

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

Monday 25 November 2019 at 10.25 a.m.

President: **Mr Altay Cengizer** (Turkey)

Item 7.5 – Draft amendment to Article VI of the Constitution

1.1 The President:

I am sorry to keep you waiting because as you know, there was this really important activity just outside. This is the day, as you know, to highlight prevention of violence against women and the Ambassador of the Dominican Republic, they have been commemorating this day before it was announced for the memory of the Mirabal sisters who were killed in 1960. So they have been commemorating a day for violence against women. So he is indeed an artist, and he sang a very beautiful song, and I have seen the lyrics translated into French, very meaningful. Of course, this is unfortunately a problem all over. We cannot just say that this is a problem mainly in this area or that region - unfortunately, it all over. And when we show violence to women, at the same time we are showing violence to our mothers, our daughters and the next generations to come. I think this was an activity which will help to raise awareness about this very heartbreaking subject.

1.2 Thank you. So, there is a white long carpet-like thing that we are signing in our own languages, “No to Violence against Women”. So maybe when you go out from the plenary you might wish to sign this banner, which is really long. And we will display the banner near the Picasso painting with all the signatures. Thank you.

1.3 I declare open the 15th plenary meeting of the General Conference. Madam Azoulay, our Director-General, was at the event that I just related. She would be coming, I guess, just now. A good person comes in when you have just talked about him or her. Madam Director-General, I just explained a bit what we were doing, why the banner, and I asked our colleagues to create the time to go there and sign also the banners which will be shown, I understand, near the Picasso painting. This morning, we will pursue the examination of the last proposed amendment to the Constitution. We will need to terminate or suspend the item around 12.15 p.m. to examine the report of the APX Commission. We have talked a bit about this, how to proceed. We had the idea that we should first listen to the Committee reports, but I think there will be merit to talk about this, the amendment to item 7.5, and then proceed to our work by listening to the Committee and Commission reports. So we will now examine item 7.5 entitled “Draft amendment to Article VI of the Constitution”. The documents pertaining to this item are 40 C/72, 40 C/116, and 40 C/PLEN/DR. I invite the Chairperson of the Legal Committee to present the relevant report of the Committee. Excellency, you have the floor.

2.1 M. Eisemann (Président du Comité juridique) :

Merci Monsieur le Président. Permettez-moi de vous présenter le 19^e rapport du Comité juridique contenu dans le document 40 C/116. Ce rapport porte, comme vous venez de le dire, sur le projet d'amendement à l'Article VI, paragraphe 2 de l'Acte constitutif portant sur la nomination du Directeur général. Ce projet a été soumis à la Conférence générale dans le document 40 C/72.

2.2 Après s'être prononcé sur la recevabilité de ce projet d'amendement constitutionnel en vertu des dispositions pertinentes de l'Acte constitutif et du Règlement intérieur de la Conférence générale, le Comité s'est interrogé sur la question de savoir quelle version du projet d'amendement devait être examinée par la Conférence générale, à savoir sa version originelle de mai 2019, ou celle révisée d'août 2019 communiquée par son auteur.

2.3 En effet, le Comité s'est trouvé confronté à une situation inédite. L'auteur du projet d'amendement a présenté, dans les délais visés à l'Article 110 du Règlement intérieur de la Conférence générale, une nouvelle version présentée comme révisée de son projet d'amendement. Le Comité s'est donc interrogé sur le point de savoir si cette dernière version devait être considérée comme remplaçant purement et simplement la version originelle, contenu du fait que c'est l'auteur même de la proposition initiale qui avait pris l'initiative de soumettre à la Conférence générale une version nouvelle. En l'absence de consensus sur ce point, le Comité a préféré dire qu'il n'était pas en mesure ou qu'il ne lui appartenait pas de se prononcer sur cette question.

2.4 Cependant, compte tenu des règles habituelles relatives à l'examen des propositions faisant l'objet d'amendements, le Comité a décidé de procéder à l'examen du texte tel qu'il figure dans sa version révisée d'août dernier. Ayant ainsi fait, le Comité a entendu souligner que ses observations sur la version révisée sont à fortiori et plus encore valables pour la version originelle. Le Comité juridique a donc décidé d'indiquer à la Conférence générale que, quelle que soit la version considérée, l'éventuelle adoption de cet amendement à l'Acte constitutif, tout comme sa mise en œuvre, seraient tributaires de plusieurs difficultés d'ordre juridique.

2.5 Premièrement, le Comité juridique a souligné que le projet d'amendement provoquerait une incohérence juridique entre l'Article VI, paragraphe 2, s'il était amendé, et l'Article IV.B, paragraphe 7 de l'Acte constitutif, qui, quant à lui, n'a pas fait l'objet d'un amendement par l'auteur du projet.

2.6 Deuxièmement, le Comité a noté que l'adoption d'un tel amendement de l'Acte constitutif devrait nécessairement être accompagné d'amendements au Règlement intérieur précisant le mode de sélection de plusieurs candidats par le Conseil exécutif et la désignation par la Conférence générale du Directeur général parmi ces candidats. En absence de propositions soumises à sa considération sur ces deux points, le Comité juridique a estimé que les États membres seraient amenés à se prononcer, s'ils entendaient le faire, sans être pleinement informés de la portée de leur vote, faute de connaître les conséquences concrètes qu'impliquerait l'adoption de l'amendement proposé.

2.7 Encore une fois, je souhaiterais souligner que le Comité a estimé que ces observations, notamment ces difficultés juridiques, sont valables quelle que soit la version de cet amendement constitutionnel. Je vous remercie Monsieur le Président.

3. The President:

Thank you Excellency. I note that it is very important that you are referring to a number of legal problems concerning this amendment, and that you found this draft resolution presented in document 40 C/PLEN/DR.3 incomplete, so we cannot be sure really how we would be able to collect as it stands sufficient information to make an informed recommendation to the plenary. I would therefore like to give the opportunity to the co-sponsors of this draft resolution to explain what they would like the General Conference to do – if they wish to take the floor, of course. There are no delegations who would wish to take the floor – am I wrong? Qatar, yes, Qatar you have the floor please.

١-٤ قطر:

شكراً سيدي الرئيس، وشكراً لرئيس اللجنة القانونية على عرضه لهذا البند. سيدي الرئيس، يسعدني أن أضم صوتي للزملاء الذين هنا وكم على طريقة إدارتكم الهادئة لأعمال مؤتمرتنا هذا. أصحاب السعادة، أود أن أوضح بأنه في عام ٢٠١٥ تقدم رئيس المؤتمر العام في دورته الثامنة والثلاثين، السيد ستانليه موتومبا سيمانا، نائب وزير الاتصالات والمعلومات في ناميبيا، باقتراح دراسة إمكانية تعديل المادة السادسة من الميثاق التأسيسي للمنظمة التي تتعلق بطريقة انتخاب المدير العام. وقد قدم السيد رئيس المؤتمر العام في حينه، أي منذ أربع سنوات، توجيهات لدراسة هذا الاقتراح والقيام بالمشاورات اللازمة للنظر في إمكانية تعديل هذه المادة. وبناء على ذلك، قام فريق العمل المعني بالحكومة برئاسة نفس الرئيس بتعميق دراسة هذا الاقتراح. وقد اقتنعت العديد من الدول بأهمية هذا التعديل الذي يسمح للدول ١٩٣ الأعضاء في المنظمة بأن تكون جزءاً من آلية اختيار المدير العام، وهذا ما يعتبر أكثر ديمقراطية، ويتوافق كذلك مع ما يتم العمل به في منظمات دولية أخرى. كما أن هذا الاقتراح يحفظ للمجلس التنفيذي دوره الهام المتمثل في غربلة المرشحين وتحديد اثنين أو ثلاثة منهم كحد أقصى يتم اقتراحهم للمؤتمر العام للانتخاب.

٢-٤ وقناعة من دولة قطر بأهمية هذا التعديل، فقد قامت في أيار/مايو ٢٠١٩ بالتقدم بمشروع لتعديل الفقرة ٢ من المادة السادسة من الميثاق التأسيسي لليونسكو. وقد حظي هذا الاقتراح بدعم مكتوب من كل من تركيا والسلفادور. وفي حزيران/يونيو ٢٠١٩، عقد فريق العمل المعني بالحكومة اجتماعاً برئاسة السيدة زهور علوي، رئيسة الدورة التاسعة والثلاثين للمؤتمر العام. وتم في حينه دراسة الاقتراح الذي تقدمت به دولة قطر، مع اقتراح تقدمت به إحدى الدول الصديقة بأن يتم تنفيذ هذا التعديل ابتداءً من الدورة الثالثة والأربعين للمؤتمر العام، أي في عام ٢٠٢٥. ورغبة من دولة قطر في جمع الكلمة وتوحيد الصف، تقدمت في شهر آب/أغسطس ٢٠١٩ بمشروع قرار تعديلي لمشروع القرار الأول (Amendment to the amendment)، والذي يجدد الدورة الثالثة والأربعين كتاريخ بداية سريان هذا التعديل إذا ما تمت الموافقة عليه من المؤتمر العام في دورته الحالية.

٣-٤ وأود أن أوضح هنا شيئاً بديهياً، سيدي الرئيس، أصحاب السعادة، ألا وهو أن دولة قطر تدعوكم لاعتماد مشروع القرار المعدل المقدم في شهر آب/أغسطس. كما أنه في حال اعتمد مشروع القرار هذا في الدورة الحالية، فإنه سيسمح لنا خلال السنوات الأربع القادمة باستحداث جميع النصوص القانونية التي ستؤطر عملية اختيار المرشحين من قبل المجلس التنفيذي، ومن ثم انتخابهم في المؤتمر العام.

٤-٤ كما أود أن أوضح بأن مشروع القرار (DR) الذي أمامنا، والمقدم من كل من السلفادور وقطر، لم يتضمن أيّاً من النصين المقدمين من دولة قطر، وذلك لئيم ملؤه بالقرار الذي يتخذه مجلسنا هذا. ومن البديهي أن تدعو دولة قطر لملاء مشروع القرار هذا بالتعديل الثاني الذي اقترحت دولة قطر في شهر آب/أغسطس الماضي. واسمحوا لي، سيدي الرئيس، أن أقرأ مشروع القرار المعدل الذي تقدمت به دولة قطر، وهو كما يلي: "ينتخب المؤتمر العام اعتباراً من دورته الثالثة والأربعين المدير العام من قائمة مختصرة تضم ما لا يقل عن مرشحين اثنين وما لا يزيد على ثلاثة مرشحين يجيئها إليه المجلس التنفيذي. ويعين المؤتمر العام المدير العام لمدة أربع سنوات وفقاً للشروط التي يقرها المؤتمر. ويجوز تعيين المدير العام لأربع سنوات أخرى ولكن لا يجوز تعيينه من جديد لفترة لاحقة. والمدير العام هو الرئيس الإداري الأعلى للمنظمة". هذا هو التعديل الذي قامت به دولة قطر على مشروع القرار الأول.

٥-٤ سيدي الرئيس، أصحاب السعادة، إن مشروع القرار هذا يصب في صالح المنظمة وفي صالحنا جميعاً، فلا يوجد خاسر أو فائز في هذا الأمر. وأود هنا أخيراً أن أشكر كلا من تركيا والسلفادور وجميع الدول الأعضاء في المنظمة على حوارهم الهادف والبناء للوصول بهذا الأمر إلى نهايته المرجوة، وشكراً سيدي الرئيس.

5. The President:

Thank you Excellency. I am now opening the floor for discussion on item 7.5 "Draft amendment to Article VI of the Constitution". Would those delegations who wish to speak kindly indicate their interest by raising their name plates? Okay, so since El Salvador is a sponsor of this draft resolution, I will first give the floor to El Salvador, then Turkey, France, Cameroon, Paraguay, Chile, Colombia, Brazil, Argentina, Serbia, Saint Lucia, Senegal, Italy, Oman, Saint Vincent and the Grenadines, Grenada, Canada, and Spain as well. El Salvador, you have the floor.

6.1 El Salvador:

Muchas gracias, señor Presidente, muy buenos días a todos: como los oradores que nos precedieron, El Salvador desea felicitarlo por su presidencia, señor Presidente, y le agradece por la metodología establecida para el tratamiento de estos puntos tan importantes. Señor Presidente: El Salvador apoya y es parte de la propuesta de modificación del artículo VI, párrafo 2 de la Constitución, propuesto por Qatar el 9 de mayo de 2019, el cual fue presentado de conformidad con el artículo XIII de la Constitución. Como hemos escuchado en los debates sostenidos en estos últimos días en que hemos tratado las propuestas de modificación de la Constitución, reiteramos que esta ha sido modificada al menos 20 veces y este artículo al que hemos presentado una propuesta de enmienda ha sido modificado al menos dos veces, permitiendo que la Organización modernice sus métodos de gobernanza y la toma de decisiones, y dando paso, a su vez, a cambios positivos y necesarios que han hecho de la Constitución de la UNESCO un documento vivo.

6.2 Para El Salvador, esta propuesta de modificación se basa sólidamente en los principios que la UNESCO defiende y que escuchamos cotidianamente en todos los debates e intervenciones, tanto en el Consejo Ejecutivo como en la Conferencia General, a saber, democracia: al empoderar a todos los miembros del órgano supremo de toma de decisiones de la UNESCO para votar por nuestro Director General, concediéndole a la Conferencia General el poder para decidir el futuro de la Organización. Esta modificación representa una sana y muy necesaria transformación democrática, donde la Conferencia General no solo pondrá un sello al candidato propuesto por el Consejo Ejecutivo.

6.3 Inclusión: los 193 miembros de la Conferencia General harán valer su derecho, elegir a nuestro Director General. Todos los Estados Miembros nos veremos incluidos activamente en todo el proceso, uno de los procesos más importantes de la Conferencia General.

6.4 Elegir a nuestro líder: esta enmienda es sobre la injusticia de la inclusión en los términos más profundos, devolviendo ese poder a todos los Estados Miembros de la Organización.

6.5 Transparencia: en los procesos de votación de la Conferencia General, vis a vis el Director General, donde cada Estado Miembro libremente toma su propia decisión sobre quién puede liderarnos mejor, un voto, un Estado Miembro.

6.6 Igualdad: esta modificación dará a todos los Estados Miembros los mismos derechos en virtud de la Constitución para elegir a nuestro Director General y, en consecuencia, fortalecer a la UNESCO. Señor Presidente: es necesario incluir a todos los Estados Miembros más activamente en el trabajo de la Organización y, particularmente, en este proceso de elección del Director General. Por ello, esta modificación promueve un mayor equilibrio en la toma de decisiones y de responsabilidades entre la Conferencia General y el Consejo Ejecutivo, conservando el papel del Consejo Ejecutivo, que presentará recomendaciones a la Conferencia General y tendrá un mandato más fuerte y una responsabilidad ante la Conferencia para escoger y proponer una lista corta de candidatos basada en la experiencia y las capacidades.

6.7 Permítanme ahora hacer algunos cortos comentarios en relación con el contenido del documento 40 C/LEG/20, que ha sido presentado por el Presidente del Comité Jurídico en esta plenaria, de manera a aclarar algunos puntos. En los párrafos 3 y 4, no coincidimos cuando se refiere a la enmienda revisada, ya que este término predispone a la confusión. Debería de decirse enmienda a la modificación o enmienda a la enmienda y, me explico, si esta fuera una enmienda revisada, debería de haber sido presentada al Director General antes del 13 de mayo, fecha establecida en el artículo XIII de la Constitución, que estipula, entre otras, que, y cito, “el texto de las propuestas de modificación será comunicado por el Director General a los Estados Miembros por lo menos seis meses antes de ser sometido al examen de la Conferencia General”. Por el contrario, esta enmienda revisada de la cual habla el documento, fue presentada el 8 de agosto bajo el capítulo 21 “Procedimiento de modificación de la Constitución”, artículo 110 del Reglamento de la Conferencia General relativo a las enmiendas de fondo a las propuestas de modificación, las cuales deben ser comunicadas a los Estados Miembros y miembros asociados con tres meses de antelación a la apertura de la reunión, es decir, en este caso a la Conferencia General. Es importante que quede claro que tenemos frente a nosotros una propuesta de modificación de la Constitución presentada por Qatar el 11 de mayo de 2019 y apoyada por El Salvador y Turquía, y una enmienda a la propuesta de modificación o enmienda a la enmienda de la Constitución, que fue presentada también por Qatar el 8 de agosto de 2019. Por lo tanto, contamos con dos propuestas, como se refleja en el documento, que solo se basó la discusión sobre la base de la enmienda revisada, ya que no está entre las prerrogativas del Comité Jurídico eliminar ninguna propuesta. Coincidimos con el párrafo 2 en el que se considera admisible esta propuesta y que es también de nuestra opinión que esta enmienda no genera ninguna nueva obligación.

6.8 Por otra parte, en cuanto al contenido del párrafo 5, estamos de acuerdo en que el Comité Jurídico no logró una posición común, ya que muchos de los elementos que figuran en este párrafo son interpretaciones y que la conclusión manifestada por el Comité Jurídico no fue unánime, ya que toda la discusión se basó en una serie de interpretaciones de la Constitución y pensamos que estas inconsistencias pueden provocar confusión. Tomando en cuenta lo anterior, El Salvador considera que ahora contamos con dos propuestas que la Conferencia General podrá examinar con toda serenidad y sin ningún prejuicio, ya que en ningún momento esta propuesta de modificación pretende crear controversias y no está dirigida a ninguna persona en particular, y que El Salvador aceptará y se unirá a cualquiera que sea la decisión entre ambas propuestas que decida la Conferencia General.

6.9 Para concluir, señor Presidente, deseamos unirnos a las explicaciones manifestadas por el delegado de Qatar en relación con el proyecto de resolución presentado para este tema. Muchas gracias.

7. **The President:**

Thank you. Turkey please.

8.1 **Turkey:**

Thank you Mr President. Mr President, the Director-General's election by the General Conference was one of the outstanding recommendations of the Working Group on Governance. As you would recall, no decision was taken specifically on this recommendation at the 39th session of the General Conference. In accordance with the process for the follow-up of the implementation of the recommendations, the Working Group was given the task to examine this outstanding recommendation in the 2018-2019 period. In the meantime, the draft amendment to Article VI, paragraph 2 of the Constitution regarding the appointment of the Director-General was submitted by the distinguished delegation of Qatar to the Secretariat with a letter dated 11 May 2019. Turkey, as a sincere supporter of the governance process and believing in the principle of all inclusivity, has become co-sponsor of the draft amendment with the understanding that this will be further discussed amongst the wider membership.

8.2 The Working Group on Governance at its meeting on 13 June 2019 addressed this matter but, in our opinion, quite briefly. We listened to the discussion carefully during the debate, and following the meeting we have come to the understanding that this matter requires further deliberations among Member States. This was also stated in the Report of

the Working Group. However, since 13 June, there have not been enough exchanges among Member States aiming to examine the amendment proposal in detail. It may be useful to give further thought to this reality. We are of the opinion that before us we have several questions that need to be answered collectively, bearing in mind the best interests of our Organization, ensuring the best use of our time, and demonstrating that we take tasks to consider such matters seriously. We believe this since Turkey is firmly committed to the spirit of dialogue and debate in our Organization.

8.3 At this point, we would like to point out another important aspect of the process. Having listened to the debate at the Legal Committee as an observer, we have noticed that further legal work is necessary to clarify all the relevant points. Under these circumstances, one cannot but draw the conclusion that we need more time and more engagement to discuss this important matter thoroughly, including its legal aspects. Having all these considerations in mind, and thanking the distinguished delegation of Qatar for its initiative in this process, and also the distinguished delegation of El Salvador, we would like to state that this proposal is conditional upon a dialogue and consultation process with the Member States. Thank you Mr President.

9 **The President:**

Thank you Turkey. Now France please.

10.1 **France :**

Merci Monsieur le Président. Monsieur le Président, avant de commencer, je souhaite, nous souhaitons vous remercier pour la conduite des travaux de cette Conférence générale qui nous a tous réunis. Nous souhaitons, s'agissant de la discussion en cours, souligner l'incohérence de ce projet de résolution qui nous est soumis, qui est sans contenu concernant le paragraphe le plus important, alors qu'il a pour objet de modifier l'Acte constitutif de l'Organisation. Ce projet, qui présente un paragraphe sans contenu, est inédit dans l'histoire de l'UNESCO, inédit même dans l'histoire du multilatéral onusien, et ne peut pas être examiné en raison de son incomplétude.

10.2 Premièrement, le projet d'amendement présenté par le Qatar et le Salvador pose un réel problème juridique puisqu'il ne respecte manifestement pas la procédure en proposant un article vide. Cette procédure de révision est détaillée à l'Article XIII de l'Acte constitutif et aux articles 109 à 112 du Règlement intérieur de la Conférence générale. Le fait que le projet d'amendement 40 C/PLEN/DR.3 soit littéralement laissé sans contenu dans son paragraphe le plus important, le paragraphe 1, vide, sans proposition d'amendement, pose un réel problème de procédure pour deux raisons.

10.3 Première raison. La logique institutionnelle de la procédure d'amendement de l'Acte constitutif de l'UNESCO, telle qu'elle ressort de l'Acte constitutif lui-même et du Règlement intérieur, exclut clairement le fait que la Conférence générale dispose d'un pouvoir d'initiative en la matière. La pratique des amendements sans texte inverserait cette logique et permettrait à la Conférence générale de s'arroger l'équivalent d'un véritable pouvoir d'initiative de révision, contraire au but et à l'esprit de l'Acte constitutif.

10.4 Monsieur le Président, dans cette même partie en vertu de laquelle la proposition ne respecte manifestement pas la procédure, j'ai un deuxième point. D'un point de vue littéral ensuite, l'Article XIII énonce que le texte des projets d'amendement sera communiqué aux États membres avant d'être soumis à l'examen de la Conférence générale. L'Article 31 de la Convention de Vienne sur le droit des traités énonce qu'un traité doit être interprété de bonne foi suivant le sens ordinaire à attribuer aux termes du traité dans leur contexte, et à la lumière de son objet et de son but. En toute logique, une interprétation de cette disposition exclut la possibilité de présenter à la Conférence générale un projet d'amendement sans texte. Subsidiairement, il pourrait être souligné que l'Article 110 du Règlement intérieur, comme l'Article 92, paragraphe 2, impliquent que le projet d'amendement, qui devrait en tout état de cause être discuté à la Conférence générale, est celui de la version issue du document du 8 août 2019.

10.5 Enfin, si notre Conférence générale est bien sûr souveraine, ses fonctions et ses pouvoirs sont encadrés par un Acte constitutif et un Règlement intérieur, lesquels, en tant que Constitution de l'Organisation, ne peuvent être ignorés. Dans ces conditions, il serait peu avisé que la Conférence générale s'éloigne aussi substantiellement de l'esprit et de la lettre de l'Article XIII de son Acte constitutif et de son Règlement intérieur, en considérant favorablement l'examen de l'amendement qui nous est présenté.

10.6 Aux problèmes juridiques que je viens d'évoquer, liés à la présentation d'un DR vide, s'ajoutent toutes les difficultés juridiques liées à l'amendement, quelle que soit sa version. La délégation du Qatar a présenté une version, la délégation du Salvador a présenté deux versions. Les deux co-parrains ont donc deux versions différentes. Ces deux versions, cela étant, ont toutes des difficultés juridiques qui ont été constatées par le Comité juridique dans son rapport.

10.7 Premièrement, le Comité juridique souligne que l'éventuelle adoption de cet amendement à l'Acte constitutif, tout comme sa mise en œuvre, seraient tributaires de plusieurs difficultés d'ordre juridique. Première difficulté. Le projet provoque une incohérence juridique entre l'Article VI, paragraphe 2, s'il était amendé, et l'Article IV.B.7 de l'Acte constitutif. Or, aucune demande d'amendement de l'Article IV.B.7 n'a été formulée dans les délais prévus par les textes.

10.8 Deuxièmement, la formulation même de l'amendement, en l'absence d'accord du Comité juridique sur les termes à employer dans l'amendement, « nommé » ou « élu », est une importante difficulté.

10.9 Troisièmement, nous ne disposons pas des amendements au Règlement intérieur de la Conférence générale et au Règlement intérieur du Conseil exécutif que l'adoption éventuelle rendrait indispensables. Or, il n'est pas possible pour les États membres d'adopter un amendement sans être pleinement informés des conséquences concrètes impliquées par cette adoption.

10.10 Monsieur le Délégué du Qatar nous indique que ces amendements au Règlement intérieur de la Conférence générale et au Règlement intérieur du Conseil exécutif pourraient être examinés d'ici aux prochaines conférences générales. Nous avons bien vu qu'un travail bien préparé suppose, comme cela a été le cas pour l'amendement de la Suède, que toutes les propositions d'amendements au Règlement intérieur de la Conférence générale et au Règlement

intérieur du Conseil exécutif soient mises à l'examen de ceux qui décideront d'adopter un amendement à l'Acte constitutif ou pas. Et, par conséquent nous n'avons pas l'ensemble des éléments à notre disposition pour statuer.

10.11 Pour ces raisons, et sans même entrer dans le débat de fond autour de l'opportunité de procéder à cet amendement, et dans l'aligné de nos travaux précédents, nous considérons que dans l'intérêt même de nos débats sur ce sujet important, dans l'intérêt d'un dialogue constructif et utile entre États membres sur la base d'une proposition solide et juridiquement incontestable, il est indispensable de revoir cette proposition, qui est incohérente juridiquement, pour qu'il nous soit présenté, ultérieurement, un projet consolidé que notre Conférence pourra examiner. Je vous remercie Monsieur le Président.

11. **The President:**

Merci votre Excellence. Now I give the floor to Cameroon, please.

12.1 **Cameroon :**

Merci Monsieur le Président. Nous avons écouté et lu le rapport du Comité juridique, nous venons d'entendre l'intervention de la France, qui donnent tous les deux des objections juridiques importantes qui demandent examen. Nous faisons nôtres ces objections, ces observations qui ont été faites. Mais la délégation du Cameroun s'appuie davantage, va davantage parler de l'état de la préparation des États membres à venir discuter aujourd'hui de cet amendement.

12.2 Si les six mois prescrits par les textes pour l'information préalable des États membres en ce genre de matière ont été respectés, le document 40 C/72 qui est distribué aux délégations ne rend pas compte, ne serait-ce que statistiquement, des réactions reçues des états consultés et encore moins des observations et avis qu'ils auraient retournés au Secrétariat, à Madame la Directrice générale.

12.3 Dans sa lettre du 9 mai 2019, adressée à Madame la Directrice générale, et qui se trouve dans le document 40 C/72, l'Ambassadeur et Délégué permanent du Qatar, initiateur du projet, écrit que sa proposition prend en compte les discussions ayant eu lieu sur le sujet au sein du Groupe de travail sur la gouvernance. Mais ici aussi, comme pour la consultation des États membres, il n'existe aucun rapport écrit sur ces discussions au sein du Groupe de travail sur la gouvernance. Un tel rapport aurait dû figurer dans le dossier, notamment le 40 C/72, et édifier davantage les représentants des États membres ici à cette Conférence générale.

12.4 Nous remarquons en même temps que dans le paragraphe 3 du projet de résolution, le 40 C/PLEN/DR.3, il est suggéré que la Conférence générale décide de déléguer au Groupe de travail sur la gouvernance la tâche consistant à amender le Règlement intérieur de la Conférence générale en vue de son examen et adoption finals lors d'une session ultérieure. Ces quelques remarques concernant la préparation du dossier mettent en lumière un fait important. Le sujet en cause, tout intéressant qu'il est dans ce projet d'amendement, n'a pas encore fait l'objet d'une large consultation des États membres qui peuvent se sentir pris de court devant la situation ainsi qu'elle est.

12.5 Et le Cameroun se réjouit d'avoir entendu l'un des cosignataires initiaux, la Turquie, aller dans le même sens, se rendre compte qu'effectivement il y a matière à ne pas, à se presser lentement, comme on dit parfois, et à se donner du temps pour étudier et faire en sorte que les États membres soient au fait de ce que ça pourrait entraîner comme effets parfois indésirables, pour parler comme les notices de médicaments, qui sont toujours possibles et à prévoir. C'est pourquoi le Cameroun, en vertu de l'Article 75 du Règlement intérieur, demande, Monsieur le Président, le renvoi à une session ultérieure de l'étude de cet amendement. Merci Monsieur le Président.

13. **The President:**

Merci votre Excellence. Now Paraguay, to be followed by Chile.

14. **Paraguay:**

Muchas gracias, señor Presidente. Hemos escuchado atentamente las exposiciones de los proponentes de este proyecto de enmienda y tomamos nota del informe del Comité Jurídico y mi delegación entiende que en este proyecto tenemos una serie de inconsistencias jurídicas, además de sus consecuencias sobre el reglamento de nuestra Organización. Por ello, creemos que deberíamos realizar un análisis acabado de las consecuencias que esta modificación podría conllevar. El Paraguay comprende los argumentos de los proponentes para modificar el proceso de elección del Director General de la UNESCO. Sin embargo, no sería prudente realizar una modificación de la envergadura propuesta sin antes agotar el estudio de esta propuesta en lo político y en lo jurídico. Por ello, señor Presidente, nos sumamos a la propuesta de la delegación de Camerún, a la exposición hecha por la delegación de Francia, y a la última parte de la exposición de la delegación de Turquía. Muchas gracias.

15. **The President:**

Thank you Excellency. Chile, to be followed by Colombia.

16. **Chile:**

Gracias, señor Presidente. Al igual que lo han señalado algunas de las delegaciones que han intervenido antes que nosotros, también hemos escuchado con mucha atención los argumentos desarrollados. Y creemos, al igual que también se ha dado en otros proyectos de enmienda, la discusión no ha sido lo suficientemente amplia como para lograr un consenso. En este sentido, y dada la envergadura que tiene la enmienda que estamos estudiando, creemos que esta debe ser analizada y debatida con mayor extensión y nos sumamos a lo que señala Camerún y otras delegaciones en el sentido que lo mejor sería, y lo más prudente sería, posponer la discusión para una reunión posterior de la Conferencia General.

17. **The President:**

Thank you Excellency. I will proceed by Colombia, but I would like the Plenary to know that I already have two requests for adjournment. Could I ask Colombia to go now? Thank you.

18. **Colombia:**

Gracias, Presidente y gracias también al embajador delegado permanente de Qatar por haber puesto este debate. Sin embargo, Colombia no acompaña el espíritu de esta propuesta, Presidente, por considerar que las condiciones actuales que la Constitución ya ofrece las condiciones de inclusividad y diversidad. Creemos que tanto el Consejo Ejecutivo como la Conferencia General, Presidente, cumplen adecuadamente sus funciones en relación con la elección del Director General. Creemos que esta enmienda pone fuera de la Constitución los principios que la Constitución ya cumple, así que, en principio, Presidente, nosotros nos mantenemos por la Constitución como está, pero a la vez somos abiertos, Presidente, a un debate mucho más amplio, mucho más inclusivo al respecto. Gracias, Presidente.

19. **The President:**

Thank you Excellency. Brazil, to be followed by Argentina.

20.1 **Brazil:**

Mr President. This session of the General Conference will enter history for its obsession to change the Executive Board in conflicting and divergent ways. As I have been repeatedly pointing out, the amendments we want to approve are contradictory and incoherent one in relation to the other. The only thing clear is that we are determined to weaken the Board by reducing its geographical representation, by cutting voting power, and now, in the case of the amendment, we are analysing, we are further weakening the Board by removing from it one of its most important functions. To change the Constitution, we need consensus, and the voice of all countries must be heard, and the questions that are raised that this Plenary must be answered. When we discussed here the imposition of new punishments and new obligations to countries in arrears, the Executive Board was compared to a company that stops the rendering services to a client that has not made payments. In commercial law, the payment is an obligation and the sanction for non-compliance with that obligation is stipulated in a signed contract. Additional obligations need a new contract. In other words, if you do not pay your electricity bill, your energy supply can be cut. But before the penalties are imposed, a new contract is necessary. But the Executive Board is a decision-making group of countries carefully structured to assure geographical balance. Members of the Board are representatives of countries, not clients in breach of a commercial contract. The Executive Board is not a profit-oriented private company. If the decision-making process in this Organization is made by a Board, it is because it needs to be democratic and representative. The majority of countries in this room have already approved an amendment that will severely harm the decision-making process at this Organization.

20.2 Many of us present at this General Conference will maybe not be here in 2021, starting with me, but I invite you all to analyse the next list of countries that will lose their voting rights and the right to be elected to the Board. And I bet any amount you wish that this list will be very similar to the one approved at the 40th session of the General Conference that only includes developing countries, LDCs from Africa, Asia, Latin America and the Middle East regions. And this will change the result of voting at the Board. And maybe this is the ultimate motivation of this draft decision, or at least a most welcome by-product.

20.3 Brazil was among the 20 countries that ratified UNESCO's Constitution in 1946 after helping draft it in 1945. When this Organization started to work. Today we are 193 Member States and adjustments to the Constitution were necessary in the past and are still necessary. We understand that changes to the Constitution may be necessary from time to time in order to adequate it to new times and circumstances. But we do not believe we can go one amending the Constitution because we do not like to see certain countries at the Board, or because we do not like the results of a vote at the Board. The amendment that we have approved in the last discussion in this room is innocuous to address UNESCO's financial stability. On the terms of that amendment, countries can still have arrears for two years, and if only 15 – the 15, not the 25 that were mentioned by the proponent country – only if the 15 biggest contributors decide to withhold their contributions for two years, the contributions of all the other countries together will not be sufficient to pay only personnel expenses of this Organization. But the new punishments established by the amendment will severely affect regional representation at the Board, thus affecting its legitimacy and weakening the Board.

20.4 By the amendment we are now analysing, it is proposed that we weaken the Board even further, and it is difficult to understand why so many countries want to be at the Board if at the same time we are doing all we can to weaken it. Change of the Constitution to the point of mutilating it by taking from countries a democratic vote to run for elections, the right to vote, is not a victory for anyone. It is a defeat to the Organization. We are weakening the Organization. It is only a lose-lose situation.

20.5 Today, more than ever, we need UNESCO to be inclusive, not punitive. If UNESCO today has 193 Member States, it is because it embraced every single country that came to exist since its creation, and even some whose existence even today is questioned. By weakening the Board we weaken UNESCO, causing severe harm to the multilateral system it took us so many decades to put in place, and we have nothing to replace it.

20.6 Mr President, I would ask you that before you rush in proposing voting on this item, you make sure that all the questions that are raised by the delegates are properly answered, by the President of the Legal Committee and also by the Legal Adviser. This is would be a fair procedure, differently from what was adopted in when we analysed the last item. And I sincerely wish that we can take advantage of this vast dialogue to answer the questions that countries pose to this General Conference. Thank you very much, Mr President.

21. **The President:**

Thank you Excellency. Now Argentina please, to be followed by Saint Lucia.

22.1 **Argentina:**

Gracias, señor Presidente, queremos agradecer a la delegación de Qatar que nos permite dialogar y reflexionar sobre un tema muy importante que es la elección de la máxima autoridad administrativa y que nos guía y que guía los trabajos de esta Organización. Quien les habla es amante de la música, soy melómano y aprendí desde muy chico que

para escuchar y disfrutar un concierto hay que llegar bastante antes para estar en clima y poder realmente recibir la música. El problema que tenemos aquí es que no tuvimos tiempo para reflexionar sobre algo que sí se discutió en el grupo de trabajo de composición abierta, el grupo de gobernanza, pero que no tuvo la suficiente reflexión como para saber cómo lo queríamos hacer. Cada órgano y cada organismo internacional elige cómo elige a sus autoridades y cómo se compone. Hay diferentes opciones y ninguna es mejor que otra. Hay un filósofo español bastante poco conocido en Francia, pero que es Ortega y Gasset, que dice: “Yo soy yo y mis circunstancias”.

22.2 Las circunstancias en esta casa hicieron que optáramos por el artículo VI que ahora estamos tratando de enmendar y por una Constitución que estamos tratando de enmendar a cualquier precio en esta Conferencia General que sí coincidimos con intervenciones anteriores es la conferencia de la enmienda o de la reforma. Estas circunstancias varían y nosotros le dimos al Consejo Ejecutivo un mandato. Si ahora le vamos a sacar ese mandato y vamos a optar por otra forma de democratización tenemos que reflexionar muy bien en cuáles son las consecuencias. Por ejemplo, tenemos que saber que si la elección le va a corresponder a la Conferencia General en el futuro próximo esto va a producir una sobrecarga muy grande de trabajo a la Conferencia General y va a ser el tema de la conferencia, no se va a hablar de otros temas y todos los que participamos en muchas conferencias sabemos que siempre hay un tema central. El de esta la 40ª es la reforma de la Constitución. En otros momentos hubo otra, pero no tengamos en el futuro la certeza de que cada cuatro años vamos a tener otra vez una conferencia dedicada únicamente a la elección del Director o Directora General. Este es un problema sobre el cual no reflexionamos. Le dimos un mandato al Consejo y ahora le queremos quitar ese mandato para que vuelva a nosotros. Esto no se vio. En el Comité Jurídico analizamos mucho la propuesta al artículo VI y vimos que el artículo IV B 7 no había sido contemplado. ¿Cómo se haría en el futuro inmediato si reformamos el artículo VI, pero no hay ninguna propuesta de enmienda al artículo IV B 7? ¿Lo dejamos como está? Y, entonces, tenemos una Constitución contradictoria. Y hay otro tema que no se mencionó: en la reforma nos hablan de dos a tres candidatos que tienen que ser propuestos. Estamos basándonos en el sobreentendido de que va a haber más de un candidato. Yo no creo que esta sea, puede ser hasta ahora siempre fue la opción, pero no tenemos que contar como que esto está garantizado. ¿Qué pasa si hay un solo candidato? ¿Modificamos la Constitución de nuevo para adaptarla a ese solo candidato que es propuesto a la Conferencia General? ¿O salimos a buscar más candidatos para cumplir con la Constitución enmendada?

22.3 Sobre las enmiendas quiero contar algo muy, muy personal, pero que es muy gráfico. Cuando comencé mi carrera hice un posgrado en Derecho en un país europeo que es uno de los que lideraron una de las propuestas anteriores. En una entrevista que tuvimos en la Corte Constitucional, una muy joven miembro de la Corte Constitucional dijo que tenía como sueño ser jueza laboral. O sea, cuando adquiriera suficiente experiencia iba a ser jueza laboral. ¿Por qué? ¿Porque no creen en la Constitución o porque es algo totalmente integrado a la sociedad y no hace falta ni siquiera el texto jurídico para que se cumpla? La Constitución en este país es uno de los textos jurídicos menos conocidos en la Facultad de Derecho, porque no hace falta. Es simplemente un reflejo de lo que toda la sociedad cree. Bueno, esto lo estamos tratando de cambiar aquí en la UNESCO y estamos tratando de modificar absolutamente todo para, de alguna manera, forzar a que los demás creen en lo que todavía no decidimos y estamos creando nuevas lagunas que nos van a aparecer en el futuro. En este tema en particular, no quisiéramos que se cree una nueva laguna. Queremos sí, que si el método no es el adecuado podamos seguir discutiéndolo, no es necesario empezar en la próxima Conferencia General. Podemos plantearlo también en el Consejo Ejecutivo, para eso hay un mandato. Se puede empezar a analizar y ver cuáles son las opciones que nos van a llevar, una vez que haya un consenso general de cuál es el mejor método, elegir de la manera en que toda la comunidad internacional crea que hay elegir al Director General. Muchas gracias, señor Presidente.

23. **The President:**

Thank you Excellency. I also see that this present proposal has not been the subject of a wider discussion, and it is our byword that we should be discussing in depth. The previous two amendments, on the other hand, have been discussed in proper committees and we have been able to discuss both of them thoroughly. Of course, as the President, I see that the Plenary is moving to a general consensus about not merit, maybe, but the way it was brought to our front. I also know that I have already two requests for adjournment. In this case, I am pro of course, as you know, that countries should speak their mind. If Saint Lucia speaks, we will have the tenth speaker. After them, I have on my list Senegal, Italy, Oman – that is of course always a good omen, we know, to the Excellency – Oman, Saint Vincent and the Grenadines, Grenada, Canada, Spain and Serbia. I will give the floor to Saint Lucia. For others I ask this: if there is anything indeed that you think will add to the ongoing conversation, please do so. But if you do not think that what you are going to say will not add much – it has already been brought by another delegation, maybe – please refrain from doing so, so that we can consider the adjournment motion. Now I will give the floor to Saint Lucia, and ask countries whether they wish to withdraw at this juncture or they wish to continue. Saint Lucia please.

24.1 **Saint Lucia:**

Thank you Mr President. Mr President, I would like to start by thanking Qatar, Salvador and Turkey for putting this item in front of us and allowing this discussion. Somebody said on Friday that electing the Director-General is the most important decision taken in this Organization, and we fully agree with that statement. That is why we believe that the most important decision should be taken by the most important body, and the most important body is the General Conference, not the Executive Board. We do not think that this decision would weaken in any way the Executive Board, because the whole campaign and the vetting would still be with the Executive Board, because it is the Executive Board that will set up a shortlist and the major challenge of any candidate is to be on this shortlist.

24.2 Our delegation does not share at all the point of view concerning the legal problems with this amendment. We would like at the outset to say that our delegation is strongly supporting the amendment to the amendment – the one that says that this constitutional amendment, if adopted, will be implemented in 2025. We believe that any calendar of work should be completely free from any political strings and any political pressure. This is why adopting the amendment at this

session and implementing it in 2025 is the ultimate calendar, because it will allow the Board to work on its Rules of Procedure and have them adopted by the 214th session of the Board at the latest.

24.3 And then it will allow the General Conference to do the same and have them adopted at the 42nd session at the latest. And the reason is that immediately after the 42nd session we will have new candidates for the 43rd elections starting to emerge, and then it will become very difficult to work on the procedure for elections when you already have well-known candidates. Some of us remember that before the last elections, when the Board wanted to improve the procedure just by adding the time of the interview, raising it from 30 minutes to 90 minutes, it caused a big drama because candidates were already announced and felt that they were being targeted. This is why we feel that such a calendar would be the ultimate one, because no one would feel targeted in any way.

24.4 Postponing is, of course, an option. I am hearing my colleagues very loud and clear, but postponing, for instance, to the next session is not advisable. I do not think we should have a discussion on this subject during a General Conference electing a Director-General. Again, here, this would make the issue more sensitive than it's supposed to be.

24.5 Now concerning the legal problems, I am sorry to say to my colleagues insisting that we should have amended also Article IV.B.7 that this is not true. You, the General Conference, elects and then appoints. There is no inconsistency. And to prove that all we have to do is read Rule 106 of the Rules of Procedures. That said, should the General Conference fail to elect the person proposed by the Executive Board, the Executive Board shall submit another name within 48 hours. So there is an election and an appointment. Now the last comment on advancing without knowing where we're going, because there are no Rules of Procedure, amended Rules of Procedure presented in the draft resolution. Why, this is quite flabbergasting because in the past, constitutional amendments were not even accompanied by draft decisions at all. And I do not see how any Member State can put on our table a full-fledged new procedure for the election of the Director-General and replace the work of the Board and put it on our table. Only the Board can work on this procedure and decide, and adopt its own Rules of Procedure for this election process. I do not think we should be meddling in this. It is not for the General Conference to adopt the procedures of the Board on this issue. And then it is also wise to see what the Board has decided before the General Conference, amends and adopts its own Rules of Procedure. This is why this calendar would have been the optimal one.

24.6 But Mr Chairman, we are in your hands. For me, the legal issues do not really stand. The draft resolution is not empty. I heard the Ambassador of Qatar fill it from his opening speech, and Article one has now in it the amendment to the amendment. I do not think this is what is going to prevent us from adopting this constitutional amendment. I think this is a political decision, of course. Each Member State is sovereign and free to decide what it wants. Now it is up to us to decide, especially all those non-Members of the Board, if they want to still sit outside Room X and wait for others to decide for them. Thank you.

25.1 **The President:**

Thank you Excellency. Now we have again two schools of thought on this draft as well. One is that this particular draft resolution was not given enough time so that the delegations can think about it, can think about its implications and its calendar. Even one of the original co-sponsors, Turkey, said that there has been no wide discussion after June until today about it. So one school of thinking says that this is a deficiency. Whether we agree or not, our legal experts think that there are certain problematical issues, and even I think it is difficult how to conceive in my mind an amendment to the amendment – whether we have two dates, etc. So this is one school of thought. The other – always eloquently put by Ms Vera Lacoëuilhe – that we cannot any more afford to put this issue always in front of us and this is the right moment, so that at the 42nd session of the General Conference, candidates will have time to promulgate and to explain themselves.

25.2 Now since I have two requests for adjournment, I can and I will going to the voting on the adjournment, but before doing that, in the spirit that I tried to explain before, I will ask each delegation whether they would like to withdraw because they agree with one of the speakers who have already explained their position, or whether they would like still to speak because they have a particular point to raise. Since we will be going to the adjournment, I want the next speakers – which also I see Armenia going after Serbia, with three minutes please, because the main proponents of both sides, as always, eloquently put forward their most important views. I will ask Senegal, starting with Senegal, whether you would like to speak for three minutes or whether your points have already been made by others. So I ask Senegal what you would like to do, Sir.

26. **Senegal:**

Yes, I would want to talk, to have my three minutes.

27. **The President:**

Fine. Go on, please, for three minutes, Senegal. Excuse me, there's a point of order from Jordan.

28. **Jordan:**

Thank you, Mr President. We all agree that it is a sovereign right of each Member State to express their views. And you spoke about two schools of thought. I belong to one of them, but I do not need to tell you which school of thought. But the main school of thought that we all belong to is to respect the procedure. And since, based on Rule 75, one country asked for the adjournment and it was favoured by another, I would reserve my right to speak, to explain my vote. So my appeal to you is to give every country, every Member State, the right to talk. But let us make it in the formula of explaining the vote after we go and respect the procedure. Thank you.

29.1 **The President:**

Thank you Excellency. Then we will do that, because he is right in pointing to that. From now on speakers will explain their vote, but we have to say first that... I was thinking of, given the atmosphere in the room, I was not going to make a roll call, adjournment by acclamation - I think we have a chance here to do that. We will be able to see where the

majority lies. That is why I did not want to go into the explanation of the vote procedure but finish in 15 minutes with those who wanted to speak. Now I will consult the Secretariat.

29.2 Thank you. Excuse me, Senegal – you are going to another position now. The distinguished representative of Cameroon, supported by Paraguay and Chile and others, asks – already asks – for an adjournment of the debate on this particular item. So I will now give one more Member to speak in favour of adjournment, and one Member to speak against adjournment. Who would like to speak in favour of adjournment – maybe Senegal, if it was your case of course, you can do that? But if you are against, of course you cannot do that.

30. **Sénégal :**

Non, je ne suis pas opposé à l'ajournement mais je voudrais bien dire pourquoi, Monsieur le Président.

31. **The President:**

I will give the floor now – one in favour is Senegal, as I see it, and one against Grenada, is it? Yes.

32. **Grenada:**

Thank you, Mr President. Mr President, we have in this room, in a unanimous way, everyone was praising the way you were chairing the discussions of the two previous amendments. My delegation would like to request that all Member States get the same treatment and can speak before getting to the vote without time limit, as was done for the two previous amendments. And if we are going to vote for the postponement, I would like to ask for a roll call. Thank you.

33. **The President:**

The reason, Madam, of course, is that in the previous discussions everyone was able to speak because we had not received during the debate a call for adjournment. So this is the main difference; we have received in this particular one a call for adjournment. So the Rules ask me to consider this about everything else – I am doing that. I still wanted to give the floor, but there is nothing special in this case. I will have to give the floor, one in favour and one against adjournment. One in favour of adjournment: Senegal, please.

34.1 **Sénégal :**

Monsieur le Président, je vous remercie de m'accorder la parole, vous remercie d'abord et vous félicite pour la tenue des débats pendant cette Conférence générale.

34.2 Monsieur le Président, je vais évoquer des questions préjudicielles, parce qu'une décision, elle doit avoir deux vertus. Elle doit être une décision informée. Elle doit être une décision éclairée. Nous avons ici soumis à nous un texte fait de guillemets, de parenthèses et de pointillés. C'est une question de forme. Nous avons un texte dans lequel un de ses signataires dit lui-même qu'il n'a pas fait l'objet d'un débat approfondi et d'une large participation des pays.

34.3 Je fais remarquer ici que les propositions d'amendement précédentes ont fait l'objet de soutien de plusieurs dizaines de pays. Celui-ci ne concerne que trois pays. Et, question de forme, s'agit-il d'un amendement révisé ou d'un amendement à l'amendement ? Et il ne peut s'agir d'un amendement à l'amendement puisque l'amendement en question était déjà à l'état de proposition.

34.4 Alors, viennent ensuite des questions de fond. Le Comité juridique a évoqué les contradictions qui sont essentielles encore et une fois préjudicielles, entre le VI, paragraphe 2 et le IV.B paragraphe 7. Dans l'un on dit que le Directeur général est élu, dans l'autre on dit que le Directeur général est nommé. Alors, la proposition se dérobe et elle est en train d'externaliser un travail qu'elle doit faire. C'est à dire nous demander de dire au Conseil exécutif de faire, sans dire au Conseil exécutif ce qu'il doit faire. Nous sommes donc, pour une question aussi essentielle, aussi fondamentale, invités à nous engager dans une aventure en nous disant, de toutes les façons il y aura d'autres changements qui sont concernés pour mettre en cohérence. Parce que je vous fais remarquer, Monsieur le Président, que si le VI paragraphe 2 est révisé, l'amendement ne contient pas une proposition de révision du IV.B.7. C'est une question préjudicielle et fondamentale.

34.5 En conclusion, et qu'est-ce qu'on remarque ? On nous propose d'avoir des contradictions, des contradictions entre deux textes et on nous dit on ne sait pas jusqu'à quand puisqu'on ne nous donne pas une date ultime, précise, à laquelle les révisions ultérieures - puisqu'on nous demande de dater le futur, on nous demande de décider le futur - seront examinées, seront décidées, par quelles modalités. On ne dit pas au Conseil exécutif quel texte il doit toucher et réviser, et ici à la place, au paragraphe 1 nous avons des pointillés entre parenthèses. Je trouve cela préjudiciel, je trouve cela grave, je trouve cela incertain.

34.6 Et, pour finir, nous ne proposons pas le 90.2, nous ne disons pas qu'il faut rejeter en bloc. Nous disons qu'il faut ajourner pour, comme l'a dit la Turquie, comme l'ont dit la majorité en tout cas des pays qui sont intervenus, nous ayons le temps d'une discussion approfondie pour ne pas jeter l'UNESCO et ses instances dans une aventure qui est une aventure folle. Je vous remercie.

35. **The President:**

Merci votre Excellence. One Member State against this proposal, against the adjournment proposal of course. Thank you. I see almost consensus to adopt this adjournment proposal. In that case, I do not see any need for a roll call; we will be losing precious time. Yes, Saint Lucia please.

36. **Saint Lucia:**

Thank you Mr President. Mr President, we prefer a roll call. I would like to second Grenada and we would like to know what we are voting on, because we were not told, adjourned until when? Thank you.

37. **The President:**

Madam, I still do not see a need for a roll call.

38. **Saint Lucia:**
Mr President, adjourned until when? We need to know to decide how to vote.
39. **The President:**
I have already told you how to vote. The General Conference has been talking about a DR with dots, after all. That's another aspect, that's another aspect.
40. **Barbados:**
I am sorry, Mr President. There was a question placed. I am sorry to interrupt. This is Barbados speaking.
41. **The President:**
Who am I hearing?
42. **Barbados:**
Barbados. I did put up my flag but it was not seen. If I may, Mr President. May I? Thank you. Mr President, I have noted the assumption that silence suggests consent, or in this case consensus. Let me be quite clear, it does not. Now with respect to what my colleague from Saint Lucia has said, she has asked that clarity be given on what is the matter that we are going to even raise our hands on. We would like to know what is the proposed timeframe for the adjournment. Let us have that clarity before this matter is placed to a vote. Thank you.
43. **The President:**
I have already and we have already listened to the French delegation as well, who asked for the 41st session. I think that Cameroon and Paraguay were already in agreement, but they did not bring this forward. I am asking Cameroon and Paraguay, is your adjournment proposal for the 41st session or not? First, Cameroon please.
44. **Cameroon :**
Merci Monsieur le Président. L'ajournement, comme il se fait régulièrement, c'est pour la prochaine session et nous sommes pour que ce soit ajourné pour la 41^e session.
45. **The President:**
Oui, c'est ce que j'avais compris. Paraguay please, can you specify to which date you want to adjourn this particular item?
46. **Paraguay:**
Gracias, señor Presidente, en el mismo sentido que la delegación de Camerún hasta la 41^a Conferencia.
47. **The President:**
Merci Excellence. I saw a flag but ... Argentina.
48. **Argentina:**
Gracias, señor Presidente, sí, solo para aclarar y va a ser una pregunta, que se aplase la discusión no quiere decir que no se pueda volver a presentar. Tenemos todos los Estados Miembros la posibilidad de hacerlo en la Conferencia, en el Consejo Ejecutivo, pero ahora quedó muy claro para nosotros que la propuesta era para la 41^a Conferencia y, de todas maneras, cualquier Estado Miembro puede presentar un proyecto para ser analizado en el Consejo Ejecutivo y empezar a estudiar el tema. No hay ningún problema, ninguna limitación. Muchas gracias.
49. **The President:**
Yes, I was going to thank you for this clarification. This is long, of course, you would have two more years to work on this. Now I have to decide whether we go for a roll call or just by raising hands. Jordan please;
50. **Jordan: (point of order)**
Mr President, I do not want to repeat myself, but we are all here to respect the Rules of Procedure, and based on the same Article 75, a country calling for the adjournment supported by another one, and you asked clearly if there is any country against this motion. Nobody raised their hand, nobody raised a flag. So I think we need to decide here to respect the Rules of Procedure. Thank you.
51. **The President:**
Thank you Excellency. I was just going to propose that. I want a vote by a show of hands whether this request for adjournment: those in favour, please those in favour of adjournment until the 41st session of this particular item please raise your hands.
52. I do not see enough hands to assure us of adoption. Name plates are better. At any rate, I have to go for a roll call because what I see does not assure me. It was not clear; to my mind, it was not clear. So we will go for a roll call. The Secretariat please.
53. Un vote par appel nominal est pris. Les résultats sont les suivants :
- Pour :** Afghanistan, Allemagne, Andorre, Arabie Saoudite, Argentine, Bahreïn, Brésil, Brunéi Darussalam, Bulgarie, Burundi, Cabo Verde, Cameroun, Chili, Chine, Comores, Congo, Côte d'Ivoire, Croatie, Cuba, Émirats arabes unis, Équateur, Espagne, Éthiopie, Fédération de Russie, France, Gabon, Guatemala, Guinée, Guinée équatoriale, Hongrie, Inde, Indonésie, Iran (République islamique d'), Irlande, Italie, Jamaïque, Japon, Jordanie, Malawi, Malte, Maroc, Mexique, Monténégro, Myanmar, Ouganda, Ouzbékistan, Palestine, Paraguay, Portugal, République de Corée, République démocratique populaire lao, République dominicaine, République Unie de Tanzanie, Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, Sénégal, Serbie, Singapour, Slovaquie, Somalie, Soudan, Tadjikistan, Thaïlande, Togo, Turquie, Viet Nam, Zimbabwe.

Contre : Albanie, Algérie, Australie, Autriche, Barbade, Belgique, Canada, Costa Rica, Danemark, Égypte, El Salvador, Estonie, Fidji, Géorgie, Grèce, Grenade, Honduras, Îles Cook, Iraq, Kiribati, Koweït, Lituanie, Luxembourg, Mongolie, Namibie, Nicaragua, Nouvelle-Zélande, Oman, Pakistan, Qatar, Saint-Vincent-et-les Grenadines, Sainte-Lucie, Suède, Tchèque, Tonga, Uruguay, Vanuatu.

Abstentions : Afrique du Sud, Angola, Arménie, Azerbaïdjan, Bangladesh, Bénin, Bolivie, Botswana, Cambodge, Chypre, Djibouti, Érythrée, Eswatini, Finlande, Gambie, Ghana, Haïti, Islande, Kazakhstan, Kenya, Kirghizistan, Lettonie, Liban, Libéria, Libye, Macédoine du Nord, Malaisie, Mali, Mauritanie, Monaco, Mozambique, Népal, Niger, Nigéria, Nioué, Norvège, Pays-Bas, Pologne, République arabe syrienne, République populaire démocratique de Corée, Roumanie, Seychelles, Slovaquie, Sri Lanka, Suisse, Tunisie, Ukraine, Venezuela (République Bolivarienne de), Zambie.

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

Absent : Bahamas, Bélarus, Belize, Bhoutan, Bosnie-Herzégovine, Burkina Faso, Guyana, Îles Marshall, Îles Salomon, Lesotho, Madagascar, Maldives, Maurice, Micronésie (États fédérés de), Nauru, Palaos, Panama, Papouasie-Nouvelle-Guinée, Pérou, République centrafricaine, République de Moldova, République démocratique du Congo, Rwanda, Saint-Kitts-et-Nevis, Saint-Marin, Samoa, Sierra Leone, Suriname, Tchad, Timor-Leste, Turkménistan, Tuvalu, Yémen.

54. **The President:**

Thank you. The Secretariat is now going to count the votes please. Ladies and gentlemen, distinguished delegates, I now announce the results of the voting. Number of Members present and voting: 103. Number of votes in favour: 66. Number of votes against: 37. Number of abstentions: 49. The majority required: 52. Therefore, ladies and gentlemen, the General Conference has just voted to carry the motion of adjournment until the 41st session. Thank you. I again draw your attention to the high number of abstentions.

Report of the APX Commission (40 C/90)

55. **The President:**

I would now like to invite Ms Maria Diamantopoulou. Excellency, we are now going to examine the report of the APX Commission, contained in document 40 C/90. The Chairperson of the Commission, Her Excellency Ms Diamantopoulou, will present this document. Thank you very much Ambassador. Thank you. We are now listening to you.

56.1. **Ms Diamantopoulou** (Greece) (Chair of the APX Commission):

Mr President of the General Conference, Mr Chairperson of the Executive Board, Madam Director-General. Mr Deputy Director-General, distinguished delegates, Excellencies, ladies and gentlemen, it is my distinct privilege to present to the plenary the oral report on the work of the Commission for Financial, Administrative and General Questions, Programme Support and External Relations. As you all know, this is the largest commission of our supreme legislative organ, the General Conference. Thinking of Pythagorus, who said there is nothing so easy in life, but it becomes really very difficult and very hard when you are doing it reluctantly. I conveyed my wish for this Commission to strive towards strengthening and revitalizing our cherished Organization. And I assure you, Mr President, that all members of the APX Commission worked very hard and with absolute devotion during the four days of our deliberations. The recognition of the urgent need to accelerate action on all levels and by all stakeholders was at the heart of our debates.

56.2 Mr President, from 13 to 16 November 2019, the APX Commission considered 22 items over the course of eight meetings. Our debates were intense and some of them highly technical. For all this, let me salute all members of the Commission for their passion, motivation, determination, cooperation spirit and above all, for their commitment. Our resolutions are contained within the Commission's report distributed as Document 40 C/90, which the APX Commission recommends to the General Conference for adoption. In this oral report I will share with you the essentiality of our very rich deliberations. Mr President, at its first meeting, the APX Commission adopted its timetable. Given the density of our agenda, Member States agreed to examine several items without debate. However, I ensured that there would be full space for exchanges and discussion throughout the works of the Commission. The first item on the Commission's agenda was item 1.3 - Report by the Director-General on communications received from Member States invoking the provisions of Article IV.C, paragraph 8(c), of the Constitution. As you may recall, on the afternoon of Thursday, November 14, at the fourth Plenary meeting of the General Conference, I presented an oral report on this item, based on the report of the Working Group on Contributions, chaired by His Excellency Mr Peter Reuss, Ambassador and Permanent Delegate of Germany to UNESCO. The related resolution was adopted without amendments. Additionally, the election of three new members of the Working Group on Contributions as per Rule 82 of the Rules of Procedure, was postponed to the Joint Commission.

56.3 During our second meeting, the Commission examined item 4.1 Methods of preparing the budget, budget estimates for 2020-2021, and budgeting techniques, and item 4.2 Consideration and adoption of the Draft Programme and Budget for 2020-2021 (40 C/5). (?0.04.11.3) introduced the item briefly by explaining the two main features of 40 C/5, namely: first, the budget is prepared with the principle of integrated budget framework; and second, the budget is prepared based on the results-based budgeting approach. To the question on the use of the constant dollar rate and the recommendation from the External Auditor thereon, the Secretariat stated that this rate would no longer be used for planning purposes. The draft resolution was adopted without amendments. So we continued with item 4.2 Consideration and adoption of the Draft Programme and Budget for 2020 2021. Before proceeding with the examination of the draft resolutions, I recalled that following a substantive discussion, the Joint Meeting of Commissions had agreed on the provisional budget scenario of US \$534.6 million during its first meeting, which took place in the morning of 13 November. With your indulgence, my Oral Report of the Joint Meeting of Commissions, which I will present to the Plenary on Wednesday 27 November, will include the most salient items of those important discussions, as well as the concerns of

Member States who have requested for their interventions to be reflected therein. We then proceeded to the examination of the draft resolutions contained in document 40 C/5 Volume 1, which pertains to the work of the APX Commission. All draft resolutions were adopted with amendments to reflect the following: first, the applicable budget scenario corresponding to the provisional budget ceiling as endorsed by the Joint Meeting of Commissions; and second, where relevant, introducing the amendments as recommended by the Executive Board, in documents 40 C/6 and Add. In addition, some Member States raised questions and provided specific amendments to the following draft resolutions: first, as regards the draft resolution on the management of field reform, Member States introduced an explicit mention to the Supplementary funding to the field network reform. To this end, the relevant paragraph was amended, ensuring the mention of \$500,000. Thus, we fittingly reflected in the resolution for the management of field offices. As a result, the draft resolution was adopted with a suggested amendment. Regarding the draft resolution on the sector for Priority Africa and External Relations, several Member States wished the Priority Africa positively embracing all countries in the African continent, including North Africa. Hence, a request was made so that this be reflected as an amendment. The draft resolution was adopted, accordingly amended. Lastly, as regards the draft resolution for the Sector for Administration and Management, a Member State observed that the IT Unit falls under the responsibility of the Sector and expressed the wish to see concrete improvement, notably in the area of knowledge management in response to the issues identified in the audit. In conclusion, nine draft resolutions for item **4.2** Consideration and adoption of the Draft Programme and Budget for 2020-2021 (40 C/5) were adopted with amendments, and the Commission endorsed the relevant parts of document 40 C/6 and Add. on volume 2.

56.4 Moving on to item **2.1**, the APX Commission examined the part corresponding to the carry forward of the 38 C/5 unspent funds to 2020-2021 contained in document 40 C/3 Add. The representative of the Director-General briefly explained that due to the contingency plan implemented in 2017, The 38 C/5 biennium ended with unspent regular budget funds amounting to \$27.5 million. The Executive Board approved the use of these funds for the 2018-2019 biennium, including \$11 million set aside for the 40 C/5 and also recommended to the General Conference to approve the carry forward of any unspent funds. Member States requested an estimate of the unspent funds subject to carry forward, and the Secretariat explained that out of the remaining \$16.5 million which have been approved, \$6.5 million remain unspent. Member States also requested assurance that any unspent funds, if carried forward to 2020 2021, will be used for the same purpose as already approved by the Executive Board. The draft resolution was adopted with amendments. We then moved to the examination without debate of item **5.32** on the Proclamation of a World Portuguese Language Day, which was adopted without amendments.

56.5 The works of our Commission's third meeting started with the examination of item **5.1** regarding "Proposals by Member States for the celebration of anniversaries in 2020-2021 with which UNESCO could be associated". As a result, the draft resolution was adopted without amendments. Although no debate took place and no amendments were proposed, four Member States asked me to include the following in this report, and I quote: "Bangladesh expresses its gratitude to Cuba, India, Japan, Poland and Nepal for their support in co-sponsoring the proposal to celebrate the birth centenary of the father of their nation, Bangabandhu Sheikh Mujibur Rahman. Second, I quote: "Bulgaria considers Blaže Koneski as a controversial personality with a controversial contribution". Third, "Croatia expresses deep appreciation for the endorsement to their proposal by North Macedonia and Poland to celebrate the 150th anniversary of the birth of scientist Slavoljub Eduard Penkala. And fourth, the Republic of Korea, together with the delegation of Dangjin city and Korean Catholic Churches, expresses deep appreciation of the inclusion of Korea's proposal regarding the 200th anniversary of the birth of Saint Andrew Kim Daegwon and thanked France, the Philippines and Viet Nam for their support for the Republic of Korea's proposal." End of the four quotes.

56.6 Mr President, the examination of item **10.1** Quadrennial report on the contribution made to UNESCO's activities by non-governmental organizations included a spirited exchange, which I will endeavour to summarize at the best. Prior to the consideration of the draft resolution, some members of the Commission thanked the Director-General for a qualitative report and expressed their appreciation for the work done in its preparation, while recognizing the positive contributions of NGOs in the framework of UNESCO's action and programme delivery. UNESCO's intergovernmental nature, the importance of increasing geographical balance, and the representativeness of the network of official NGO partners, as well as the essential role of National Commissions for UNESCO vis-a-vis partnership with civil society were put at the centre of all our considerations. In the course of the examination of the relevant draft resolution, the Russian Federation asked me to reflect in this report the country's position on the contribution of NGOs alongside UNESCO and its Member States, which should take place within appropriate spaces in line with the intergovernmental nature of the Organization. The draft resolution was adopted with amendments.

56.7 Moving on to the examination of item **11.2** "Scale of assessments, currency of Member States' contributions and Working Capital Fund", all resolutions were adopted with no amendments, and with a sole request from Venezuela to include the following in this report: "The country sees as necessary to reevaluate the scale of assessments, to reflect the capacities and availability of funds of each Member State."

56.8 The fourth meeting of our Commission started with the examination of item **11.3** "Collection of Member States' contributions". During the debate, the following salient points emerged. One Member State recalled that the primary obligation of Member States is to pay their assessed contributions, enabling predictability of UNESCO's funding. In addition, an increased assessment rate should not be a reason for late payment. The same Member State further sought clarification on the simulation of calculation provided by the Secretariat. Two Member States requested more information on the incentive scheme for prompt payment of contributions. Another Member State proposed an amendment to the draft resolution to treat any residual balance surplus of the regular budget funds of the 39 C/5, in accordance with Article 5.2 of the Financial Regulations. Subsequent to deliberations, the draft resolution was adopted with amendments. The next item on our agenda item **10.2** "Amendment to the Regulatory Framework regarding Associations, Centres and Clubs for UNESCO", was examined without debate. The draft resolution, as transmitted to the APX Commission following examination by the Legal Committee, was thus adopted as amended.

56.9 Mr President, we then moved to item **5.35** “Strategy for category 2 institutes and centres under the auspices of UNESCO”. Prior to this item's examination by Member States, the representative of the Director-General introduced the document, recalling the decision of the Executive Board that welcomed the Director-General's proposal to improve the management framework for category 2 institutes and centres. Following the presentation, one Member State requested clarification about the nature of a tripartite agreement to be signed between a Member State, a proposed category 2 institute or centre and UNESCO, asking whether it was binding and what alternative models may be available. The representative of the Director-General answered positively on this possibility, confirmed by the Legal Adviser, who explained that this agreement between UNESCO and the proposed institute or centre is binding and necessary, as the institute or centre will need to accept the rights and obligations vis-a-vis its new relationship as an entity under the auspices of UNESCO. After that, the APX Commission adopted the draft resolution without amendments.

56.10 We then moved to the examination of item **13.1** “Report by the Director-General, in cooperation with the Headquarters Committee, on managing the UNESCO complex”. The Chairperson of the Headquarters Committee, her Excellency Ms Phyllis Gandhi, Ambassador and Permanent Delegate of Kenya, provided a brief presentation on the overall work accomplished by the Committee. The chairperson highlighted that the Headquarters premises are in need of substantial capital investments and financing, being today at risk of technical failure. To mitigate this, long-term funding is required, as well as Member States' commitment. One Member State requested that future reports on revenue-generating activities should be more detailed on the expenditure part, as is the case already for the income reported. The draft resolution was adopted with amendments.

56.11 The fifth meeting of our APX Commission started with the examination of item **11.1** “Financial report and audited consolidated financial statements relating to the accounts of UNESCO for the financial period ended 31 December 2018, and report by the External Auditor”. Prior to the examination of the draft resolution, both the Secretariat and the representatives of the External Auditor made presentations. The representative of the Director-General presented the 2018 Consolidated Financial Statements prepared in accordance with international public sector accounting standards. The representatives of the External Auditor mentioned that unqualified opinion issued on the 2018 consolidated financial statements and highlighted the various findings identified during the audit. Two Member States asked for further clarification about the revaluation of assets of buildings. Some Member States sought clarifications on the audit focus in 2019 – funds received under framework agreements not yet allocated at year end 2018, and the review of the agreement models at UNESCO. The representative of the External Auditor explained that the asset revaluation in 2018 led to a significant difference that could not be attributable to that year, and post-discussions with management decided to change from revaluation to cost model, which would not require any devaluation in the future. On the question on the audit focus for 2019, the External Auditor indicated that the team was on site and that the audit plan was already issued. She noted that the plan focuses on the financial audit as per the mandate with two additional works: fraud and capital asset fundings and maintenance. The representative of the External Auditor also noted that fraud was an increasingly high risk, with more and more sophisticated social engineering techniques used by the fraudsters. She also mentioned that anti-fraud policy is in place and severe measures have been taken in this regard. Finally, the APX Commission adopted the draft resolution without amendments.

56.12 Mr President, we then started the examination of item **12.1** “Staff Regulations and Staff Rules”. The representative of the Director-General explained the three areas of changes to staff regulations proposed for adoption by the General Conference, namely: Reclassification, Disciplinary proceedings and the Appeals Board. Following the request from a Member State, the Legal Adviser confirmed that, indeed, all proposed amendments are reviewed for assessment of legal implications. On the individual request for reclassification, Staff Rule 102.2, some Member States questioned the rationale for its suggested suppression. The representative of the Director-General explained that the purpose of the change was to clearly put the responsibility for reclassification request on supervisors. The change proposed to Staff Regulation 4.2, to provide for advertisement of some reclassified posts was not retained, and the Staff Regulation remained unchanged. The amendment to Staff Regulations 9.1.1, 10.1, 10.2 and 11.1 were approved as proposed. The proposal on the review of the Appeals Board was debated extensively. Several Member States proposed changes aiming at contributing to modernize the appeals procedure and the effective management of the Appeals Board. Member States questioned the proposal for reducing the composition of the Board from five members to three. Finally, after deliberations, Member States decided to maintain the composition of five members. Concerning the time limit for hearings, Member States proposed it be set at six months. Member States stressed their wish to maintain the prerogative of the General Conference to amend all its Statutes. Before the adoption of the draft resolution, representatives of two UNESCO Staff Associations; STU and AIPU, intervened as it had been accorded to by the General Conference upon request by the Director-General. The draft resolution then was adopted with amendments.

56.13 Mr President, the following three items to be examined, namely **12.2** “Staff salaries, allowances and benefits”, **12.3** “United Nations Joint Staff Pension Fund”, and **12.4** “Report by the Director-General on the state of the Medical Benefits Fund (MBF) and the Governance Structure”, were as well proposed to be examined without debate and were adopted without amendments. Based on voluntary expressions of interest, three new observers were elected to the board of the MBF. These are Bangladesh, Egypt and Saint Lucia. Mr President, we then moved on to the examination of item **12.5** “Report by the Director-General on the implementation of the Human Resources Management Strategy 2017-2022”. Member States thanked the Secretariat for the report, the efforts made and for the work done, noting the improvements. They were very appreciative of the implementation of the automated notification of vacancy notices, which is now in place.

56.14 On geographical distribution, Member States reiterated the concern that current measures are not sufficient to address the issue, and they called for new measures by the Secretariat. A Member State pointed out that the issue of geographical quotas needs to be revisited. Another Member State reminded that while non- and under-represented countries reserve special attention in order to ensure equity, an analysis by staff categories would be necessary. The impact of generic job descriptions on specialization of staff was raised as an area of concern. Some Member States mentioned the possible loss of expertise, notably in the area of normative work and Conventions. Finally, the Commission

adopted the draft resolution with amendments. Mr President, with regard to the amendment adopted concerning the organigram of staff, after consulting Member States I clarified that the requested information will remain private and accessible only to Member States through the Intranet.

56.15 On Saturday morning, the seventh meeting of our APX Commission examined items **6.2** on “UNESCO’s Strategic Transformation”. Following the thorough presentation made by the Deputy Director-General, most Member States welcomed the efforts by the Secretariat on this item and took note of the progress achieved in Pillars 1 and 2. Member States requested consolidated substantive proposals on the reform of programme activities. On the High-Level Reflection Group, Member States took note of their first meeting and asked to be informed on their work. The draft resolution was adopted with amendments.

56.16 Mr President, the APX Commission's eighth and last meeting began with an examination of items **3.1** “Preparation of the Draft Medium-Term Strategy for 2022-2029 (41 C/4)”, and item **3.2** “Preparation of the Draft Programme and Budget for 2022-2025 (41 C/5)”. Following the debate, the Commission adjourned the items for examination of the related draft resolutions during the second Joint Meeting of Commissions, which will take place in the morning of Wednesday, 27 November. A summary of the debate on these items is annexed in document 40 C/90. Lastly, the Commission examined item **6.1** “Governance procedures and working methods of the governing bodies of UNESCO”, whose draft resolution was adopted with amendments.

56.17 Mr President, this is the end of my report on the works of the APX Commission. I cannot, however, conclude my intervention without extending my profound gratitude to all those who have contributed to the success of the Commission’s deliberation. Let me start by expressing my most sincere thanks and appreciation to you, Mr President, for your solid support to the work of the APX Commission and for your wise guidance and leadership in the current session of the General Conference. I wish to thank the four Vice-Chairpersons of the APX Commission, his Excellency Mr Ferit Hoxha, Ambassador of Albania, Mr Murilo Vieira Komniski from Brazil, His Excellency Mr Dong Gi Kim, Ambassador of the Republic of Korea, and – allow me in particular – Mr Nassim Mohamed Amer from Algeria, who wholeheartedly accepted to chair one afternoon session of the Commission. I would also like to thank Samson Kantini from Zambia, Rapporteur of the APX Commission. In continuing to express my gratitude for their invaluable assistance, I extend my thanks to the Director-General, to the Deputy Director-General, to the Assistant Directors-General and all representatives of the Director General; to the Secretary of the General Conference, Ms Karima Bekri-Lisner, and the Deputy-Secretary, Mr Luis Salamanques, as well as their whole team of professionals, who provided us with all necessary support and who also deserve our sincere thanks. I should like to thank the teams of interpreters and translators, conference room clerks, the document production unit, typists and technicians in charge of the support services, on whom we all depended for the smooth running of our deliberations.

56.18 Mr President, it would be remiss of me not to pay tribute to my colleagues, members of the APX Commission and their alternates, for their contribution. While they were determined advocates of their positions, they made all the efforts to remain open to diverse and varied views and opinions. We felt highly productive sessions keeping with the spirit of consensus. Finally, I would especially like to thank the Secretariat of the APX Commission, Mr Salvatore Mineo and his team, composed of Ms Andrea Giselle Burbano Fuertes, Ms Jennifer Brunner, Ms Markéta Brüstlova, Nastassja Marie Matrundola, and last but not least, Juan Pablo Ramírez Miranda. In closing, and inspired by modern Greek songwriters’ words, I would like to say that our so much cherished Organization, *UNESCO is UNESCO that resists, UNESCO that insists, and those who do not believe in it, or do not understand it, means that they do not know where they are heading to, or that they do not know where they belong to.* I am confident that we all embrace it. Thank you very much for your attention.

57.1 The President:

Thank you very much your Excellency, Ms Maria Diamantopoulou, the Permanent Representative of Greece. This has been a very comprehensive presentation. Might there be any other comments from the floor regarding Ms Diamantopoulou’s report? In this case, I am assuming that the Report of the APX Commission is adopted, and the draft resolutions contained in it, subject to the decisions that the Conference may take on budgetary issues by adopting the resolution for the next biennium.

57.2 It was so *decided*.

57.3 It is now my pleasure to give the floor to the Secretary of State for Education of Portugal. Madam, you have the floor.

58. Portugal (interpretation from Portuguese):

Excellencies, Madam Director-General, ladies and gentlemen, the Portuguese language has achieved a new international dimension that is very symbolic with the proclamation of the new world day for the Portuguese language. This grants it deserved recognition at the international level, and this event will most certainly enable us with greater conviction to affirm the future of the Portuguese language, which is today part of the Portuguese-speaking community of countries. As a community of nine countries, we are a force for union between diverse realities as an international communication language with a growing role in world trade and international cooperation – a language working for multilateralism in international bodies in which scientific research is carried out and knowledge transmitted. This language is an open door to cultures that meet through this language. It is important today to thank the General Conference and all Members of UNESCO for contributing to this important event and to therefore recognize 260 million speakers of Portuguese spread out over the five continents and recognizing the importance of this language that is part and parcel of their everyday life. The Portuguese language is today a world language, a language for the world, and the proclamation of this international day for the Portuguese language has recognized that. Thank you.

59. **The President:**

Thank you Excellency. We are all glad that this important decision has been taken, but in my personal capacity I wish to say that you can also thank for a number of Cape Verdean singers who really brought up this beautiful language. So, after the intervention of the Portuguese Minister, I wish to congratulate you, Madam Maria Diamantopoulou once again as the Chair of the APX Commission, and also through you thank all the members of the APX Commission for their most efficient work, and this report is now adopted. Thank you. We are just in time. In the afternoon we will start by considering, as we did with the APX Commission, the Education Commission's Report. The meeting is now adjourned. Thank you.

(The meeting rose at 1 p.m.)