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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
ORGANIZATION

CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Seventh Extraordinary Session

Paris, UNESCO Headquarters, Room II
6 – 11 December 2004

**Item 4B of the Provisional Agenda: Working methods of the World Heritage
Committee**

SUMMARY

The new working methods proposed in this document aim at giving the World Heritage Committee the means to better organize its sessions in the future and to better manage the important number of agenda items to be discussed. Particular emphasis is placed on the management of nominations and growing number of state of conservation reports that the World Heritage Committee has to examine.

Draft decision : 7 EXT.COM 4B, see point V

Annex I: Decisions **28 COM 13.1** and **28 COM 14B.57**

Annex II: Proposed form for amendments to draft Decisions

Annex III: Legal implications relating to the abstention from proposing nominations by the
Members of World Heritage Committee (in preparation)

The new working methods proposed in this document aim at giving the World Heritage Committee the means to better organize its sessions in the future and to better manage the important number of agenda items to be discussed. Particular emphasis is placed on the management of nominations dossiers and on the growing number of state of conservation reports that the World Heritage Committee has to examine. For reference, some of these issues were considered by the Task Force on the implementation of the *World Heritage Convention* chaired by Mrs Cameron (Canada) in 2000 (*WHC-2000/CONF.204/INF.7*).

I. Time table and transparency of nomination process

Nominations being a key element of the Committee's work, two decisions related to this process were adopted in Suzhou, China, in 2004 (Decisions **28 COM 13.1** and **28 COM 14B.57**) (see Annex I).

A. Limitation of nominations

1. The "Cairns-Suzhou Decision"

The question of the workload of the World Heritage Centre related to the high number of nominations to be processed each year was discussed by the members of the World Heritage Committee at its 28th session (Suzhou, 2004). Further to the "**Cairns Decision**" (Decision **24 COM VI.2.3**) adopted at the 24th session of the Committee (Cairns, 2000), and approved by the 13th General Assembly of the States Parties to the *World Heritage Convention* (2001) - Decision reviewed at its 27th session (Paris, 2003) (Decision **27 COM.14**), and at its 28th session (Suzhou, 2004) (Decision **28 COM 13.1**, also known as the "**Cairns-Suzhou Decision**"), the World Heritage Committee decided to introduce a transitional mechanism **limiting to 45 the total number of nominations** (including nominations deferred and referred by previous sessions of the World Heritage Committee, changes made to the boundaries of properties already inscribed – except for minor changes to the boundaries of a property -, transboundary nominations, serial nominations, and nominations submitted in cases of emergency) which it will examine at future sessions, and this as from its 30th session in 2006.

2. The World Heritage Committee also decided that, as from its 30th session (2006), it will examine up to two complete nominations per State Party, on the condition that at least one of these nominations concerns a natural property, and that they are received at the latest by 1st February of the year preceding this examination by the World Heritage Committee (Decision **6 EXT.COM 5.1 Annex 3.9**).

3. In the event of more than 45 complete nominations being received by 1st February, it is proposed that the World Heritage Centre, in close collaboration with the Advisory Bodies, presents to the World Heritage Committee, at its June-July session, an analysis of these nominations. Based on this analysis, the World Heritage Committee will identify which nominations have priority for examination at its regular session the following year.

4. Legal implications relating to the abstention from proposing nominations by the Members of World Heritage Committee

The question of the feasibility, from a legal point of view, of a rule restricting Committee Members from proposing nominations during their mandate was also raised at the 28th session of the World Heritage Committee (Suzhou, 2004). The Legal Adviser was asked by the World Heritage Committee to look into the legal implications of such a proposal (Decision **28 COM 14B.57 paragraph 7**). The Legal Adviser's document relating to this issue can be found in Annex III.

B. Submission of nomination files

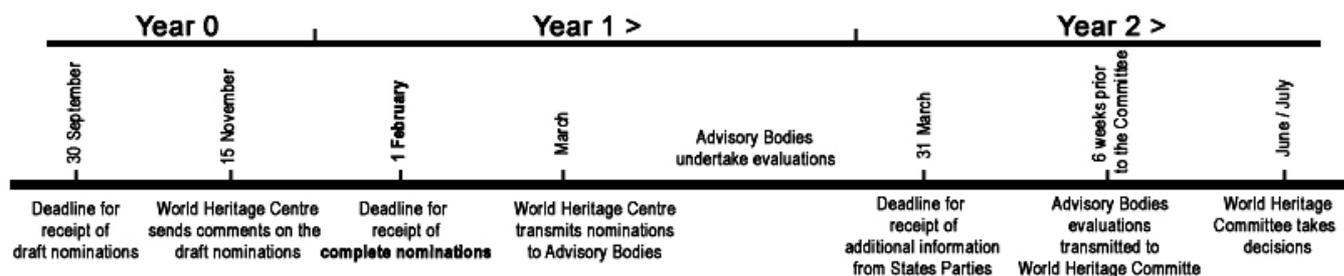
5. Deadline for the submission of supplementary information to the inscription dossier by the State Party

According to Decision **28 COM 14B.57 paragraph 3f**, the World Heritage Committee sets 31 March of the year of examination by the Committee as the deadline for the submission of supplementary information by the State Party to the Advisory Bodies. It seems that this deadline does not allow the Advisory Bodies to study the supplementary information correctly and modify the recommendation relating to the nomination of the property in due course. The statutory deadline for the distribution of documents will therefore also be difficult to meet. Nevertheless, the World Heritage Committee may decide that it is on the basis of the experience of a year's trial period that the viability of this deadline might be evaluated.

6. Mechanism for the correction of factual errors by the State Party

The World Heritage Committee also asked the World Heritage Centre (Decision **28 COM 14B.57 paragraphs 5d and 6**) to "*set up, in consultation with the Advisory Bodies, a mechanism for the factual checking of their evaluation reports by the State Party*". The World Heritage Centre proposes, after consultation with the Advisory Bodies, to invite the State Party concerned to send a letter to the Chairperson of the World Heritage Committee requesting the right to take the floor after the Advisory Bodies' presentation to indicate exclusively the factual errors identified in the evaluation document of the property.

The calendar for the examination of the nomination dossiers could be summarized as follows:



II. State of conservation

7. 1st February deadline for receipt of reports on the state of conservation of properties by the States Parties and availability for digital submission

The reports on the state of conservation must be sent to the World Heritage Centre by the States Parties concerned at the latest by 1st February of the year following the decision of the World Heritage Committee (Decision adopted at the 19th session of the World Heritage Committee, Paris 1995). These reports are then transmitted to the Advisory Bodies for evaluation and comments. The latter are integrated into the working documents by the World Heritage Centre and then transmitted to the World Heritage Committee six weeks before the June-July session in accordance with Article 45 of the *Rules of Procedure*.

It seems, however, that many of these reports are not sent to the World Heritage Centre by the 1st February deadline set by the World Heritage Committee. In fact, the Advisory Bodies do not have enough time to make their evaluations. It therefore becomes difficult for the World Heritage Centre to produce the working documents in time and to meet the statutory deadline for the distribution of the documents. States Parties are encouraged to directly fill their state of conservation reports using the **on-line State of Conservation Reporting Tool** developed by the World Heritage Centre at the following address: <http://whc.unesco.org/soc>

8. Distinction between reports on the state of conservation "for discussion" and "for noting"

The increasing number of state of conservation reports to be presented to the World Heritage Committee at its regular session has obvious repercussions on the very functioning of the World Heritage Centre, from the point of view of staffing and the time devoted by staff to the preparation of the documents on the state of conservation of the properties.

Whilst bearing in mind that its priority is the conservation of World Heritage properties, the World Heritage Committee could decide to:

- a) To ask the World Heritage Centre, in consultation with the Advisory Bodies, to define the selection criteria for the category "for discussion" and the category "for noting",
- b) To ask the World Heritage Centre, in consultation with the Advisory Bodies, to introduce a mechanism aimed, on the one hand, at removing certain properties from the "for discussion" category into the "for noting" category, and on the other hand, at removing some properties permanently from the "for noting" category, and if possible, to try to reduce in general the number of reports that must be examined by the World Heritage Committee,
- c) To examine every second year the reports on some properties whose state of conservation is considered more satisfactory by all the parties concerned, or for which, mid-term action (management plan,

environmental impact assessment study, etc) is requested by the World Heritage Committee,

- d) To ask the World Heritage Centre to present the reports on the state of conservation of properties in two separate documents (one "for discussion", and one "for noting").

III. Working documents

9. In consultation with the former Rapporteurs, it is proposed to introduce a form (see Annex II of the present document), which aims at facilitating the amendments to the draft Decisions submitted by World Heritage Committee Members during the World Heritage Committee sessions. The World Heritage Committee may decide to use this form in the future.
10. To facilitate the identification of various documents, it is proposed that information documents be presented on coloured paper, as done on an experimental basis for the current session.

IV. Annual sessions of the World Heritage Committee

11. In order to cope with the important number of agenda items, the time required to study each of them, and the limited time available at the sessions of the World Heritage Committee, it could be opportune to look into the feasibility of the two following options:
 - a) OPTION I: Holding two annual sessions of the World Heritage Committee:
 - i) one session with the aim of covering, in this order, the examination of the reports on the State of conservation of the properties inscribed on the World Heritage List and on the List of World Heritage in Danger, the examination of Nominations, the examination of international assistance requests, the progress of the Periodic Reports and other agenda items;
 - ii) a second session, if necessary (excluding the years of the UNESCO General Conference), with the aim of covering general policy and budgetary issues such as the revision of the statutory texts, working methods, and other agenda items.
 - b) OPTION II: Holding one annual regular session of the World Heritage Committee dedicated mainly to Nominations alternating the next year with one session dedicated to State of conservation, including other agenda items, as follows:
 - i) one session aimed at covering mainly the examination of **Nominations** and general policy and budgetary issues, Global Training Strategy , State of conservation reports of properties inscribed on the World Heritage List in Danger and other agenda items;

- ii) one session the following year mainly dedicated to the examination of the reports on the **State of conservation** of the properties inscribed on the World Heritage List and on the List of the World Heritage in Danger, the progress of the Periodic Reports, Global Strategy, the World Heritage Programmes and other agenda items.

The two options have different cost implications.

V. Draft decision

Draft decision : 7 EXT.COM 4B

The World Heritage Committee,

1. *Taking note of the propositions made by the World Heritage Centre aiming at improving the working methods of the World Heritage Committee, as requested at its 28th session (Suzhou, 2004),*
2. *Requests the World Heritage Centre, in collaboration with the Advisory Bodies, to present the World Heritage Committee, as from its 29th session, an analysis of the nominations received by 1st February of the on-going year, to identify which ones will have priority for examination by the World Heritage Committee at its session the following year;*
3. *Reminds the States Parties of the deadline of 31 March of the year of examination of the nomination, to submit supplementary information to the World Heritage Centre, and decides to evaluate the viability of this date at its 30th session;*
4. *Invites the concerned States Parties to send a letter to the Chairperson of the World Heritage Committee to take the floor following the presentation of the nomination by the Advisory Bodies, to point out exclusively the factual mistakes they might have noticed;*
5. *Takes note of the propositions made by the World Heritage Centre and the Advisory Bodies relating to the reports on the State of conservation of World Heritage properties, and decides to adopt the following dispositions :*
 - a) *To ask the World Heritage Centre, in consultation with the Advisory Bodies, to define the selection criteria for the category “for discussion” and the category “for noting”,*
 - b) *To ask the World Heritage Centre, in consultation with the Advisory Bodies, to introduce a mechanism aimed, on the one hand, at removing certain properties from the "for discussion" category into the "for noting" category, and on the other hand, at removing some properties permanently from the "for noting" category, and if possible, to try to reduce in general the number of reports that must be examined by the World Heritage Committee,*

- c) *To examine every second year the reports on some properties whose state of conservation is considered more satisfactory by all the parties concerned, or for which, mid-term action (management plan, environmental impact assessment study, etc) is requested by the World Heritage Committee,*
 - d) *To ask the World Heritage Centre to present the reports on the State of conservation of properties in two separate documents (one "for discussion", and one "for noting");*
6. *Invites States Parties to directly fill their State of conservation reports using the on-line State of Conservation Reporting Tool developed by the World Heritage Centre at the following address: <http://whc.unesco.org/soc>;*
 7. *Decides to adopt the proposal for its Members to submit amendments to decisions by using the form (attached in Annex II) designed by the World Heritage Centre;*
 8. *Also decides to create a Working Group ensuring an equitable regional representation which in consultation with the World Heritage Centre and the Advisory Bodies, and on the basis of the discussions of the 7th extraordinary session, will present to the World Heritage Committee, at its 29th session, proposals on further improvements that may be introduced to its working methods.*

13. GLOBAL STRATEGY FOR A REPRESENTATIVE, BALANCED AND CREDIBLE WORLD HERITAGE LIST

28 COM 13.1 The World Heritage Committee,

1. Recalling the conclusions on the "Evaluation of the Cairns Decision" by the 27th session (Decision **27 COM 14**), the Decision adopted on the Representivity of the World Heritage List at its 24th session ("Cairns Decision", 2000), subsequently endorsed by the General Assembly of State Parties at its 13th session (2001); and the Resolution on ways and means to ensure a representative World Heritage List adopted by the General Assembly at its 12th session (1999),
2. Further recalling that the *World Heritage Convention* establishes a system of international co-operation and assistance for the protection of the World Cultural and Natural Heritage,
3. Recognising the need to increase the technical and administrative capacity of the World Heritage systems, to encourage growth of under-represented categories and geographical coverage, and acknowledge the work constraints of the Committee, the Advisory Bodies, World Heritage Centre and States Parties to achieve this objective,
4. Noting with interest the results of the ICOMOS and IUCN analyses, as well as additional analyses undertaken by the World Heritage Centre as presented in document *WHC-04/28.COM/13*,
5. Concerned in particular with the conclusion that constraints and gaps in the World Heritage List primarily relate to lack of technical capacity to prepare adequate assessments and inventories of heritage properties, to promote and prepare nominations and relate to the lack of an appropriate legal and management framework;
6. Emphasizing that Tentative Lists are an effective and indispensable tool in the identification of potential World Heritage properties at national and (sub)regional level, and thereby contributing to the representativity of the World Heritage List,
7. Considering that these concerns are already essential elements of the "Cairns Decision" that have, however, not been fully implemented,
8. Further emphasizing that all issues addressed by the "Cairns Decision" need full and adequate implementation and that the World Heritage Centre and States Parties in the coming years should focus on those elements that have not been sufficiently addressed such as the development of balanced Tentative Lists and capacity building,
9. Recalls that the Committee had previously decided:

- a) to make available to all stakeholders all appropriate statutory World Heritage documentation, including documentation on the pre-, during and post-inscription process of World Heritage properties,
 - b) to encourage the increased participation of local authorities, civil society organizations and populations in the identification of the cultural and natural heritage of States Parties,
 - c) to implement regional, and, as appropriate, sub-regional programmes based on results of Periodic Reporting to increase the State Parties' capacity for the identification, nomination, and conservation of World Heritage properties,
 - d) to encourage States Parties to initiate and complete national inventories for cultural and natural heritage,
 - e) to review the effectiveness and appropriateness of national legal and institutional frameworks and policies and to provide advice to States Parties, upon their request, on reform of national, legal and institutional frameworks and policies,
 - f) to identify national, regional and international existing institutions, facilities and networks that offer training in heritage conservation and management and that can participate in the implementation of capacity building strategies and programmes;
10. Considers that capacity-building should be strategic, comprehensive, sustainable and institutionalised, and that it should focus, in particular on the identification of potential properties, preparation of representative Tentative Lists, preparation of nominations, conservation action and management of properties;
11. Calls upon
- a) States Parties, the World Heritage Centre and other partners to significantly increase their support to States Parties, in particular those less represented in the List, in the identification of cultural, natural and mixed properties of potential outstanding universal value, as well as in the preparation of nomination dossiers ;
 - b) the Advisory Bodies (ICOMOS, ICCROM, IUCN) to increase their support to States Parties, in particular those less represented in the List, in the identification of cultural, natural and mixed properties of potential outstanding universal value;
12. Requests IUCN and ICOMOS to complete their analyses of the Tentative Lists, work on the gaps in the World Heritage List with due consideration to all States Parties and regions of the world and continue their thematic studies;
13. Further requests the World Heritage Centre, in co-operation with States Parties, ICOMOS, IUCN, ICCROM, appropriate scientific institutions, selected governmental and non-governmental experts, appropriate intergovernmental and

non-governmental organizations and other relevant partners, to convene, as soon as possible and not later than March 2005, a special meeting of experts of all regions with the following aims:

- a) make specific proposals to enable States Parties to better identify natural, cultural and mixed properties of potential outstanding universal value. Such proposals should include a reflection on the concept of Outstanding Universal Value as defined by the *World Heritage Convention* and in the context of regions, including cultural and biogeographical regions – and, as appropriate, sub regions -, with a view to compiling representative Tentative Lists, as well as the elaboration of a comparative analysis and evaluation of the Tentative Lists, and a compilation of best practices in the preparation of such lists. At a minimum, the proposals should generate the conditions to ensure that by 2007 all States Parties have submitted Tentative Lists, which are substantially in accordance with Article 11 of the *World Heritage Convention* and its *Operational Guidelines*,
 - b) in the framework of Article 7 of the *World Heritage Convention*, make specific proposals to enable less-represented and non-represented States Parties to improve the quality of nominations and, consequently, the success rate of inscriptions on the World Heritage List of properties from such States Parties. At a minimum, by 2007 the proposals should lead to a decrease of at least 30% in the number of such less-represented and non-represented States Parties,
 - c) in the framework of Article 7 of the *World Heritage Convention*, make specific proposals to enable States Parties - in particular those less-represented and non-represented - to identify sufficient funding sources for the sustainable conservation of the properties thus inscribed. Such proposals could include the creation of inter-institutional and inter-sectoral site commissions and the networking of properties in order to ensure their adequate monitoring, management, including traditional management mechanisms, involvement of local populations and sustainable conservation. At a minimum, by 2007 the proposals should lead to the removal from the World Heritage List in Danger of at least 20% of the properties inscribed on that List,
 - d) on the basis of the refinement of the analysis referred to in paragraph 4 make specific proposals for the follow-up of such analysis. At a minimum, by 2007 such proposals should lead to the elaboration of regional – and, as appropriate, sub regional- programs, as well as to the adoption and harmonization of regional – and, as appropriate, sub regional- action plans fully consistent with the pertinent periodic reports;
14. Takes note of the offer by the Russian Federation to host the special meeting of experts of all regions referred to in paragraph 13 above;
 15. Further requests the World Heritage Centre to report on the proposals and conclusions of the special meeting of experts of all regions referred to in paragraph 13, for consideration by the Committee at its 29th session (2005);

16. Decides to apply at its 29th session (2005) the mechanism set out in paragraphs 1 to 5 of Decision **27 COM 14**, and requests the World Heritage Centre to distribute as soon as possible the full list of nominations admissible for examination by such session;
17. Also decides, on an experimental and transitory basis, to apply the following mechanism at its 30th session (2006):
 - a) examine up to two complete nominations per State Party, provided that at least one of such nominations concerns a natural property; and,
 - b) set at 45 the annual limit on the number of nominations it will review , inclusive of nominations deferred and referred by previous sessions of the Committee, extensions (except minor modifications of limits of the property), transboundary nominations, serial nominations and nominations submitted on an emergency basis,
 - c) the order of priorities for the examination of new nominations shall remain as decided by the Committee at its 24th session (2000):
 - (i) nominations of properties submitted by States Parties with no properties inscribed on the List,
 - (ii) nominations of properties from any State Party that illustrate un-represented or less represented categories of natural and cultural categories,
 - (iii) other nominations,
 - (iv) when applying this priority system, date of receipt of full and complete nominations by the World Heritage Centre shall be used as secondary determining factor within the category where the number of nomination fixed by the Committee has been reached;
18. Further decides to examine the transitory mechanism set out in paragraph 17 at its 31st session (2007), on the basis of:
 - a) the results of the process set out in paragraphs 13 and 15 above,
 - b) the extent to which the nominations presented at its 30th session (2006) contribute to the aim of a representative World Heritage List.

GENERAL DECISIONS

28 COM 14B.57 The World Heritage Committee,

1. Considering that the quality of the Decisions of the Committee depends upon the quality, completeness and timeliness of the documentation and information provided by the States Parties and the Advisory Bodies,
2. Stressing that consideration of nominations is a key element of the Committee's work,
3. Decides that the following principles must guide the evaluations and presentations of ICOMOS and IUCN. The evaluations and presentations should:
 - a) adhere to the *World Heritage Convention* and the relevant *Operational Guidelines* and any additional policies set out by the Committee in their decisions,
 - b) be conducted to a consistent standard of professionalism,
 - c) comply to standard format, both for evaluations and presentations, to be agreed with the World Heritage Centre and include the name of the assessor(s) who conducted the site visit,
 - d) indicate clearly and separately whether the site has outstanding universal value, authenticity and/or integrity, a management mechanism/plan and legislative protection (Articles 23, 24, 43, 44 of the *Operational Guidelines* (2002),
 - e) include references to Committee decisions and requests from the Committee concerning the nomination under consideration,
 - f) not take into account or include any information submitted by the State Party after 31 March in the year in which the nomination is considered. The State Party should be informed when information has arrived after the deadline and is not being taken into account in the evaluation. This deadline should be rigorously enforced,
 - g) include the approximate total cost of the evaluation process, including an estimation of voluntary input so that it is clear to Committee members,
4. Requests that ICOMOS and IUCN consider the resource implications of evaluating Tentative Lists and provide feedback at the 7th extraordinary session to States Parties on the proposals in terms of their potential to meet the benchmark of "outstanding universal value" and their ability to contribute to representativity of the World Heritage List. The Advisory Bodies are requested to report on these resource implications at the 7th extraordinary session of the World Heritage Committee;
5. Also requests the World Heritage Centre to :

- a) inform the State Party within 30 days of receipt of a Nomination Document whether it is considered complete and whether it has been received in accordance with the timetable set out in the Article 65 of the *Operational Guidelines* (2002),
 - b) ensure that no nomination is forwarded to ICOMOS or IUCN for evaluation unless it is complete according to the *Operational Guidelines* and as noted in Committee decision **6 EXTCOM 7**,
 - c) develop a mechanism in consultation with the Advisory Bodies for factual checking of their evaluation reports by the State Party,
 - d) ensure that the documents are distributed, in both working languages, at least six weeks before the start of the meeting in accordance with the Rules of Procedure,
 - e) provide to each ordinary session of the Committee a list of the nominations received and those that have been transmitted to the Advisory Bodies as complete, as requested by the Committee in its decision **26 COM 14**;
6. Decides to develop a mechanism to ensure that the State Party has an opportunity to correct what they consider to be factual errors made during the presentation of their nomination;
 7. Requests the Legal Adviser to study the legal implications of a rule restricting Committee members from proposing a site during their mandate whether or not an exemption is made for Committee Members with no site on the World Heritage List;
 8. Reinforces the need for the Committee to be satisfied that the nominations meet all the necessary conditions as set out in the *Operational Guidelines* before it is inscribed on the World Heritage List and the need to maintain the credibility of the World Heritage List;
 9. Requests the Director General to provide adequate resources for the functioning of the Secretariat and to ensure that those resources are allocated to the core activities of the Committee's work;
 10. Decides to consider at its next session means of ensuring that adequate resources are provided for the functioning of the Advisory Bodies.

World Heritage

7 EXT.COM

7 EXT.COM/DD/ /1

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WORLD HERITAGE COMMITTEE

Seventh Extraordinary Session

**Paris, UNESCO Headquarters, Room II
6 – 11 December 2004**

Item of the Agenda:

Amendment to the Draft Decision:

(Add number and paragraph n° of the original Draft Decision)

Submitted by:

(States Parties, Advisory Bodies, WHC)

Supported by:

Date :

TEXT