



SHC/MD/18 Add.1
PARIS, 10 March 1972
Original: English

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

INTERNATIONAL REGULATIONS FOR THE PROTECTION
OF MONUMENTS, GROUPS OF BUILDINGS AND SITES

Final report drawn up in accordance with Article 10.3 of the Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution.

ADDENDUM

In implementation of resolution 3.412 concerning international instruments for the protection of monuments, groups of buildings and sites, adopted by the General Conference of Unesco at its sixteenth session, the Director-General prepared a preliminary report containing a preliminary draft recommendation and a preliminary draft convention (document SHC/MD/17) which was forwarded on 20 July 1971 to Member States under cover of circular letter CL/2156 inviting them to submit comments and observations of these draft texts.

By 20 January 1972, the Unesco Secretariat had received 18 replies, which were reproduced in document SHC/MD/18, with an analysis of the replies, a revised draft recommendation and a revised draft convention.

One of the two communications from the United States of America contained in document SHC/MD/18, announced that country's intention of submitting, as the United States comments to Unesco on its proposed Convention, a new "World Heritage Trust" draft.

This new draft was received by the Secretariat on 16 February 1972. It is reproduced in the present document, which constitutes a first addendum to document SHC/MD/18.

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**WORLD HERITAGE TRUST CONVENTION CONCERNING THE PRESERVATION AND
PROTECTION OF NATURAL AREAS AND CULTURAL SITES OF UNIVERSAL VALUE**

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 1972, at its seventeenth session.

Noting that certain areas and sites throughout the world are of exceptional interest and of universal natural or cultural significance,

Noting that such areas and sites are part of the heritage of all mankind and hence should be preserved for the benefit of all mankind,

Recognizing that the natural and cultural heritage of the world is threatened with damage or destruction by changing social and economic conditions as well as by natural causes,

Considering that the deterioration or disappearance of any significant cultural site or natural area constitutes an impoverishment of the heritage of all nations of the world,

Considering that it is for mankind as a whole to ensure the preservation and protection of natural areas and cultural sites of universal value,

Recognizing, however, that national measures to preserve and protect this heritage are often inadequate due to the costs of such preservation and to insufficient available economic, scientific and technical resources,

Considering that international assistance to complement national measures to preserve and protect this heritage may often be in the interest of all mankind,

Recalling Unesco's Constitution which stipulates in Article I, paragraph (c), that "the Organization will maintain, increase and diffuse knowledge; by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions",

Considering that there is now urgent need for the adoption of an international convention establishing an effective and permanent system of registering and preserving natural areas and cultural sites of universal value,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this day of 1972 the present Convention.

I. DEFINITIONS

Article 1

For the purposes of this Convention, the following shall be considered as:

(a) "Natural areas" - land areas, including inland waters, of outstanding universal value, including unique or otherwise significant geology, physiography, flora or fauna, important examples of natural ecosystems of special interest to science, natural landscapes or seascapes of great beauty, and areas of importance to wildlife conservation, education and recreation;

(b) "Cultural sites" - sites which are of outstanding universal value because they reflect a significant event or stage in the development of world civilization, including sites of major anthropological, archaeological, architectural, or historic importance;

(c) "World Heritage Register" - a list of natural areas and cultural sites as defined above and considered by the Board of the World Heritage Trust to have outstanding significance for the heritage of all mankind and hence to merit international recognition and measures of preservation and protection;

(d) "Parties" - those States which are Parties to this Convention.

Article 2

For the purposes of this Convention, international preservation and protection of natural areas and cultural sites means the establishment of a permanent system of international co-operative efforts to identify, protect and preserve these areas and sites.

II. WORLD HERITAGE TRUST COMMITTEE FOR THE PRESERVATION AND PROTECTION OF NATURAL AREAS AND CULTURAL SITES OF UNIVERSAL VALUE

Article 3

(a) There is hereby established with the United Nations Educational, Scientific and Cultural Organization the World Heritage Committee for the Preservation and Protection of Natural Areas and Cultural Sites of Universal Value, hereinafter called "the Committee", which shall be composed of one representative of each State Party to this Convention.

(b) The first meeting of the Committee shall take place during the first ordinary session of the Unesco General Conference after this Convention enters into force. Thereafter the Committee shall meet regularly at least every two years during the ordinary session of the General Conference of Unesco, or with 90 days' notice upon call of the Director-General. Extraordinary sessions may be convened at any time with 90 days' notice upon request of at least one third of the Parties or upon request of the Board.

(c) The Committee shall establish its own rules of procedure and shall elect a president and such other officers as it deems advisable. Each officer shall serve for a length of time designated in the Rules of Procedure but no term of office shall extend for more than four years. Each term of office shall begin at the end of the session of the Committee during which the election for that officer was held, and shall end with the commencement of the next succeeding term. Incumbent officers may be reelected.

(d) Decisions of the Committee shall be made by affirmative vote of a simple majority of those present and voting, each representative having one vote. No decision shall be valid unless a quorum equal to a simple majority of the Parties to this Convention is present and voting.

(e) The Committee shall meet at the Headquarters of Unesco unless a majority of the members of the Committee decide to meet elsewhere.

(f) The Committee shall elect the World Heritage Board, hereinafter called "the Board", which shall be composed of 15 States Parties to the Convention. In electing the Board the Committee will be guided primarily by three criteria: (1) a balance of concern for both natural areas and cultural sites; (2) representation from those States having highly developed programmes of preservation of natural areas and cultural sites; and (3) an equitable geographical distribution.

(g) The Committee shall regularly report to the Unesco General Conference on activities of the Committee, of the Board and of States under this Convention.

(h) The expense of participation on the Committee shall be borne by the States represented.

III. WORLD HERITAGE TRUST BOARD

Article 4

(a) There is hereby established a World Heritage Trust Board, hereafter to be called "the Board", which shall be elected in accordance with Article 3 (f).

(b) The term of office of Board members shall extend from the end of the Committee session during which they were elected until the end of the second subsequent ordinary session of the Committee.

(c) The term of office of seven members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the Committee following that at which they were elected. Those seven positions shall then be filled as described in Article 4 (b) above.

(d) States members of the Board shall choose as their representatives persons with expertise in the preservation and protection of natural areas or cultural sites and otherwise qualified to carry out the responsibilities of the Board.

(e) The expense of participation on the Board shall be borne by the States represented.

Article 5

The Board shall adopt its own Rules of Procedure which shall follow so far as appropriate the Unesco Rules of Procedure. The Rules of Procedure shall permit observers from intergovernmental and non-governmental organizations and private individuals invited by the Board to participate without vote in its work under conditions specified by the Board.

Article 6

In general, programmes primarily involving natural areas shall be carried out by IUCN and those primarily involving cultural sites by ICOMOS under appropriate contracts of work agreements calling for appropriate compensation. Where a particular area or site incorporates significant representation of both a natural area and a cultural site the expertise of both IUCN and ICOMOS shall be drawn on as appropriate. Representatives of IUCN and ICOMOS shall be invited to participate regularly as advisers in the deliberations of the Board.

Article 7

1. The World Heritage Board shall have the following powers and functions:

(a) To establish the World Heritage Register, hereafter called the Register, and to select, with the assent of the appropriate State or States, specific areas or sites representing natural and cultural resources to be inscribed therein, and to call attention to the selection of such areas and sites by appropriate designation and ceremony;

(b) to establish criteria for recognition of specific sites or areas of outstanding significance for the heritage of all mankind and for inscription in the Register;

(c) to compile an inventory, based upon inventories submitted by States Parties to the Convention and upon its own investigations, identifying areas and sites throughout the world which might qualify for inclusion in the Register;

(d) to administer the World Heritage Trust Fund, hereinafter called "the Trust Fund", which shall be used for the identification and preservation of natural areas and cultural sites inscribed in the Register;

(e) to consider and determine action to be taken on requests for the provision of technical and financial assistance to Parties to this Convention in compiling their national inventories and in the management and preservation of areas and sites inscribed in the Register;

(f) to establish standards for the management and preservation of areas and sites included in the Register, to conduct periodic surveys to ascertain the current status of such areas and sites and to ensure that standards are being met, and to notify the representatives of the States Parties to this Convention of the need for corrective action when warranted;

(g) to remove from the World Heritage Register, after consultation with the appropriate State, areas and sites receiving inadequate management, protection or preservation;

(h) to co-operate with other organizations, governmental and non-governmental, promoting objectives related to those of the World Heritage Trust, and to promote educational programmes to foster the objectives of the Trust;

(i) to submit to the Committee reports regarding the implementation of this Convention and the identification, management, protection and preservation of natural areas and cultural sites inscribed in the Register.

2. Before inscribing an area or site in the Register, the Board shall notify all States Parties to this Convention of the proposed inscription. If any such State objects to the inscription of all or any part of an area or site, it shall so advise the Board within ninety days of the transmittal of the notification, specifying whether it objects to the inscription of all or portion of the area or site; if a portion, which portion; and the grounds for the objection. If the Board shall have received any objections within ninety days, it shall refrain from inscribing the area or site or portion thereof objected to unless the objections made are withdrawn or unless all Parties making objections assent to the inscription.

3. Each Party shall submit to the Board as soon as possible an inventory of natural areas and cultural sites within its own territory which might qualify for inclusion in the Register. The State may add to such inventory at any time. All areas and sites on the inventory shall be described precisely and shall be delineated on a map with the area or site boundary identified by latitude and longitude. Each submission shall be supported by an exposition of the significance of the areas or sites included in the inventory.

4. Parties shall manage, protect and preserve in accordance with standards established by the Board each area or site inscribed in the Register in their own territory, and where appropriate shall enact and enforce appropriate legislation, and shall conclude international agreements in the case of sites on international boundaries.

IV. WORLD HERITAGE TRUST FUND FOR THE PRESERVATION AND PROTECTION OF NATURAL AREAS AND CULTURAL SITES OF UNIVERSAL VALUE

Article 8

1. The World Heritage Trust Fund for the Preservation and Protection of Natural Areas and Cultural Sites of Universal Value, hereafter called "the Trust Fund", is hereby established.

2. The Trust Fund shall be administered by the Board and shall constitute a trust fund in conformity with the relevant provisions of the Financial Regulations of Unesco.

Article 9

1. The Board may accept contributions, gifts, or bequests to the Trust Fund from any source, and shall actively solicit financial support for the Trust Fund from States, appropriate international organizations and non-governmental organizations, and from private groups and individuals with particular interests in the preservation of natural areas and cultural sites.

2. Interest earned from sums loaned from the Trust Fund to States shall become part of the capital of the Trust Fund.

3. The Board may accept any other voluntary contributions, whether or not in cash, provided that the purposes for which the contributions are made are consistent with the policies, aims and activities of the Board and the Committee and provided that acceptance of contributions which directly or indirectly involve additional financial liability for the Committee or the Board shall require the consent of a majority of the members of the Board.

V. SECRETARIAT

Article 10

The Committee and the Board shall be assisted by a Secretariat appointed by the Director-General of Unesco. The Secretariat shall prepare the documentation and provisional agendas required for the meetings of the Committee and of the Board. The expense of the Secretariat shall be borne by Unesco.

VI. NATIONAL MEASURES OF PROTECTION AND PRESERVATION

Article 11

The Parties to this Convention recognize the duty to preserve for future generations the natural areas and cultural sites of universal value situated within their respective territories. To fulfil that duty those States undertake to devote an appropriate measure of their own resources as well as international assistance which they may be able to obtain.

Article 12

1. The Parties further recognize that those areas and sites constitute a universal heritage, which the international community as a whole has a duty to preserve.
2. Accordingly, the Parties undertake, in conformity with this Convention, to contribute scientific, technical, artistic and financial assistance to international programmes for the preservation of natural areas and cultural sites, while fully respecting the sovereignty of the States within the jurisdiction of which such areas and sites are situated.
3. Each State Party to this Convention shall take positive action to mitigate the effects of disturbances to areas or sites inscribed in the Register caused by natural phenomena or human intervention, and shall notify the Board immediately of any such disturbance, of the mitigating action being taken, and of the need, if any, for assistance from the World Heritage Trust Board.
4. Each Party shall respect all areas and sites inscribed in the Register by refraining so far as possible from acts which might damage them.

Article 13

The Parties to this Convention shall encourage the establishment of public and private national foundations or associations with the purpose of encouraging financial contribution toward the preservation of natural areas and cultural sites inscribed in the Register.

Article 14

The Parties to this Convention shall assist periodic international fund-raising campaigns for the benefit of the World Heritage Trust Fund and shall facilitate fund-raising by appropriate organizations.

Article 15

Each Party to this Convention shall make periodic reports to the Board in a manner to be determined by the Board, giving information on the legislative and administrative provisions adopted and on other actions taken pursuant to this Convention, together with details of the experience acquired in this field.

VI. INTERNATIONAL ASSISTANCE

Article 16

1. Any Party to this Convention may request international assistance for preservation and protection of natural areas or cultural sites within its territory which have been inscribed in the Register. Each State shall submit with its request all information and documentation requested by the Board.

2. The Board, or IUCN or ICOMOS acting pursuant to the Board's authorization, may offer assistance to any State, whether or not a Party to this Convention, and whether or not such assistance was requested, if a natural area or cultural site within the territory of that State is threatened by serious damage and if the Board considers that area or site to be of universal value.

Article 17

1. The Board shall define the procedure by which requests for international assistance from the Fund shall be considered and shall specify in particular the content of the request, which should describe the nature of the problem, the work that is necessary, the cost thereof, the relative urgency of the request, and a statement why the resources of the requesting State do not allow it to meet the expenses unaided. Such requests should be supported by expert analysis whenever possible.
2. Requests involving natural calamities and disasters should, by reason of the urgency of the work which they may involve, be given priority consideration by the Board.
3. Before coming to a decision, the Board may carry out such studies and consultations as it deems necessary.

Article 18

Assistance granted by the Board may take the following forms:

- (a) Studies concerning the artistic, scientific and technical problems raised by the preservation of natural areas or cultural sites in question;
- (b) expert assistance in carrying out preparatory studies, technical assistance and skilled labour to ensure that the approved work is correctly carried out, and training and equipment which the State cannot provide;
- (c) low-interest or interest-free loans;
- (d) the granting, in exceptional cases and for special reasons of non-payable subsidies.

Article 19

Major grants of aid shall be preceded by detailed scientific and technical studies. These studies should draw upon the most advanced techniques for the restoration and preservation of natural areas or cultural sites, and must have as their aim the objectives of this Convention. The studies must also aim to find ways of making rational use of available resources from within the appropriate State.

Article 20

The financing of work necessary for the preservation of natural areas and cultural sites of universal value shall, in general, be borne only in part by the international community. The contribution of the beneficiary State must, with limited exceptions authorized by the Board, constitute a substantial portion of the resources devoted to each programme.

Article 21

In return for the assistance granted by the Board, the beneficiary States must undertake to act upon the approved project within a definite time-limit and to continue to manage and preserve the areas or sites according to standards established by the Board.

VII. EDUCATIONAL PROGRAMMES

Article 22

1. The Parties to this Convention shall endeavour by all appropriate means, and in particular by educational and informational programmes, to strengthen the attachment of their peoples to the areas and sites that become part of the natural and cultural heritage of mankind.

2. The Parties shall fully publicize both threats to these areas and sites and also the preservation and restoration activities which are undertaken with international co-operation.

Article 23

The Parties to this Convention which receive international assistance under this Convention and which undertake programmes for the preservation of natural areas or cultural sites within their respective territories shall take appropriate measures, including adoption of programmes to make such areas and sites available for public enlightenment and enjoyment, to publicize the importance of the area or site preserved and the effectiveness of international co-operation.

VIII. FINAL CLAUSES

Article 24

Reservations to this Convention shall not be permitted.

Article 25

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

Article 26

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.
2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 27

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited to accede to it by the General Conference of Unesco.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 28

This Convention shall enter into force three months after the date of the deposit of the instruments of ratification, acceptance or accession of at least 15 States. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 29

This Convention shall apply to all territories for the international relations of which a State Party is responsible, unless that State notifies the Director-General of Unesco of a specific exception at the time that State deposits its instrument of ratification, acceptance or accession. Such exceptions may be withdrawn at any time by notice to the Director-General and shall be effective immediately upon such notice.

Article 30

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.
2. The denunciation shall be made by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect six months after the receipt of the instrument of denunciation.

Article 31

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 27, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 26 and 27 and of the notifications and denunciations provided for in Article 30 respectively.

Article 32

1. This Convention may be amended by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such amendment shall, however, bind only the States which accept the proposed amendments.
2. If the General Conference should amend this Convention, the Convention shall be open to subsequent ratification, acceptance or accession only in its amended form.

Article 33

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 34

Nothing in this Convention shall alter the rights or obligations of States under International Law as codified in the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone, the 1958 Geneva Convention on the High Seas, and the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Done in Paris, this day of 1972, in two authentic copies bearing the signature of the President of the session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 26 and 27 as well as to the United Nations.