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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
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CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL
AND NATURAL HERITAGE

BUREAU OF THE WORLD HERITAGE COMMITTEE

Twenty-sixth session

Paris, UNESCO Headquarters, Room IV
8 - 13 April 2002

Item 6 of the Provisional Agenda:

World Heritage Visual Identity and Legal Protection of the Emblem

SUMMARY

In 2001, the World Heritage Centre recommended that a new World Heritage Visual Identity be developed in an attempt to respond to a wide range of questions raised by users of the World Heritage Emblem, at the site level, and national and international levels. As a result, a draft User's Manual was proposed and discussed during the 25th session of the World Heritage Committee (Helsinki, December 2001).

The principal objective of this User's Manual is to provide site managers and site authorities with a "user friendly" framework of modalities and graphic chart, to complement the existing Guidelines and Principles for the Use of the World Heritage Emblem (Annex 3 of the *Operational Guidelines*), and help increase the visibility of World Heritage throughout the world.

Discussion during the 25th session of the World Heritage Committee suggested that further consultations should be made before finalising this draft User's Manual.

The purpose of this working document is to provide the Bureau with:

- (i) an update regarding the preparation of the Users' Manual;
- (ii) an opportunity to comment on the User's Manual (see information document WHC-02/conf.201/INF4) and;
- (iii) an action plan of measures that would need to be explored to ensure the legal protection of the World Heritage Emblem.

Action required:

The Bureau is requested to examine and take note of the information contained in this report.

The World Heritage Visual Identity: a User's Manual

Background:

A User's Manual for the recommended World Heritage Visual Identity was presented during the 25th session of the World Heritage Committee (Helsinki, December 2001).

Box 1:

Extract from the Report of the 25th session of the World Heritage Committee (Helsinki, December 2001):

XIV.4 The Committee debated on the proposed World Heritage Visual Identity and the need to examine this document more closely as similar initiatives may have already been undertaken at local and national levels and new information may be derived from existing experiences. The need to keep this new tool as flexible as possible and to take other visual identities designed by local management authorities into consideration was also emphasized. The design of the new World Heritage signature, illustrated in the draft Visual Identity manual, was considered positively, provided that a certain measure of flexibility be given to management and national authorities for the choice of language versions attached to this Signature as stipulated in the *Guidelines and Principles for the use of the World Heritage Emblem* contained in the *Operational Guidelines*. It was suggested that the current draft manual on the proposed World Heritage Visual Identity could be circulated to the members of the Committee for comments and that a new draft should be prepared for examination at the next session of the Bureau in April 2002. This proposal was approved by the Committee.

Action since the 25th session of the World Heritage Committee (Helsinki, December 2001):

The Centre has posted the draft pages of the User's Manual to the World Heritage Visual Identity on the World Heritage web site (www.unesco.org/whc/emblem-manual) to provide States Parties with easy and direct access to the draft.

A letter was sent to the members of the World Heritage Committee to inform them of the possibility to consult the draft User's Manual on the web site and to invite those without access to the Internet to identify themselves so that a black and white copy of the document could be made available to them. The draft User's Manual is contained in information document WHC-02/conf.201/INF.4.

It is suggested that comments from members of the Committee be sent in writing to the World Heritage Centre before 1 May 2002. All suggestions received before this date will be reviewed and compiled, and serve as a basis to develop a new version of the User's Manual that will be presented to the World Heritage Committee for approval at its next session (Budapest, 24-29 June 2002).

Legal Protection of the World Heritage Emblem

Background:

In presenting the draft User's Manual to the World Heritage Committee during its 25th session (Helsinki, December 2001), the World Heritage Committee's attention was drawn to the need to carefully consider taking appropriate measures to ensure the legal protection of the World Heritage Emblem.

Box 2:

Extract from the Report of the 25th session of the World Heritage Committee (Helsinki, December 2001):

XIV.5 [...] the Committee requested the Centre to study the process for ensuring the legal protection of the World Heritage Emblem and report on its findings during the next session of the Bureau.

Action since the 25th session of the World Heritage Committee (Helsinki, December 2001):

Following the approval of the *Guidelines and Principles for the Use of the World Heritage Emblem* by the World Heritage Committee, at its twenty-second session (Kyoto, December 1998) and the integration of these *Guidelines and Principles* in the *Operational Guidelines for the implementation of the World Heritage Convention*, the World Heritage Centre proceeded to contact the World Intellectual Property Organization (WIPO) to study means of ensuring adequate legal protection for the World Heritage Emblem.

Letters were sent to WIPO requesting information about the status of the World Heritage Emblem, notably under the Paris Convention for the Protection of Industrial Property (hereinafter the Paris Convention).

In February 2000, a reply was received from Mr Höpperger, Head of the Geographical Indications and Special Projects Section (WIPO), confirming that the World Heritage Emblem had so far not been communicated¹ under Article 6ter (1)(b) of the Paris Convention.

Article 6ter of the Paris Convention grants legal protection to the emblems, abbreviations and names, *inter alia*, of international intergovernmental organisations. The purpose of Article 6ter is to prohibit the registration and use of trademarks that are identical to, or present a certain similarity with the protected emblem.

WIPO further indicated that the request for communication would require a letter signed by the Director-General of UNESCO or by one of his representatives. No further information was provided or sought relating to the duration of the procedure or the costs involved.

¹ The term communication is used by WIPO; it refers to the procedure by which an international intergovernmental organisation communicates, or makes known, to the States party to the Paris Convention that its emblem is applying for legal protection under the terms established by the Paris Convention.