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CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Forty-first session

**Krakow, Poland
2 – 12 July 2017**

Item 12 of the Provisional Agenda: Follow-up to Recommendations of Evaluations and Audits on Working Methods and outcomes of the ad-hoc working group

12A. Follow-up to Recommendations of Evaluations and Audits on Working Methods: outcomes of the ad-hoc working group

SUMMARY

By Decision **40 COM 13A**, the World Heritage Committee at its 40th session extended the mandate of the ad-hoc working group, established originally by Decision 38 COM 13, and requested it to examine Paragraph 68 of the *Operational Guidelines*, as well as the sustainability of the World Heritage Fund.

This document presents the outcomes report of the ad-hoc Working Group, accompanied by three inter-related draft decisions in annex, which reflect the recommendations of the ad hoc group on each of the issues examined. The draft decisions concern Item 12 A itself, Item 11 (Revision of the *Operational Guidelines*) and Item 14 (Report on the Execution of the Budget):

Draft Decision: *After having examined the outcomes of the ad-hoc Working Group, the World Heritage Committee may wish to adopt an appropriate Decision.*

I. Mandate

1. Through its Decisions 40 COM 11, 40 COM 13A and 40 COM 15, the World Heritage Committee extended the mandate of the Ad Hoc Working Group composed of the members of the Committee to further discuss Paragraph 68 of the *Operational Guidelines* and its annexes, as well as, in consultation with the World Heritage Centre, other UNESCO competent services, and the Advisory Bodies, the sustainability of the World Heritage Fund, and to report to the 41st session of the World Heritage Committee including recommendations on the following issues, inter alia:
 - Feasibility of an additional/optional Protocol,
 - Improved resource mobilization, including a proposal for a “Forum of Donors” and revision of the Partnership Strategy, and
 - Optimization of the use of the resources of the Fund, recalling its previous decisions that conservation should be prioritized.
2. It was further decided that the Ad-hoc Working Group would hold at least two open-ended meetings to promote broad consensus. The Ad Hoc Working Group commenced its work on 25 November 2016 where it was agreed to divide the mandate of the Ad Hoc Working Group into two sub-Groups: one on Paragraph 68 of the Operational Guidelines and the other on sustainability of the World Heritage Fund. In this regard, Ms. Katarzyna Piotrowska from the National Heritage Board of Poland chaired discussions on Paragraph 68 and Mr. Jesus Enrique Garcia II, Deputy Permanent Delegate of the Philippines, chaired discussions on sustainability of the World Heritage Fund.
3. Subsequent meetings took place on 20 January, 23 February, 23 March, 21 April, 19 May and 8 June 2017. Open-ended meetings wherein all States Parties were invited were held on 24 March and 24 May 2017. The meetings were also attended by representatives of the World Heritage Centre. The Ad Hoc Working Group held a constructive dialogue with representatives of ICOMOS, ICCROM and IUCN. Minutes of meetings were widely distributed in order to keep States Parties informed regularly on the progress of work of the Ad-hoc Working Group.

II. Paragraph 68 of the Operational Guidelines

Background information

4. On the basis of a report of the World Heritage Centre in 2014, through **Decision 38 COM 8A**, the Committee requested that the procedure of registration of Tentative Lists in the *Operational Guidelines* be revised. The request was made to introduce a mechanism for processing Tentative Lists, to deal with issues of inconsistency with the established World Heritage List and to also adopt an approach in dealing with issues raised by third parties.
5. An amendment to paragraph 68 was proposed and discussed extensively by the Working Group on the *Operational Guidelines* in 2015. The amendment sought to give authority to decide on disputed cases to the Chairperson and the World Heritage Committee. However, the majority of States Parties expressed reservations on the proposal and consensus was not reached. Therefore, in Decision 39 COM 11 on revision of the Operational Guidelines, the Committee decided to re-examine paragraph 68 of the *Operational Guidelines* at its 40th session in 2016.
6. The Working Group on Operational Guidelines thereafter discussed paragraph 68 and the proposed amendment again. The large majority of participants was of the opinion that settling international disputes was not the competence of the Chair nor the Committee. An extensive and heated debate took place and various options were proposed. Consensus was not reached. Since the majority of Members supported the idea of giving more time to further discuss the item, the Committee took Decisions 40 COM 11 and 40 COM 13A, to include Paragraph 68 of the *Operational Guidelines* and its Annexes in the mandate of the Ad-hoc Working Group.

Analysis of the current situation

7. Paragraphs 62-76 of the Operational Guidelines establish the basis for preparing Tentative Lists as well as give requirements, format and procedures of their registration and presentation. Further, the Operational Guidelines define Tentative Lists as tools for implementation of the Global Strategy for a Representative, Balanced and Credible World Heritage List and give basic rules which should be followed by the States Parties when formulating their lists.
8. The requirement of registering Tentative Lists has been present since the introduction of the World Heritage Convention and its Operational Guidelines. In the 1990s an additional requirement was introduced, exclusively for cultural sites, stipulating that nominations to the World Heritage List would not be considered unless the nominated property had already been included on the State Party's Tentative List. In the early 2000s, the requirement of inclusion of sites in the Tentative Lists before the submission of a nomination was extended to natural sites. The introduction of this mechanism emphasized the role of Tentative Lists as a planning tool. Subsequently, the fact of promoting Tentative Lists, for example through implementation of findings of periodic reports, have increased public interest in the Lists.
9. Political tension related to certain sites included on Tentative Lists of individual States Parties has been noticeable for several years. According to the information received from the World Heritage Centre, before 2011 there were only several cases of disputes, however this number has been growing. The number of cases when sites introduced on a Tentative List caused a reaction of a third party amounted to between 10 and 12. Such cases put the World Heritage Centre in a difficult position and engage its already limited staff excessively. The political tension between States Parties has been also apparent during the World Heritage Committee Sessions. This, in consequence, necessitated finding a solution in which political pressure put on the Secretariat could be reduced and establishing mechanisms to manage such cases in the future.

Key areas of discussion

10. During the first meeting, members of the Ad-hoc Working Group decided to discuss the issue of Tentative Lists in the broadest context possible in order to give recommendations regarding paragraph 68 on the basis of a thorough analysis of the problem. Hence, discussion was structured around the following key aspects:
 - a. Status of Tentative Lists
 - b. Tentative Lists as a planning tool
 - c. Presentation and registration of Tentative Lists
 - d. Other aspects
11. Discussions were complemented by presentations of the World Heritage Centre and the Advisory Bodies and their comments on various aspects. Outcomes of the discussions are summarized below.

Status of Tentative Lists

12. Tentative Lists are inventories required by the World Heritage Convention in Article 11(1) and by the Operational *Guidelines* (paragraphs 62-76). They have national character and the duty for their preparation lies with State Parties. Identification of properties and submission of inventories is a State Party-driven activity, as a first step in the nomination process to the World Heritage List.

13. Though inventories are prepared by State Parties, they are submitted to the World Heritage Committee and must meet certain requirements, inter alia, include information on the properties' location and their significance (Art. 11.1). According to the agreed format (Annex 2 of the Operational Guidelines) when proposing sites for their Tentative Lists, States Parties have to justify their choice on the basis of potential Outstanding Universal Value, authenticity and integrity and present comparative analysis. There should be wide consultations in preparation of the lists (paragraphs 68 of the OG). According to its competencies, the World Heritage Centre verifies the information provided by States Parties against the required format, however, it does not evaluate submissions (para 68 of the OG).
14. In this regard, though requirements oblige States Parties to undertake a series of actions and invest means, States Parties do not receive any feedback on their Tentative Lists. Furthermore, the definition of a site and its value for the purpose of a Tentative List are not binding for the final nomination of the site on the World Heritage List. They can be linked more closely with the practical aspects of the nomination process so that efforts for their preparation do not go to waste and can indicate sites which have a potential of being inscribed onto the World Heritage List at an early stage.

Tentative Lists as a planning tool

15. Tentative Lists are a very important planning tool and serve as a basis for gap analyses, thematic studies and comparative analyses. The way Tentative Lists could be used as a planning tool depends on the quality of information they contain. Tentative Lists are updated by States Parties in accordance with established requirements (format) and rules. States Parties should be encouraged to revise and update the Tentative Lists on a regular basis.
16. Transparency of the Tentative Lists is of key importance. All Lists should be available in one place, for the benefit of all stakeholders (ex. States Parties, local government, local communities; potential investors, etc.). The fact that Tentative Lists are published on the World Heritage Centre's website underlines the importance of Tentative Lists and makes them widely accessible. However, it should be made clear that by publishing the lists, neither UNESCO nor the World Heritage Committee endorses the content of Tentative Lists in any way.
17. Tentative Lists need to be reviewed at the planning stage. States Parties should be advised whether inscription on the World Heritage List is the best solution for a particular site. If not, alternative, more suitable options should be suggested instead. In this context, preparation of Tentative Lists could serve as a starting point for the eventual inscription on different lists, other than the World Heritage List, such as UNESCO Biosphere Reserves and Geoparks, European Heritage Label.
18. At the same time, States Parties should be encouraged to consult specific thematic studies and gap analysis reports when developing their proposals for Tentative Lists. Gap analyses should be better used as a tool for reducing the imbalance among sites inscribed on the World Heritage List. There is a need to explore ways in which the correlation between Tentative Lists and the upstream process could be enhanced.
19. It has been pointed out that although States Parties are encouraged to harmonize their Tentative Lists at regional and thematic levels (OG, paragraph 72), the process is challenging and it rarely takes place. It can be improved by introducing a system or mechanism so that harmonisation could be conducted in a more strategic, systematic, and effective way.
20. Capacity-building activities play a crucial role in the preparation of Tentative Lists by States Parties. The upstream process could be strengthened and Advisory Bodies should be asked to go through Tentative Lists and help States Parties in this connection. Great potential also lies in sharing good practices. States Parties should be encouraged to cooperate more closely, first of all, through sharing good practices with one another.

21. The World Heritage Convention encourages international cooperation for the protection of heritage of Outstanding Universal Value. Harmonisation of Tentative Lists at regional level has potential to be used as a tool for promoting dialogue between States Parties concerned.

Presentation and registration of Tentative Lists

22. Submissions to the Tentative Lists are prepared by States Parties in accordance with the agreed format (Annex 2 of the Operational Guidelines) and sent to the World Heritage Centre. The Centre verifies the information provided by States Parties against the format and publishes it on the WHC website. The publications include a proper disclaimer which informs about the national character of the lists and the concerned States Parties' responsibility for their content. Additionally, the Centre prepares an annual report for the World Heritage Committee including new items added to Tentative Lists and information on current lists of States Parties. The Committee takes note of new items being added to Tentative Lists in the form of a decision.
23. The Ad-hoc Working Group closely studied the proposals on paragraph 68 made during the meetings of consultative body at the resumed 40th session of the World Heritage Committee as well as the current Tentative List submission format (Annex 2). After thorough discussions the Group recommends to keep the current mechanism of registration of Tentative Lists unchanged. It recommends to maintain the way the Tentative Lists are presented to the Committee. Taking into account the status and national character of Tentative Lists, the members of the Ad-hoc Working Group agreed that debating on various disputes (including territorial) does not lie within the mandate of the World Heritage Committee.
24. While political pressures exist, it is a responsibility of all States Parties to act in a manner that would not undermine the credibility of the World Heritage Convention.
25. Introducing a disclaimer both in the decisions of the Committee concerning the Tentative Lists, as well as in the *Operational Guidelines* would further underline the national character of Tentative Lists and ease some of the existing pressures. The text, consulted with the Legal Adviser, could be placed at the end of paragraph 68 of the Operational Guidelines, and would read as follows:

The Tentative Lists of States Parties are published by the World Heritage Centre at its website and/or in working documents in order to ensure transparency, access to information and to facilitate harmonisation of Tentative Lists at regional and thematic levels.

The sole responsibility for the content of each Tentative List lies with the State Party concerned. The publication of the Tentative Lists does not imply the expression of any opinion whatsoever of the World Heritage Committee or of the World Heritage Centre or of the Secretariat of UNESCO concerning the legal status of any country, territory, city or area or of its boundaries.

Other aspects

26. The World Heritage Convention is an international treaty adopted by UNESCO in 1972 to encourage international cooperation for the protection of heritage of Outstanding Universal Value. Some political tensions come from its nature as an international agreement, and this has to be accepted. Nevertheless, common responsibility requires avoiding situations that may jeopardize the credibility of the Convention and its future. It is important to look for ways to encourage dialogue between States Parties involved in a dispute that comes before the Committee.
27. Cooperation at the regional level to prepare and harmonise Tentative Lists and explore new ideas and common initiatives have potential to promote dialogue between States Parties

concerned. The process of developing Tentative Lists can potentially ease tension before issues become purely political and negatively impact on the World Heritage Convention.

Recommendations

28. After a thorough and informed discussion, bearing in mind the current situation, the Ad-hoc Working Group recommends:

1. To keep the current mechanism of registering Tentative Lists unchanged. It further supports to maintain the way Tentative Lists are presented to the Committee, together with their publication on the World Heritage Centre's website;
2. To introduce the following disclaimer into the Operational Guidelines as amendment of paragraph 68, and to the Committee decisions concerning Tentative Lists:

The Tentative Lists of States Parties are published by the World Heritage Centre at its website and/or in working documents in order to ensure transparency, access to information and to facilitate harmonisation of Tentative Lists at regional and thematic levels.

The sole responsibility for the content of each Tentative List lies with the State Party concerned. The publication of the Tentative Lists does not imply the expression of any opinion whatsoever of the World Heritage Committee or of the World Heritage Centre or of the Secretariat of UNESCO concerning the legal status of any country, territory, city or area or of its boundaries.

3. To further promote harmonisation of Tentative Lists at the regional level, as a tool to enhance dialogue between States Parties concerned;
4. To encourage capacity-building activities and connect the upstream processes with the preparation and harmonisation of Tentative Lists more effectively;
5. To invite States Parties to engage in dialogue with all stakeholders as part of the national process to include a site on the Tentative List;
6. To encourage States Parties to refrain from including on their Tentative Lists sites that may potentially raise issues, before these are solved through a dialogue with concerned States Parties;
7. To encourage States Parties to address concerns of other States Parties, as much as feasible, through constructive dialogue, before the submission of relevant nominations to the World Heritage List.

III. Sustainability of the World Heritage Fund

Main Issues

Importance of full and timely payment from all States Parties

29. After an overview on the financial situation of the World Heritage Fund presented by the World Heritage Centre, the Working Group noted with concern that despite significant efforts to increase voluntary funding, the system was now at a "breaking point." There was an increasing number of sites inscribed on the World Heritage List and requisite demands, but a diminishing level of human and financial resources available for the Convention. The Working Group recognized that this affected the ability to fulfill central objectives and statutory activities under the Convention, such as conservation, international assistance, and capacity-building.

30. The Working Group also noted that extra-budgetary resources alone could not address the problem, since they were not predictable, have been decreasing in recent years, and were tied to donors' specific interests. In this regard, members acknowledged that full and timely payment

of compulsory and voluntary assessed contributions, as a legal obligation of States Parties, remained crucial for the effectiveness of World Heritage protection.

Need for holistic, long-term approach: Roadmap for Sustainability of the World Heritage Fund

- 31. In order to promote sustainability of the World Heritage Fund, the importance of developing a long-term vision and framework that could integrate and sustain various approaches, activities and actors over an extended period of time, in a progressive manner, was underscored. It was observed that short-term measures had not produced desired results. Therefore, it was suggested that promoting continuity of efforts across Committee sessions might better contribute to resource mobilization and optimization of resources.
- 32. Hence, an integrated Roadmap for Sustainability of the World Heritage Fund was proposed, outlining the various recommendations and options discussed and presenting them in a phased timeline. This Roadmap would complement and take into account processes related to the 39 C/5, the Open-Ended Working Group on Governance, UNESCO’s global fundraising strategy and other relevant developments.
- 33. 1996 was identified as a possible benchmark year, when the ratio of World Heritage sites vis-à-vis the Fund was more optimal in comparison with current levels.

1996	2016
505 World Heritage sites	1052 World Heritage sites
USD 3.5 million Fund	USD 3 million Fund
USD 6900/site	USD 2800/site

- 34. The Working Group engaged in a constructive dialogue with representatives of the International Council on Monuments and Sites (ICOMOS), the International Union for Conservation of Nature (IUCN), and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). They presented their respective budgets and also shared views and recommendations on how to improve the sustainability of the World Heritage system.

Improved resource mobilization

Highest ethical standards and principles in all fundraising efforts

- 35. The importance of ensuring that the highest ethical standards and principles are upheld in all measures to enhance fundraising was strongly emphasized by the Working Group.

Comprehensive Strategy for Resource Mobilization and Communication

- 36. A proposal for the Committee to develop a comprehensive resource mobilization and communication strategy was presented, citing the practice of the International Bureau of Education (IBE) in Geneva. Such would allow for greater engagement of the Committee and States Parties in mobilizing additional funds and raising awareness about the Convention. Such a strategy would examine diversifying sources of funding for World Heritage, and engaging a wider scope of partners, such as multilateral institutions and funds, as well as civil society and local stakeholders.
- 37. It was favorably noted that the proposal could promote continuity and strengthen fundraising capacities to support implementation of the Convention. In this regard, it was suggested that more time be devoted to its development.

Informal Core Group on resource mobilization

38. It was further suggested that an informal Core Group of interested States Parties could be formed to support efforts of the Committee to enhance resource mobilization and visibility. Similarly, it was concluded that more time was needed to refine this idea, including definition of the mandate and modalities of the proposed informal Core Group.

Launch Forum of Partners through “Marketplace” webpage and related side-events

39. It was agreed that “Forum of Partners” would be more appropriate terminology than a “Forum of Donors”. The “marketplace” webpage initiated by the World Heritage Centre was seen as a practical means to increase funding for small-scale projects in the short-term. In this connection, side-events at Committee sessions on the international assistance requests recommended for approval and other projects in need of funding featured on the marketplace webpage could be held to launch the Forum of Partners.
40. Expanding the Forum of Partners to include a wider scope of actors and stakeholders, including Advisory Bodies and interested States Parties, and elevated into a high-level, or stand-alone, event should be explored as a medium-term objective. It was likewise suggested that international assistance be made more accessible, especially for conservation needs and properties on the Danger List, and be linked with the Forum of Partners.

The PACT Strategy remains relevant and should be updated as part of a long-term, comprehensive resource mobilization and communication strategy

41. It was noted that the World Heritage Partnerships for Conservation (PACT) Initiative aimed to raise awareness, mobilize funds, and implement activities through creative and innovative partnerships. The Center informed that PACT currently had 15 partnerships. Revenue in 2011 was USD 1.5 million, and in 2017, USD 1.08 million. In-kind contributions were also received, and new initiatives were being explored. The importance of fundraising events was underscored to identify partners and raise awareness.
42. It was further noted that results of an ongoing audit of UNESCO’s resource mobilization would be presented in the autumn session of the Executive Board. Efforts within the Culture Sector to develop a common fundraising approach were also mentioned. It was determined that revision of the PACT Strategy would need to take account of these developments.

Minimal response to survey for voluntary fees from sites

43. Following the adoption of Decision 40 COM 15, States Parties were invited to participate in an online consultation survey concerning voluntary annual fees from properties inscribed on the World Heritage list. The deadline was extended from 31 March to May 2017 to provide States Parties additional time to consult with site managers and submit responses. The responses were minimal and unfortunately not encouraging. The Committee may wish to reflect on appropriate follow-up.

Feasibility of an Optional Protocol as a long-term measure

44. It was noted that an Optional Protocol could raise the 1% ceiling defined by the Convention for statutory contributions, and thereby help ensure more predictable and un-earmarked funding

flows. Being an Optional Protocol, the instrument would only be binding on States Parties that would ratify it.

45. On one hand, some members expressed reservations in terms of the resources that would be involved and also “risks” that other substantive issues might be included in an Optional Protocol. Some members, on the other hand, expressed support for the idea, stating there was no impediment to having an Optional Protocol dedicated to financial matters, and that such a measure could bolster statutory processes in the long-term.
46. It was agreed that if substantial progress is not attained by the Convention’s 50th anniversary in 2022, the question of feasibility of an Optional Protocol should be submitted to the General Conference for decision, in accordance with UNESCO’s rules of procedure.

Optimization of use of resources

Prioritization of conservation

47. It was recalled that Decision 39 COM 15 recommended that the Committee give priority to conservation and monitoring activities, and called for increasing the proportion of the Fund dedicated to conservation. Members shared the following ideas: encourage States Parties to benefit from the upstream process, present better quality nominations, and establish a reasonable quota for conservation programs/activities. Other suggestions for optimizing resources for conservation included the development of costed action plans for sites on the Danger List and those in need which should be linked with international assistance and the Forum of Partners, and increasing the time spent by the Committee during sessions on conservation issues.
48. The idea of securing alternate sources of funding for nominations, with the exemption of LDCs and SIDs, was raised taking into account that the Convention does not specifically indicate evaluation of nominations should be covered by the Fund. It was noted that this would not be acceptable for all States Parties and could present a risk that costs of evaluation of nominations could be shifted to the regular budget.

Mapping Study of advisory services

49. The Working Group took note of the mapping study prepared by the Internal Oversight Service. Members emphasized the need for balance between ensuring highest quality of the advisory services of the Convention and value for money and cost savings. In this regard, the special nature and specificities of World Heritage were cited. It was noted that the question of whether other partners/ institutions could play a role in evaluation of nominations required in-depth reflection and had to be carefully studied. Implications of the study and potential revisions of working methods needed ample consideration by the Committee.

Recommendations

50. The following recommendations to promote sustainability of the World Heritage Fund are submitted to the Committee:
 1. Reaffirm the importance of timely and full payment of compulsory and voluntary assessed contributions by all States Parties.
 2. Adopt a holistic, long-term approach to resource mobilization and optimization of resources.
 3. Endorse the attached Roadmap for Sustainability of the World Heritage Fund which integrates short-, medium-, and long-term actions and various actors in a coherent framework to promote continuity and regular monitoring of efforts.

4. Ensure that highest ethical standards and principles, transparency and accountability are upheld in all measures to raise funding.
5. Launch the Forum of Partners initially as a side-event at Committee sessions through the “marketplace” webpage developed by the Centre.
6. The PACT Strategy be updated taking into account relevant developments in UNESCO and its Governing Bodies, and incorporated in a comprehensive resource mobilization and communication strategy.
7. Strengthen the Centre’s capacities, including on fundraising.
8. Consider follow-up action on responses to the survey on voluntary annual fees from inscribed properties.
9. Invite States Parties to request site managers of inscribed properties to include a link on their webpages that can enable viewers to donate to the World Heritage Fund.
10. Consider an Optional Protocol to raise the level of 1% defined by the Convention for assessed contributions to the World Heritage Fund as a long-term measure, and submit the question of feasibility of an Optional Protocol for decision to the General Conference in accordance with UNESCO’s rules of procedure, should substantial progress in the financial situation not be observed by 2022, the Convention’s 50th anniversary.
11. Consider devoting more time at its sessions on conservation issues.
12. Invite States Parties concerned, in consultation with the Centre and Advisory Bodies, to develop costed action plans for sites on the Danger List and those in need, which can be linked to requests for international assistance and the Forum of Partners.
13. Following review of implementation of the revised paragraph 61 of the Operational Guidelines, consider setting a percentage of the Fund devoted exclusively to conservation activities.
14. Extend the mandate of the Ad Hoc Working Group to:
 - a. Elaborate a comprehensive resource mobilization and communication strategy to expand the Convention’s donor base and visibility.
 - b. Examine the proposal to establish an informal Core Group of interested States Parties on resource mobilization, including its mandate and modalities.
 - c. Study how to maximize the impact and scope of the Forum of Partners.
 - d. Further analyze the mapping study on advisory services and its implications, especially in terms of possible adjustments to working methods.

Draft Decision: 41 COM 12A

The World Heritage Committee,

1. *Having examined document WHC/17/41.COM/12A,*
2. *Expresses appreciation to the Ad Hoc Working Group for its work and recommendations;*
3. *Referring to its decisions on Revision of the Operational Guidelines under item 11 and on the execution of the budget for the biennium 2016-2017 and preparation of the budget for the biennium 2018-2019 under item 14;*

Extension of the mandate of the Ad Hoc Working Group

4. *Decides to extend the mandate of the Ad Hoc Working Group, to be composed of members of the Committee and up to two non-members per Electoral Group, to:*
 - *Elaborate a comprehensive resource mobilization and communication strategy,*
 - *Further examine the proposal to establish an informal Core Group on Resource Mobilization, including its mandate and modalities,*
 - *Study how to maximize the impact and scope of the Forum of Partners, and*
 - *Analyze the recommendations of the IOS Comparative Mapping Study and develop proposals in view of optimizing the use of the resources of the World Heritage Fund;*
5. *Further decides that the Ad Hoc Working Group shall work in consultation with the World Heritage Centre, Advisory Bodies and, as appropriate, relevant stakeholders, and submit its report and recommendations to the 42nd session of the Committee in 2018.*

The following draft decision integrates the recommendations of Ad Hoc Working Group with regard to the Paragraph 68 of the Operational Guidelines and its annexes with the proposed draft decision prepared by the World Heritage Centre under item 11, "Revision of the Operational Guidelines," found in document WHC/17/41.COM/11. In this regard, recommendations emanating from the Ad Hoc Working Group are in **BOLD**. It is proposed that the Consultative Body on the Operational Guidelines use the following as the basis of its discussions.

Draft Decision: 41 COM 11

The World Heritage Committee,

1. Having examined Documents WHC/17/41.COM/11, WHC/17/41.COM/10A and WHC/17/41.COM/12A,
2. Recalling Decisions 39 COM 10B.5, 39 COM 11, 40 COM 10A and 40 COM 11 adopted at its 39th (Bonn, 2015) and 40th (Istanbul/UNESCO, 2016) sessions respectively,
3. Taking into account the deliberations of the Consultative Body established at the beginning of the session under Rule 20 of the Rules of Procedure,
- ~~4. Adopts the proposed revision of Paragraph 68 of the Operational Guidelines, as presented in Document WHC/17/41.COM/12A;~~
4. **Decides to keep the current mechanism of registering Tentative Lists unchanged and to maintain the way Tentative Lists are presented to the Committee, together with their publication on the World Heritage Centre's website;**
5. **Further decides to introduce a disclaimer into the Operational Guidelines as an amendment of the paragraph 68, and to the Committee decisions concerning Tentative Lists:**

The Tentative Lists of States Parties are published by the World Heritage Centre at its website and/or in working documents in order to ensure transparency, access to information and to facilitate harmonization of Tentative Lists at regional and thematic levels.
The sole responsibility for the content of each Tentative List lies with the State Party concerned. The publication of the Tentative Lists does not imply the expression of any opinion whatsoever of the World Heritage Committee or of the World Heritage Centre or of the Secretariat of UNESCO concerning the legal status of any country, territory, city or area or of its boundaries;
6. **Emphasizes the need to further promote harmonization of Tentative Lists at the regional level and underlines its importance as a tool in enhancing dialogue between States Parties;**
7. **Highlights the importance of the capacity-building activities and notes the need to connect the upstream processes with the preparation and harmonisation of Tentative Lists more effectively;**
8. **Invites States Parties to engage in dialogue with all stakeholders as part of the national process to include a site on the Tentative List;**
9. **Encourages States Parties to refrain from including on their Tentative Lists sites that may potentially raise issues, before these are solved through a dialogue with concerned States Parties;**

10. Also encourages States Parties to address concerns of other States Parties, as much as feasible, through constructive dialogue, before the submission of relevant nominations to the World Heritage List;

11. Also adopts the proposed revision of Chapter V and Annex 7 of the Operational Guidelines as presented in Annex 4 of Document WHC/17/41.COM/10A.

The following draft decision integrates the recommendations on sustainability of the World Heritage Fund of the Ad Hoc Working Group with the proposed draft decision prepared by the World Heritage Centre under item 14, "Report on the execution of the budget for the biennium 2016-2017 and preparation of the budget for the biennium 2018-2019," found in document WHC/17/41.COM/14. In this regard, recommendations emanating from the Ad Hoc Working Group are in **BOLD**. It is proposed that the Consultative Body on the Budget use the following as the basis of its discussions.

Draft Decision: 41 COM 14

The World Heritage Committee,

1. **Having examined documents WHC/17/41.COM/12A, WHC/17/41.COM/14, WHC/17/41.COM/INF.14.I and WHC/17/41.COM/INF.14.II;**
2. **Recalling its Decisions 40 COM 13A and 40 COM 15;**
3. **Also recalling "The World Heritage Convention: Thinking Ahead" initiative; the World Heritage Strategic Action Plan 2012-2022, and the Global Strategy for a Representative, Balanced and Credible World Heritage List;**
4. **Recognizing the severe strains on the World Heritage Centre and the Advisory Bodies in dealing with limited financial and human resources to accomplish statutory tasks and manage increasing workloads;**
5. **Expressing concern at the financial difficulties that the World Heritage Fund is facing and recalling that the payment of assessed compulsory and voluntary contributions is, per Article 16 of the World Heritage Convention, a legal obligation incumbent on all States Parties which have ratified the Convention;**
6. **Emphasizing the urgency of securing adequate financial resources to achieve the objectives of the 1972 Convention to identify and, in particular, to conserve the world's cultural and natural heritage of outstanding universal value, especially in light of the 2030 Agenda for Sustainable Development and unprecedented threats such as climate change, natural disasters, and deliberate attacks on cultural heritage in territories affected by armed conflicts and terrorism;**
7. **Reaffirming Articles 13(6) and (7) of the Convention which stipulate that the Committee shall seek ways of increasing the resources of the World Heritage Fund and take all useful steps to this end, shall cooperate with international and national governmental and non-governmental organizations having objectives similar to those of the Convention, and for the implementation of its programmes and projects, call upon ICCROM, ICOMOS, and IUCN, as well as on public and private bodies and individuals;**
8. **Underscoring that sustainability of the World Heritage Fund is a strategic issue and a shared responsibility which concerns States Parties and relevant partners, affecting the overall credibility of the World Heritage Convention, including effectiveness and efficiency of World Heritage protection;**
9. **Reaffirming the intergovernmental nature of UNESCO;**

Part I: Execution of the budget for the biennium 2016-2017 and preparation of the budget for the biennium 2018-2019

10. **Takes note** of the statement of accounts of the World Heritage Fund for 2016-2017 as of 31 December 2016;

11. **Notes** with appreciation the supplementary costs covered by the Polish authorities as host of the 41st session of the World Heritage Committee in addition to those listed in the Statement of Requirements;

12. **Approves** the budget for the World Heritage Fund for the biennium 2018-2019 and its corresponding breakdown as shown in Annex IV and takes note of the new format/structure of the budgets of Advisory Bodies (Annex V);

13. **Calls upon** States Parties, which have not yet paid the totality of their assessed contributions for 2017, including voluntary contributions in accordance with Article 16.2 of the Convention, to ensure that their contributions are paid as soon as possible;

Part II: Sustainability of the World Heritage Fund

14. **Expresses appreciation** to the Ad Hoc Working Group for its work and recommendations;

Roadmap for Sustainability of the World Heritage Fund

15. **Endorses** the attached Roadmap for Sustainability of the World Heritage Fund, integrating short-, medium-, and long-term actions, involving relevant actors and stakeholders, with a view to enhancing cooperation, predictability, efficiency, and regular monitoring of efforts towards achieving sustainability of the Fund;

16. **Identifies** 1996 as a possible benchmark year, with approximately 6900 USD per site between the World Heritage Fund and inscribed properties (as opposed to the current ratio of 2800 USD per site);

17. **Notes** that implementation of the Roadmap should take into account and complement processes related to the 39 C/5, the External Audit of the Culture sector and efforts to develop common fundraising approaches among the cultural conventions, UNESCO's global fundraising strategy, and the Open-Ended Working Group on governance, procedures and methods of work of the Governing Bodies of UNESCO;

Resource mobilization

Principles

18. **Underscores** that the highest ethical standards and principles must be upheld in all measures to enhance fundraising to maintain and promote the integrity of the Convention, taking into account UNESCO's Administrative Manual, the Global Compact principles and the UN Guidelines on Cooperation between the United Nations and the Business Sector. Transparency and accountability must be ensured at all times;

Arrears and contributions

19. **Calls on** States Parties to remit assessed compulsory and voluntary contributions to the World Heritage Fund in a full and timely manner, and reaffirms that as stated in Article 15(4) of the Convention, no political conditions may be attached to contributions made to the Fund;

20. **Urges** States Parties concerned to settle all outstanding arrears;

21. ***Notwithstanding the significance and mandatory nature of assessed contributions, given the increasing demands on the World Heritage system, calls upon States Parties to extend and/or augment voluntary financial and in-kind extrabudgetary contributions to the World Heritage Fund, World Heritage Centre, and the Advisory Bodies;***

22. ***Thanks States Parties which have already made supplementary voluntary contributions in 2017;***
Comprehensive Resource Mobilization and Communication Strategy

23. ***Recommends the development of a long-term vision and strategy for effective resource mobilization and communication, taking into account all streams of funding, not only the World Heritage Fund, but also the Regular Budget and extrabudgetary sources;***

24. ***Further recommends that the proposed strategy seek to expand the Convention's donor base to include not only governments and the private sector, but also civil society, NGOs, relevant regional organizations, development banks, multilateral funds and funding institutions, and, as appropriate, strengthen engagement with relevant Category 2 Centres, UNESCO field offices and other local actors in developing partnerships;***

25. ***Recommends to the Governing Bodies of UNESCO that the Secretariat of the Convention be reinforced and encourages States Parties to contribute to the strengthening of the human resources of the World Heritage Centre, including with regard to its fundraising capacities;***

Core Group on resource mobilization

26. ***Takes note of the proposal to establish an informal Core Group on Resource Mobilization consisting of interested Member States (Committee members and States Parties) to support implementation of the Roadmap for Sustainability of the World Heritage Fund and ensure continuity;***

Forum of Partners

27. ***Welcomes the efforts made by the World Heritage Centre on extrabudgetary resource mobilization opportunities and innovative fund raising possibilities, notably the "Marketplace" webpage as a first step in launching a full-fledged Forum of Partners in the future;***

28. ***Endorses the concept of a Forum of Partners and decides that side-events be organized at sessions of the Committee concerning the World Heritage Centre's "Marketplace" webpage, showcasing requests for international assistance recommended for approval and other projects in need of funding, in collaboration with future Chairs of the Committee, and inviting relevant stakeholders and potential donors;***

Revision of the PACT Strategy

29. ***Acknowledges the continuing relevance of the PACT Strategy and progress made by the Centre in its promotion, especially new initiatives and partnerships being developed;***

30. ***Recommends that the PACT Strategy be updated and revised following the outcome of developments mentioned in paragraph 17 above, and become an integral part of a future comprehensive resource mobilization and communication strategy, as cited in paragraph 23 above;***

Consultation on annual voluntary fees of World Heritage listed properties

31. ***Takes note of the results of the online consultation survey concerning the annual fee for World Heritage listed properties on a voluntary basis presented in document WHC/17/41.COM/INF.14.I***

and invites States Parties to make supplementary voluntary contributions to the World Heritage Fund according to the modalities presented in the related information document;

32. Invites furthermore States Parties to encourage site managers to include on the websites of listed properties a link to enable viewers to donate to the World Heritage Fund;

Feasibility of an Optional Protocol

33. If substantial progress in the financial situation is not attained by the Convention's 50th anniversary in 2022, decides that the question of whether an Optional Protocol would be a feasible instrument to increase contributions to the World Heritage Fund for States Parties in a position to do so, be submitted to the General Conference for decision through the Executive Board, following the appropriate rules of procedure;

34. Stresses that such an Optional Protocol should be strictly limited to financial matters, specifically means to increase the 1% ceiling for assessed contributions to the Fund, as defined in the Convention, and only for those States Parties willing to do so;

Optimization of resources

Prioritization of conservation

35. In view of previous Committee decisions to prioritize conservation, recommends that more time be devoted to discussion of conservation issues during Committee sessions;

36. Recommends that States Parties concerned, working with the Centre and relevant Advisory Bodies, develop costed action plans for sites on the Danger List and those in need, focusing on urgent conservation needs and capacity-building; such action plans can be linked to requests for international assistance, the Marketplace webpage, and the Forum of Partners;

37. Highlights the need to strengthen cooperation with other cultural heritage and biodiversity-related Conventions and intergovernmental programmes, with a view to contributing to improved conservation and sustainable management of World Heritage;

38. Recommends further that the Committee consider the issue of setting a percentage of the Fund dedicated solely for conservation programs and activities, upon reviewing implementation of the revised paragraph 61 of the Operational Guidelines;

Mapping study of advisory services

39. Takes note of the Comparative Mapping Study of forms and models for use of advisory services prepared by the UNESCO Internal Oversight Service and emphasizes the importance of balance between ensuring the highest quality of advisory services for the Convention and value for money and cost savings;

40. Decides to examine its recommendations at its next session, in view of optimizing the use of the resources of the Fund;

41. Notes the decision to extend the mandate of the Ad Hoc Working Group to be composed of members of the Committee and up to two non-members per Electoral Group, to work in consultation with the World Heritage Centre, Advisory Bodies and, as appropriate, relevant stakeholders, to:

- **Consider development of a comprehensive resource mobilization and communication strategy,**

- ***Further examine the proposal to establish an informal Core Group on Resource Mobilization, including its mandate and modalities,***
- ***Study how to maximize the impact and scope of the Forum of Partners, and***
- ***Analyze the recommendations of the IOS Comparative Mapping Study and develop proposals in view of optimizing the use of the resources of the World Heritage Fund.***

42. Requests the Centre to submit a report on implementation of this decision at its 42nd session in 2018.

Roadmap for Sustainability of the World Heritage Fund

Vision: Substantial progress achieved towards increasing the World Heritage Fund, recalling 1996 levels (USD 6900 per site)

Mission: To enhance the system of World Heritage protection and strengthen implementation of the Convention equitably and sustainably

	Short-term (up to 3 years)	Medium-term (between 4 and 8 years)	Long-term (over 8 years)
Increasing funds and funding resources	<ul style="list-style-type: none"> • Holding of side-events during Committee sessions on “Marketplace” webpage, as basis for further developing Forum of Partners • Continuation of voluntary fundraising measures endorsed by the Committee, with target of several (10 or more) States Parties doubling their annual contributions • Voluntary fees from some sites • Links on listed properties’ websites for donations to the Fund • Support for increasing capacities of the World Heritage Centre, including for fundraising • Comprehensive resource mobilization and communication strategy, integrating a revised PACT strategy, adopted by the Committee to expand donor base, including, as appropriate, civil society and multilateral funds and institutions • Enhanced engagement of Category 2 Centres, field offices and local actors • Informal Core Group on resource mobilization 	<ul style="list-style-type: none"> • Launch of Forum of Partners (as high-level or stand-alone event) with wider scope of donors and projects for greater impact and visibility • If substantial progress not achieved, feasibility of Optional Protocol for States Parties that agree to increase assessed percentage of annual contributions submitted to General Conference for decision 	<ul style="list-style-type: none"> • Possible Optional Protocol to raise 1% ceiling for assessed contributions to the World Heritage Fund
Re-calibrating current resources, functions and procedures	<ul style="list-style-type: none"> • Prioritization of conservation through action plans for sites on Danger List and those in need, with linkages to international assistance and Forum of Partners • Mapping study of advisory services implications 	<ul style="list-style-type: none"> • Assessment of the implementation of paragraph 61 of the Operational Guidelines, consider setting quota/percentage for conservation activities 	