendiendo el contenido del artículo 87 del reglamento de la Conferencia General, la votación sea nominal. Gracias, señor Presidente.

79. **The President:**
   
   Thank you. Argentina please.

80. **Argentina:**
   
   Señor Presidente: apoyamos la moción del voto nominal para este tema. Muchas gracias.

81. **The President:**
   
   Well I take note of both interventions. A roll call then shall be taken. Yes, I give the floor to Mr Luis Salamanques, Secretary.

82. **The Secretary:**
   
   We shall start the roll call, Mr President.

83. **The President:**
   
   It might be worthwhile that I remind delegates that a “Yes” will be in favour of an adjournment. A “No” will be against adjournment. Thank you.

84. **Un vote par appel nominal est pris. Les résultats sont les suivants :**

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<th><strong>Pour</strong></th>
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<td>Afghanistan, Argentine, Arménie, Bangladesh, Bolivie, Brésil, Burundi, Cameroun, Chili, Chine, Comores, Cuba, Équateur, Fédération de Russie, France, Gabon, Guinée équatoriale, Inde, Iran (République islamique d’), Italie, Jamaïque, Japon, Jordanie, Mali, Mexique, Népal, Pakistan, Panama, Paraguay, Pérou, République arabe syrienne, République démocratique populaire lao, République dominicaine, République populaire démocratique de Corée, Serbie, Venezuela (République Bolivarienne de).</td>
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85. **Pour :** Afghanistan, Argentine, Arménie, Bangladesh, Bolivie, Brésil, Burundi, Cameroun, Chili, Chine, Comores, Cuba, Équateur, Fédération de Russie, France, Gabon, Guinée équatoriale, Inde, Iran (République islamique d’), Italie, Jamaïque, Japon, Jordanie, Mali, Mexique, Népal, Pakistan, Panama, Paraguay, Pérou, République arabe syrienne, République démocratique populaire lao, République dominicaine, République populaire démocratique de Corée, Serbie, Venezuela (République Bolivarienne de).


Droit de vote suspendu: Antigua-et-Barbuda, Colombie, Dominique, Guinée Bissau, Philippines, Sao Tomé-et-Principe, Soudan du Sud, Trinité-et-Tobago.


85. The President:
Distinguished delegates, the votes have now been counted. I am reading out the results: Number of Members present and voting: 130. Number of votes in favour: 36. Number of votes against: 94. Number of abstentions: 24. The majority required: 66. In this case, ladies and gentlemen, the General Conference has thus voted to reject the motion for adjournment. In this case, looking at the vote distribution, I suggest that we go straight to consideration of 40 C/PLEN/DR.2. This is the amendment of course, as you know, of the Legal Committee after we received the Swedish proposal. Egypt, please.

86. Egypt:
Thank you, Mr President. And we would like to thank you for the very conducive way you are conducting our meeting. Mr President, now that the results have been declared and that the General Conference has pronounced itself on the need to consider the item and the amendment in this session, and taking into account that the debates that already took place earlier, we request that we immediately move to a vote on the 40 C/PLEN/DR.2, option 1, so that all those who are in favour of the amendment can have the opportunity to vote yes this time. Thank you.

87. The President:
I see your point. Venezuela. Has Venezuela asked for the floor? Australia.

88. Australia:
Mr President, I second the proposal from the Egyptian delegate. Thank you.

89. The President:
Is no one asking for the floor? Togo please.

90. Togo:

91. The President:
Merci Excellence. Then nobody has asked for a roll call. In this case, a show of hands should be thought about. I propose that we vote with a show of hands and we will be able to look very carefully. Ukraine please.

92. Ukraine:
Mr President, just a point of clarification. I do not understand what we are going to vote for now: for the draft decision on the amendment or what?

93. The President:
No, we are going to vote on the original proposal as clarified and seen by the Legal Committee. That is there to make things simpler – the so-called Swedish proposal and option 1, without whether this creates new legal obligations or not.

94. Ukraine:
The Swedish proposal?

95. The President:
Yes, who in the Assembly seem to think there are no legal obligations associated with this proposal, and we are going to do that by a show of hands. Palestine please.

96. Palestine:
Shukran. I do support, of course, your idea of a vote by show of hands, but I am suggesting to the room through you, Mr President, since we know the results of the vote to adopt the draft resolution without a vote and those who are not happy with that, they can express their reserves. This will avoid wasting time. Thank you, Mr President.

97. The President:
Brazil please.

98. Brazil:
Thank you very much, Mr President. We definitely would like to have a vote on the draft resolution, and I would like to request a clarification, taking into account that the Legal Committee presents two options. So maybe we should vote on both of them. Thank you.

99. The President:
I am afraid the result will be repeated. Do you want the results to be repeated? Australia.
The President: Thank you Mr President. Just to support what the Ambassador of Australia has just said, and also I know it is rather late, but we would still request to vote by roll call instead of a show of hands. Thank you.

The President: Belgium please.

Sweden: Thank you, Mr President. Very briefly, just to say that we support Belgium. We would also like a roll-call vote and we would like it to go now. Thank you.

The President: Then I will be calling for a roll call, and we will start now on option 1, because we really cannot repeat. The margin, my dear friends, it is too high. So we have to think about the general practicalities as well. With a roll call, we are going to vote on 40 C/PLEN/DR.2, option 1, which is without any legal obligations, and we will do that by roll call, starting with Serbia. Sweden, you have the floor.

Sweden: Thank you very much. For all of those in the room who have been very operational on all this, we all know what option 1 means, but may I just for the clarity of this vote that will take place now, say that DR.2 option 1 is the Swedish amendment that we put forward with a large and diverse group, and that everyone who wants to support it should vote Yes. I just wanted to tell that because we speak in acronyms very often. So sorry for that, Mr President. Thank you very much.

The President: I think that is sensible; those who want to support will say "yes", and those who do not want to support will say "no". And also, the Legal Adviser will make further clarifications – I give the floor to the Legal Adviser.

Legal Adviser: Thank you very much, Mr President. Mr President, this is the first time I take the floor. Let me say what an honour it is to be serving this Conference in the plenary under your guidance and leadership. Mr President, I believe that there are two important elements for the plenary to be very clear about before proceeding to a vote. The first one is that indeed a draft resolution was submitted by a number of delegations, and I believe that is DR.2 that was referred before. The draft resolution that is before the plenary, however, is the version that is contained in the Report of the Legal Committee. Rule 37, paragraph 1(a) of the Rules of Procedure provides that the Legal Committee shall consider proposals for the amendment of the Constitution, and pursuant to this Rule and in accordance with established practice, the Legal Committee has examined constitutional amendments presented by Member States. In so doing, the Legal Committee did consider the admissibility of the proposal, the terminology used and possible implications of the amendment on other provisions, and the practice in recent decades has been that the Legal Committee submits to the plenary a draft resolution for its consideration and decision. In the present instance, I should recall that the General Conference decided to refer the draft resolution submitted by the authors of the constitutional amendments to the Legal Committee for its legal review, and that the draft resolution is contained in the Report of the Legal Committee under document 40 C/115. Therefore, the draft resolution that is before the General Conference is the one contained in the Report of the Legal Committee, which is the same draft resolution that was submitted by the authors of the proposed amendments, with such technical and legal modifications that the Legal Committee has seen fit. The Legal Committee has not made any change that would affect the substance of the proposal. This was, Mr President, the first comment.

The second comment is that, as you may know, in paragraphs five and six of its report, the Legal Committee has considered that it was not in a position to decide whether the proposed amendment entailed or not new obligations for Member States. As a consequence, the Committee did not give an opinion to the General Conference, but to facilitate its work, it decided to make available to the General Conference two options of the draft resolution. The first one, option 1, is the case in which the General Conference considers that these constitutional amendments do not entail new obligations. Option 2 is the case in which the General Conference considers that these constitutional amendments do entail new obligations. My understanding, Mr President, is that the request that was made for the floor and the one that you are making is for the General Conference to vote on option 1 contained in paragraph 7 of the Report of the Legal Committee in document 40 C/115. Thank you very much, Mr President.

The President: Thank you. So we shall be voting on the Swedish proposal, with paragraph 7 containing the Legal Committee’s view that this entails no new legal obligations, and we will do it by roll call. Of course, we shall now proceed to the roll call, definitely, starting with Serbia.

Un vote par appel nominal est pris. Les résultats sont les suivants :


Contre : Argentine, Bolivie, Brésil, Chine, Cuba, Eswatini, Japon, Panama, Paraguay, Pérou, République dominicaine, République populaire démocratique de Corée, Soudan, Venezuela (République Bolivarienne de).


Droit de vote suspendu : Antigua-et-Barbuda, Colombie, Dominique, Guinée Bissau, Philippines, Sao Tomé-et-Principe, Soudan du Sud, Trinité-et-Tobago.


111.1 The President:
Thank you Republic of Korea. Everyone is owner of their vote, of course. The Secretariat is now counting the votes. Thank you. Distinguished delegations, ladies and gentlemen, the votes have now been counted. I am reading out the results: number of Members present and voting: 115. Number of votes in favour: 101. Number of votes against: 14. Number of abstentions: 39. The majority required is 77. The General Conference, distinguished delegates, has just voted to adopt the draft resolution 40 C/PLEN/DR.2, option 1, that figures in document 40 C/115 amending Article V of the Constitution of UNESCO.

111.2 It was so decided.

111.3 Enough acclamations, please. Thank you. I will now suspend the meeting. We will be seeing each another for the plenary on Monday at 10 a.m. please. Thank you.

(The meeting rose at 6.30 p.m.)