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UNITED NATIONS EDUCATIONAL,
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TENTH GENERAL ASSEMBLY OF STATES PARTIES TO THE
CONVENTION CONCERNING THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

UNESCO Headquarters, Paris, 2 - 3 November 1995
Room XI

Item 10 of the provisional Agenda: New monitoring activities
related to the World Heritage sites

DRAFT RESOLUTION PRESENTED BY INDIA, INDONESIA,
JAMAICA, OMAN AND REPUBLIC OF KOREA

Explanatory Note

1. The World Heritage Convention does not foresee any reports being submitted to the World Heritage Committee (WHC). The reports under Article 29 (i) are to be submitted to the UNESCO General Conference. There is a distinct difference between submission of reports to a General Conference or to a select body. Furthermore, the reports foreseen in Article 29 (i) do not pertain to the types of specific activities being projected in the guidelines of the World Heritage Centre. The WHC has the powers, within the Convention, to adopt its own rules of procedure. However, these rules of procedure cannot apply to monitoring or reporting since the Convention has not given such a mandate to the Committee in any of the Articles, from Article 8 to Article 14 of the Convention.

2. In addition, the lead role of the World Heritage Centre with regard to assisting the States Parties in ensuring on-going monitoring is not in line with Article 29-22 which deal with the assistance granted by the WHC. Both articles are singularly silent about "monitoring".

3. In fact, the nomenclature of "monitoring" would seem to indicate a surveillance, by a select outside body of the activities of the State Party in conservation of its world heritage sites.

4. The competence of the WHC in providing technical and financial assistance upon request and under other provisions of the Convention is of course well acknowledged and its work in those domains is noted with great satisfaction.

Draft resolution

Recalling Article 8-15 of the World Heritage Convention, which set out the composition and powers of the Intergovernmental Committee for the protection of the World Cultural and Natural Heritage (WHC),

Recalling also Articles 21 and 22 of the said Convention which deal with the assistance granted by the Committee,

Recalling further Section VII Article 29 of the said convention entitled "Reports",

1. Notes that the term "monitoring" does not appear in the World Heritage Convention,
2. Emphasises that monitoring, that is, the day to day observation of world heritage sites, is the sole responsibility of the State Party concerned, in close collaboration with the site managers or the agency with management authority,
3. Emphasises further, that only on the express request of the State Party concerned will UNESCO Secretariat or the advisory bodies mentioned in Article 13.7 provide expert advice on how to monitor the state of conservation of a world heritage site or on how to improve its state of conservation,
4. Requests UNESCO legal counsel to inform the Tenth General Assembly to States Parties
 - i) whether the "monitoring" procedure presently proposed by the WHC is distinct from the "reporting" procedure laid down in Article 29,
 - ii) whether a demand that State Party submit every five years a "monitoring" report for examination by the WHC is included in the World Heritage Convention,
 - iii) whether it is within the present powers of the WHC to make such a demand, without amending the Constitution, and,
 - iv) whether the reporting procedure mentioned in Article 29 can be expanded to include a report by the State Party concerned based on its continuous observation of the state of conservation of its world heritage sites,
5. Invites the World Heritage Committee to explore the possibility of activating the reporting procedure mentioned in Article 29 which has remained a dormant article since the date of the Convention's adoption in 1972,
6. Invites the WHC, further to consider expanding the said reporting procedure to include a report on a day to day observation, by the State Party concerned, of the state of conservation of its world heritage sites.