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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION**

**CONVENTION CONCERNING THE PROTECTION OF
THE WORLD CULTURAL AND NATURAL HERITAGE**

Comments and Proposals by States Parties on the Cairns Decision

SUMMARY

At its 27th session (Paris, 30 June - 5 July 2003), the World Heritage Committee requested all States Parties to send comments and proposals on the Cairns Decision to the World Heritage Centre by 31 December 2003. As of 11 March 2004, responses from twenty States Parties had been received. They are also available on the World Heritage web site, at: <http://whc.unesco.org/cairns/>.

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ARGENTINA

Comments on "Cairns Decision"

1. Argentina assigns a particular importance to the principle of a representative World Heritage List. We understand that a "representative List" is one that adequately embodies:
 - a) the cultural and natural heritage of outstanding universal value located in all regions of our planet;
 - b) "heritage in all its diversity", following the wording of the Budapest Declaration (2002).
2. In the above context, our country reaffirms its support to the decisions adopted by the 12th Assembly of State Parties of the 1972 Convention (UNESCO; November 1999) and the 24th World Heritage Committee (Cairns; November/December 2000) in order to promote the referred representative List. We consider particularly necessary and useful the initiatives to fix a ceiling not only on the number of nominations to the List that are examined each year by the Committee but also on the number of nominations that each State Party to the 1972 Convention can make per year.
3. Argentina has no objections to the idea that the Committee updates and complements such decisions (in particular, by measures that encourage nominations of sites in under-represented geographical regions or belonging to under-represented categories) without altering the spirit and objectives which inspired them. To this end, our country is prepared to be an active and constructive participant in the working group of the 28th session of the Committee that will be established to perform such a task.

AUSTRALIA

Comments and proposals on the Cairns Decision regarding the Representativity of the World Heritage List

The Cairns Decision was arrived at after consideration of two matters affecting the implementation of the Convention:

1. the workload of the Committee, Advisory Bodies and the World Heritage Centre; and
2. improving the geographic distribution of properties on the World Heritage List.

The Cairns Decision was taken by the Committee in, its usual consultative and consensual manner, and was adopted, with unanimous support. The objective of limiting to one new nomination by each State Party (with exceptions for States Parties without properties on the World Heritage List) with a ceiling of 30 (now 40) per year was to increase the geographic representation of properties on the World Heritage List. The Decision seeks to facilitate the implementation and management of the Convention in a manner commensurate with the resources available to the World Heritage Committee and its Advisory Bodies. As Chair of the Committee at the time of the Cairns Decision, Australia was pleased also to support these objectives and the Decision itself.

The Cairns Decision has been in effect for three calendar years. In this relatively short period it is difficult to comprehensively assess its effectiveness. Decisions by States on the types of nominations under consideration or preparation often require a number of years of lead-time to undertake the necessary consultation, planning and decision-making. It is noted, however, that since the Decision was taken some States with large numbers of places inscribed on the List have slowed or halted their nominations, and some States with no or few Listed places have made new nominations. This indicates some progress in addressing issues of representativeness but, to be effective, it needs to be accompanied by assistance to underrepresented States and regions for the development of nominations. In addition, while the Global Strategy has assisted in addressing issues of representativeness, States would also benefit from the thematic studies requested from the Advisory Bodies.

In addition to the workload associated with nominations, consideration also needs to be given to capacity of the Committee and the Advisory Bodies to undertake in an effective manner the monitoring of the state of conservation of existing properties on the List. Current workloads, approaches and resources do impose limitations and these processes could be strengthened.

Consideration of the current World Heritage List shows that the heritage of certain regions is more represented than that of others. Australia therefore believes that the rationale underpinning the Cairns Decision remains valid. While the Decision has only been in place for a relatively short period of time, there have been some positive results. In reviewing the effectiveness of the Decision, and consideration of other possible approaches, the Committee will need to take due account of resource or other limitations or implications. We look forward to contributing to discussion in the next Committee meeting in June 2004 on this important matter.

BELGIUM

Credibility of the World Heritage List and the “Cairns Decision” Observations of the Delegation of Belgium

1. The World Heritage Convention is an *instrument for international co-operation*, and not merely for the establishment of the World Heritage List.
2. The *Credibility of the World Heritage List*, first of the four strategic objectives (4C) defined by the World Heritage Committee in 2002, is closely linked to the other three objectives, as proven by the Cairns decisions. The Committee accepted to *assess and evaluate, in 2007*, the progress made for each of the four strategic objectives (Budapest Declaration, 2002).
3. The credibility of the Convention and the World Heritage List also depends *on the ongoing preservation of the outstanding universal value for which the properties have been inscribed on the List*. This credibility would be compromised if the attention and most of the human and financial resources are concentrated solely on the inscriptions on the List.
4. *All the States Parties are concerned* by this debate: they all stand to lose if the World Heritage List loses its credibility.

The Cairns Decision or Cairns Decisions?

5. The so-called “Cairns Decision” *is part of a group of decisions* aiming at ensuring the representivity and the credibility of the World Heritage List. The four items covered by this group of decisions (1. Respect of the Convention, 2. Tentative Lists, 3. Nominations or “Cairns Decision”, 4. Resolution of the 12th General Assembly, 5. Capacity building of the underrepresented regions) must be examined *simultaneously*.
6. The “Cairns Decision” concerning nominations is itself composed of *three elements*:
 - the maximum number of nominations to be examined at each session,
 - the limit of one nomination per State Party per year, or two or three nominations for countries with no sites inscribed on the World Heritage List,
 - the order in which the nominations are examined by the Committee.
7. Our Delegation suggests that the Committee also examine the *following elements*, of which certain are linked to “other Cairns decisions”:
 - nominations by members of the World Heritage Committee,
 - link between the World Heritage List and the Tentative Lists,
 - presentation of the World Heritage properties,
 - overlapping procedures and inappropriate presentation of the nominations,
 - capacity building of underrepresented regions,
 - application of the Resolution of the 1999 General Assembly.

Maximum number of nominations presented at each Committee session

8. Prior to the idea being adopted by the Committee, in 2000, both the *Working Group on the Representivity of the List and the Group on Working Methods Reform* had proposed to limit the number of nominations to be examined at each Committee session: proof of the importance and consensus of opinion on this matter.
9. Over the years, the Committee has seen that, at each of its sessions, it would need *more time* to examine the nominations and reports on the state of conservation of the properties

already inscribed on the World Heritage List. At each session, it examined about 40 nominations, of all categories: new nominations, those referred or differed, extensions of properties already inscribed or other modifications.

10. The same observation of lack of time for the examination of nominations and reports on the state of conservation of the World Heritage properties was made in 2003, which was the first year that the number of new nominations had been limited to 30. However, in actual fact, the number of new nominations to be examined by the Committee in 2003 was 45.

11. The *symmetry* between the tasks of the Committee and its assigned objectives must clearly appear in the agenda of the Committee sessions.

12. The capacity of the system must be evaluated *for each phase* of the evaluation and decision making process:

- evaluation by the World Heritage Centre of the global nature of the nominations,
- scientific evaluation by the Advisory Bodies,
- examination of the evaluations and other working documents by the experts of the States Parties of the Committee, prior to the Committee sessions,
- discussion by the Committee in its ordinary session.

Our Delegation feels that the time that the Committee's experts must devote to the examination of the evaluations and other working documents must not be underestimated.

13. The Committee must also organise its work in order to devote sufficient time to each nomination, to ensure the credibility of the system and out of respect for the States Parties and persons having prepared the dossiers. In examining the different possibilities (to limit the number of nominations and/or envisage longer sessions, or even a second session each year), the Committee must take into consideration the fact that the time required for examination and discussion cannot be condensed indefinitely. The experience of 2003 is an example.

14. In view of the above, our Delegation *supports the principle that the Committee fixes a maximum number of nominations to examine at each session*. To improve each of the four above-mentioned phases, the number should be less than the number of dossiers examined in the past.

15. The Committee should ask itself – in the light of past years' experience – whether it is advisable to set a *ceiling for new nominations*, with the exception of transboundary proposals, referred or differed dossiers, extensions and other modifications (the present system) or a *global ceiling* (with the exception of duly justified emergency nominations)? Does the Committee wish to treat transboundary nominations in the same manner as later extensions to a property already listed?

One nomination per State Party per year

16. The general rule of “one nomination per country per year”, applied for the first time to nominations examined in 2003 and those to examine in 2004, has resulted in a *better geographical distribution of nominations* than at any of the 26 preceding sessions of the Committee. The Secretariat also noted that the dossiers are of *better quality* than in the past.

17. Experience shows that *the majority of the States Parties (95%) are not yet able to present, on an average, more than one nomination per year* since they ratified the Convention. The limit of one dossier per year therefore would only be a problem for very few countries.

18. The adoption of the first strategic objectives in 1992, and the Global Strategy for a balanced and representative List, in 1994, have born fruit, but analysis shows that *additional measures are necessary*.
19. Meetings organised in the framework of the Global Strategy have enabled the evolution of the concept of world heritage, and *the number of States Parties with no site inscribed on the World Heritage List in 1992 was reduced by half in the period 1992-2002*.
However, about 50 States have become Parties to the Convention since 1992 *and a large number of inscriptions during the period 1992-2002 pertained to States whose heritage was already well-represented on the List*. In fact, whilst the number of properties on the World Heritage List almost doubled during the period 1992-2002, 27% of the properties were inscribed by only 5% of the States Parties in 2002, as in 1992. In other words, the countries which had an average of 16 properties inscribed in 1992, had an average of 30 properties inscribed in 2002: the gap widened. This tendency, perceptible in 1999, led to the adoption of a resolution by the 1999 General Assembly, which was followed by the "Cairns Decisions".
20. With some rare exceptions, the outstanding universal value of potential World Heritage properties is not threatened. Thus, the precipitation or increase in the rhythm of nominations does not seem justified.

21. In view of the above, our Delegation *supports maintaining the general rule of one nomination per year per State Party* and of two or three for the countries with no site inscribed on the World Heritage List.

22. With its 178 States Parties, the World Heritage Convention has a *universal dimension*, and through its World Heritage sites it can recount "*the story of the earth and humanity*". However, at present, *48 States Parties have no sites inscribed on the World Heritage List (see table in Annex)*. The story thus told by the World Heritage List has many blank pages. The majority of these countries ratified the Convention several years ago and have heritage worthy of inscription on the World Heritage List.

23. Our Delegation suggests that the Committee *give priority to the nominations from countries with no sites inscribed on the World Heritage List, and that it provide assistance to developing countries* to elaborate their Tentative Lists and nominations. Regional Programmes and assistance proposed by the partners could be used for this purpose.

24. Our Delegation understands that the Committee wishes to examine the special situation of States Parties which are the size of a continent and whose heritage is still underrepresented on the World Heritage List.

Nominations by Committee members

25. There has been greater rotation within the Committee these past years, and several States Parties, following their election to the Committee, have abstained from submitting nominations.

26. Based on this favourable tendency, our Delegation suggests that *the Committee postpones the examination of nominations of properties situated on the territory of Committee members during the duration of their mandate, to avoid biased decisions*. This rule should be included in the *Rules of Procedure* of the Committee.

27. The *Rules of Procedure* already include ethical measures. Two examples:

- "15.3. *The Chairperson shall abstain from exercising his functions for all issues relating to a property situated on the territory of the State Party of which he is a national.*" (clause integrated in 2003 after the example set by the Chairperson of the 26th session).

- "22.4 Representatives of a State Party, whether or not a member of the Committee, shall not speak to advocate the inclusion in the World Heritage List of a property nominated or the approval of an assistance request submitted by that State, but only to deal with a point of information in answer to a question. This provision also applies to other observers mentioned in Rule 8." (clause of the Guidelines completed and integrated in the Rules of Procedure in 2003).

28. The proposal leads to greater rotation within the Committee. With 178 States Parties, this is realistic and also pertains to another resolution of the 1999 General Assembly. If the Committee should feel that a *transition* period is necessary, the clause could enter into force in 2005, prior to the election of new Committee members. As in the past, the present members of the Committee would be free to apply it on a voluntary basis.

The presentation of properties inscribed on the World Heritage List

29. During the 1999 General Assembly and the special meeting of the Bureau of the Committee in 2000, it was suggested that *the properties of the World Heritage List be presented by thematic groups of properties*: cathedrals, railroads, etc.

30. Thematic groupings could encourage transboundary co-operation for the benefit of the States concerned and the properties, notably with regard to their management. Our Delegation nevertheless feels that the systems, traditions or administrative structures in the States – including neighbouring states – must be respected: these thematic groupings can only bring about obligatory common protection and management systems if they are indispensable for the preservation of the properties.

31. The thematic presentation of the properties raises questions pertaining to serial and transboundary inscriptions:

-For *serial inscriptions* made in the past, there seem to be several cases: the selection of the best example, the selection of certain properties with recognised outstanding universal value, an inventory of similar properties.

-For transboundary inscriptions, the List includes properties *originally submitted as transboundary properties*, properties which *afterwards became transboundary following an extension*, and *properties appearing separately* on the List – under two different countries -- although of a common heritage, as the name of the property indicates.

32. The current presentation of the World Heritage List is therefore not harmonious. Moreover, according to the interpretation of the thematic presentation, the serial properties and the transboundary properties, *there are many more... or many less... than 754 properties on the List*. These questions, as well as the very size of the properties, notably the natural properties, call for prudence.

33. *Are these reasons for avoiding the issue of the size of the World Heritage List?* Should not the limit also be determined by the capacity of the system to ensure the preservation of the outstanding universal value of these properties? Is it not significant that publications intended for the general public are increasingly selective with regard to the sites ("the cream of the crop") – retaining, in most cases, only "the wonders of the world". Does the Committee wish to encourage this situation?

34. Firstly, our Delegation suggests to the Committee that there be a *presentation by thematic groups of the World Heritage List in addition* to the current presentation (map and lists by country): this would facilitate the evaluation of the nominations, the comparative approach and the objectivity of the evaluations by the Advisory Bodies; it would enable the identification of the current shortcomings of the List, and would open perspectives to structure and flesh

out the information on the properties provided to the public through publications or the Web site.

35. Our Delegation also suggests that the Committee clarify its intentions *concerning serial inscriptions and transboundary properties* and integrate them into the *Guidelines*.

Link between the World Heritage List and the Tentative Lists

36. According to Article 12 of the Convention,
“The fact that a property belonging to the cultural or natural heritage has not been included in either of the two lists mentioned in paragraphs 2 and 4 of Article 11 shall in no way be construed to mean that it does not have an outstanding universal value for purposes other than those resulting from inclusion in these lists.”

Consequently, properties could be maintained on the Tentative List of a State Party without becoming nominations.

37. For a given continent or country, it would be possible to present the properties inscribed on the World Heritage List, the properties listed on the Tentative Lists, the properties protected by the laws and national mechanisms, the properties inscribed on the national inventories, the properties benefiting from local protection. Beginning with the World Heritage List, *each additional level provides access to greater knowledge of the continent or country and to its history*. Keeping a property on the Tentative List without submitting its nomination would be justified by such a presentation.

38. Currently, *the States Parties' Tentative Lists are not (yet) presented in the same manner*: certain include the sites inscribed on the World Heritage List, others not.

39. *Firstly, our Delegation suggests that the presentation of the Tentative Lists be harmonised by clearly indicating the different levels of lecture*. It is suggested that the Secretariat update a working document where, for each State Party, the properties inscribed on the World Heritage List are indicated first, and then the properties on the Tentative Lists. The document should also give statistics (number of properties inscribed, properties on the Tentative List).

Overlapping procedures and inappropriate presentation of the nominations

40. According to Article 11 of the Convention, the Committee establishes the World Heritage List on the basis of inventories (Tentative Lists) submitted by the States Parties. However, in the course of events, an additional procedure, not foreseen by the Convention, was put in place: nominations.

41. These nominations are becoming more and more voluminous, and their presentation increasingly luxurious. In spite of these developments, essential information for their evaluation by the Advisory Bodies and the Committee is often lacking. The luxurious presentations are all the more superfluous as the dossiers are made available during the Committee sessions in electronic format only.

42. *It is in this perspective that, in March 2003, the Committee invited the Secretariat to review the structure of the format for the Tentative Lists and nominations. The recommendations made at the 6th extraordinary session should be integrated into the Revised Guidelines: the costly presentations should stop, and the pertinence of the information contained in the nominations should be ensured.*

43. The Advisory Bodies of the Committee never make a preliminary analysis of the Tentative Lists. A State Party can therefore invest in a nomination, which can be costly, and see its

nomination to the World Heritage List refused, even though the property may have been on the Tentative List for many years.

44. The analyses of the List and the Tentative Lists carried out for several years by the Advisory Bodies, should give useful information to the States Parties to enable them to refocus on their nominations. The Committee could include the examination of the Tentative Lists in a regional perspective in the Regional Periodic Reports and envisage their possible revision in the Regional Programmes.

45. To begin with, in order to help the countries establish or revise their Tentative Lists, our Delegation reiterates a request already made, notably during the meetings of the Group on the Representivity of the List: *the results of the meetings organised in the framework of the Global Strategy and the comparative thematic studies of the Advisory Bodies should be summarised and transmitted to the States Parties*: without their diffusion, this work cannot bear fruit.

46. The Committee could examine the other matters pertaining to the Tentative Lists during the general debate that will be devoted to this issue in 2005.

Capacity building of the underrepresented regions

47. At the request of the Committee (in particular Cairns, Budapest), the Secretariat developed Regional Programmes based on the identification of needs through the Periodic Reports.

48. Our Delegation suggests that the Committee *verify that the Regional Programmes contribute to ensuring the credibility and the representivity of the World Heritage List*, notably by assisting the countries with the establishment of their Tentative Lists and the preparation of nominations. The number of new Tentative Lists and nominations by countries currently underrepresented could be used as *performance indicators*. These indicators are on the agenda of the 28th session of the Committee (2004).

Other provisions of the Resolution of the 1999 General Assembly

49. Paragraph B.i. invites the States already having a large number of sites inscribed on the World Heritage List to apply the clauses of paragraph 6 (vii) of the Guidelines and to inform the Committee of the measures taken. Following the Committee's decision (Cairns, 2000), the Secretariat sent a circular letter to States Parties.

50. Having replied at the time to the circular sent by the Secretariat, our Delegation would like to be informed of all of the replies received.

51. The matter of the order in which the nominations are examined by the Committee is not treated implicitly in the present note. Our Delegation feels that the priorities are clear and that it is necessary to apply the resolutions of the General Assembly and the decisions of the Committee, and to complete them. It suggests that the Committee ensure that all the countries have access to the system without jeopardising the value and reputation of the Convention.

Annex: Table

World Heritage Convention – Evaluation of the “Cairns Decision”
Year of ratification, number of properties inscribed on the World Heritage List

Region	Country	Date of ratification	Years of ratificat.	Committee years	WHL 1992	WHL 1998	WHL 2002	WHL ¹ 2003	Properties on TL ² 2003	Last inscript ³
LAC	Guyana	1977.06.20	26	0	0	0	0	0	4	-
ARB	Saudi Arabia	1978.08.07	25	0	0	0	0	0	0	-
EU/NA	Monaco	1978.11.07	25	0	0	0	0	0	0	-
AF	Burundi	1982.05.19	21	0	0	0	0	0	0	-
LAC	Jamaica	1983.06.14	20	0	0	0	0	0	0	-
LAC	Antigua and Barbuda	1983.11.01	20	0	0	0	0	0	0	-
ARB	Qatar	1984.09.12	19	0	0	0	0	0	0	-
ASP	Maldives	1986.05.22	17	0	0	0	0	0	0	-
AF	Gabon	1986.12.30	17	0	0	0	0	0	2	-
AF	Burkina Faso	1987.04.02	16	0	0	0	0	0	4	-
AF	Congo	1987.12.10	16	0	0	0	0	0	0	-
AF	Cape-Verde	1988.04.28	15	0	0	0	0	0	0	-
ASP	Fiji	1990.11.21	13	0	0	0	0	0	4	-
ARB	Bahrain	1991.05.28	12	0	0	0	0	0	5	-
LAC	Sainte-Lucie	1991.10.14	12	2	0	0	0	0	1	-
EU/NA	Saint-Martin	1991.10.18	12	0	0	0	0	0	0	-
AF	Angola	1991.11.07	12	0	0	0	0	0	11	-
ASP	Tajikistan	1992.08.28	11	0	0	0	0	0	11	-
EU/NA	Bosnia-Herzegovina	1993.07.12	10	0	-	0	0	0	2	-
ASP	Myanmar	1994.04.29	9	0	-	0	0	0	8	-
ASP	Kyrgyzstan	1995.07.03	8	0	-	0	0	0	6	-
AF	Mauritius	1995.09.19	8	0	-	0	0	0	0	-
EU/NA	Iceland	1995.12.19	8	0	-	0	0	0	11	-
EU/NA	Andorra	1997.01.03	6	0	-	0	0	0	3	-
ASP	Papua-New Guinea	1997.07.28	6	0	-	0	0	0	0	-
AF	Togo	1998.04.15	5	0	-	0	0	0	8	-
ASP	Korea, DPR	1998.07.21	5	0	-	0	0	0	7	-
LAC	Grenade	1998.08.13	5	0	-	0	0	0	0	-
AF	Chad	1999.06.23	4	0	-	-	0	0	0	-
AF	Namibia	2000.04.06	3	0	-	-	0	0	5	-
ASP	Kiribati	2000.05.12	3	0	-	-	0	0	0	-
AF	Comoros	2000.09.27	3	0	-	-	0	0	0	-
AF	Rwanda	2000.12.28	3	0	-	-	0	0	0	-
ASP	Niue	2001.01.23	2	0	-	-	0	0	0	-
ARB	United Arab Emirates	2001.05.11	2	0	-	-	0	0	0	-
ASP	Samoa	2001.08.28	2	0	-	-	0	0	0	-
ASP	Bhutan	2001.10.22	2	0	-	-	0	0	0	-
AF	Eritrea	2001.10.24	2	0	-	-	0	0	0	-
AF	Liberia	2002.03.28	1	0	-	-	0	0	0	-
LAC	Barbados	2002.04.09	1	0	-	-	0	0	0	-
ASP	Marshall Islands	2002.04.24	1	0	-	-	0	0	0	-
ARB	Kuwait	2002.06.06	1	0	-	-	0	0	0	-

¹ As in document WHC-99/CONF.206/INF.6 II, transboundary properties have been counted for the (two) States concerned.

² Data contained in document WHC-03/27.COM/8A. Tentative Lists are not presented in a homogeneous manner: some properties inscribed on the WHL are included and others are not.

³ Data contained in document WHC.2003/3, August 2003; the data includes extensions

Key: WHL – World Heritage List; TL – Tentative List; CY – number of years that the State Party was a Committee member; EUR – Europe/North America; AF – Africa; LAC – Latin American & Caribbean; ARB – Arab States; ASP – Asia/Pacific

Information subject to verification – BSA – 20.12.2003

World Heritage Convention – Evaluation of the “Cairns Decision”
Year of ratification, number of properties inscribed on the World Heritage List

Region	Country	Date of ratification	Years of ratificat.	Committee years	WHL 1992	WHL 1998	WHL 2002	WHL ¹ 2003	Properties on TL ² 2003	Last inscript ³
ASP	Palao	2002.06.11	1	0	-	-	0	0	0	-
ASP	Vanuatu	2002.06.13	1	0	-	-	0	0	0	-
ASP	Micronesia (Federated States of)	2002.07.22	1	0	-	-	0	0	0	-
EU/NA	Republic of Moldova	2002.09.23	1	0	-	-	0	0	0	-
LAC	Saint-Vincent & the Grenadines	2003.02.03	0	0	-	-	-	0	0	-
ARB	Sudan	1974.06.06	29	2	0	0	0	1	7	2003
AF	Nigeria	1974.10.23	29	8	0	0	1	1	8	1999
AF	Guinea	1979.03.18	24	7	1	1	1	1	3	1981
LAC	Nicaragua	1979.12.17	24	0	0	0	1	1	6	2000
LAC	Haiti	1980.01.18	23	0	1	1	1	1	0	1982
AF	Central African Republic	1980.12.22	23	0	1	1	1	1	0	1988
AF	Malawi	1982.01.05	21	6	1	1	1	1	3	1984
AF	Benin	1982.06.14	21	6	1	1	1	1	5	1985
AF	Mozambique	1982.11.27	21	0	1	1	1	1	3	1991
AF	Cameroon	1982.12.07	21	0	1	1	1	1	0	1992
EU/NA	Luxembourg	1983.09.28	20	0	0	1	1	1	3	1994
AF	Zambia	1984.06.04	19	0	1	1	1	1	3	1989
LAC	Dominican Republic	1985.02.12	18	0	1	1	1	1	14	1990
LAC	Saint-Kitts and Nevis	1986.07.10	17	0	0	0	1	1	3	1999
AF	Gambia	1987.07.01	16	0	0	0	0	1	3	2003
LAC	Paraguay	1988.04.27	15	0	0	1	1	1	3	1993
LAC	Uruguay	1989.03.09	14	0	0	1	1	1	2	1995
EU/NA	Albania	1989.07.10	14	0	1	1	1	1	4	1992-99
ASP	Mongolia	1990.02.02	13	0	0	0	0	1	9	2003
LAC	Belize	1990.11.06	13	0	0	1	1	1	0	1996
LAC	El Salvador	1991.10.08	12	0	0	1	1	1	7	1993
ASP	Cambodia	1991.11.28	12	0	1	1	1	1	11	1992
ASP	Salomon Islands	1992.06.10	11	0	0	1	1	1	0	1998
EU/NA	Slovenia	1992.11.05	11	0	1	1	1	1	4	1986
EU/NA	Azerbaijan	1993.12.16	10	0	-	0	1	1	12	2000
ASP	Kazakhstan	1994.04.29	9	0	-	0	0	1	14	2003
ASP	Turkmenistan	1994.09.30	9	0	-	0	1	1	4	1999
EU/NA	Latvia	1995.01.10	8	0	-	1	1	1	6	1998
LAC	Dominica	1995.04.04	8	0	-	1	1	1	0	1997
EU/NA	Estonia	1995.10.27	8	0	-	1	1	1	7	1997
EU/NA	Former Yugoslav Republic of Macedonia	1997.04.30	6	0	1	1	1	1	0	1979-80
AF	Botswana	1998.11.23	5	0	-	0	1	1	5	2001
ARB	Iraq	1974.03.05	29	7	1	1	1	2	7	2003
AF	Niger	1974.12.23	29	6	1	2	2	2	7	1996
ARB	Jordan	1975.05.05	28	7	2	2	2	2	11	1985
AF	Ghana	1975.07.04	28	4	2	2	2	2	6	1980
ASP	Afghanistan	1979.03.20	24	0	0	0	1	2	1	2003
LAC	Honduras	1979.06.08	24	0	2	2	2	2	0	1982
AF	Seychelles	1980.04.09	23	0	2	2	2	2	0	1983
ARB	Mauritania	1981.03.02	22	0	1	2	2	2	7	1996
EU/NA	Vatican City	1982.10.07	21	0	2	2	2	2	0	1990
AF	Madagascar	1983.07.19	20	0	1	1	2	2	6	2001
ASP	Lao People's	1987.03.20	16	0	0	1	2	2	4	2001

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Information subject to verification – BSA – 20.12.2003

**World Heritage Convention – Evaluation of the “Cairns Decision”
Year of ratification, number of properties inscribed on the World Heritage List**

Region	Country	Date of ratification	Years of ratificat.	Committee years	WHL 1992	WHL 1998	WHL 2002	WHL ¹ 2003	Properties on TL ² 2003	Last inscript ³
	Democratic Republic									
EU/NA	Belarus	1988.10.12	15	0	1	1	2	2	1	2000
EU/NA	Ukraine	1988.10.12	15	0	1	2	2	2	8	1998
ASP	Malaysia	1988.12.07	15	0	0	0	2	2	1	2000
EU/NA	Ireland	1991.09.16	12	0	0	2	2	2	9	1996
EU/NA	Lithuania	1992.03.31	11	0	0	1	2	2	4	2000
LAC	Suriname	1997.10.23	6	0	-	0	2	2	2	2002
EU/NA	Cyprus	1975.08.14	28	13	2	3	3	3	13	2001
AF	Mali	1977.04.05	26	0	3	3	3	3	4	1989
LAC	Costa Rica	1977.08.23	26	0	1	2	3	3	3	2002
EU/NA	Malta	1978.11.14	25	6	3	3	3	3	7	1992
LAC	Guatemala	1979.01.16	24	0	3	3	3	3	18	1981
EU/NA	Denmark	1979.07.25	24	0	0	2	3	3	6	2000
LAC	Chile	1980.02.20	23	0	0	1	2	3	21	2003
ARB	Yemen	1980.10.07	23	6	2	3	3	3	11	1993
AF	Côte d'Ivoire	1981.01.09	22	0	3	3	3	3	0	1983
ASP	Bangladesh	1983.08.03	20	0	2	3	3	3	5	1997
ASP	New Zealand	1984.11.22	19	0	2	3	3	3	2	1998
AF	Uganda	1987.11.20	16	0	0	2	3	3	5	2001
LAC	Venezuela	1990.10.30	13	0	0	2	3	3	4	2000
AF	Kenya	1991.06.05	12	0	0	2	3	3	9	2001
EU/NA	Georgia	1992.11.04	11	0	0	3	3	3	9	1996
EU/NA	Armenia	1993.09.05	10	0	-	1	3	3	7	2000
EU/NA	Israel	1999.10.06	4	0	-	-	2	3	24	2003
ASP	Iran (Islamic Republic of)	1975.02.26	28	4	3	3	3	4	17	2003
LAC	Ecuador	1975.06.16	28	10	3	3	4	4	7	2001
ARB	Syrian Arab Republic	1975.08.13	28	6	4	4	4	4	15	1986
AF	Senegal	1976.02.13	27	15	3	3	4	4	2	2000
EU/NA	Norway	1977.05.12	26	6	4	4	4	4	4	1985
LAC	Panama	1978.03.03	25	7	3	4	4	4	5	97-2003
ASP	Nepal	1978.06.20	25	5	3	4	4	4	7	1997
ARB	Oman	1981.10.06	22	8	2	3	4	4	5	2000
ASP	Thailand	1987.09.17	16	12	4	4	4	4	0	1992
ASP	Uzbekistan	1993.01.13	10	0	1	2	4	4	21	2001
EU/NA	Serbia and Montenegro	2001.09.11?	2	4 ?	4	4	4	4	11	1986
AF	Democratic Republic of the Congo	1974.09.23	29	7	4	5	5	5	3	1996
ARB	Libyan Arab Jamahiriya	1978.10.13	25	7	5	5	5	5	0	1986
AF	Zimbabwe	1982.08.16	21	6	4	4	4	5	2	2003
ARB	Lebanon	1983.02.03	20	14	4	5	5	5	10	1998
LAC	Colombia	1983.05.24	20	12	1	5	5	5	13	1995
ASP	Philippines	1985.09.19	18	6	0	3	5	5	13	1999
EU/NA	Finland	1987.03.04	16	6	2	4	5	5	11	1999
ASP	Vietnam	1987.10.19	16	0	0	2	4	5	8	2003
EU/NA	Slovakia	1993.03.31	10	0	0	4	5	5	15	2000
AF	South Africa	1997.07.10	6	4	-	0	4	5	7	2003
ARB	Egypt	1974.02.07	29	17	5	5	6	6	17	2002
EU/NA	Switzerland	1975.09.17	28	7	3	3	5	6	6	2003
ASP	Pakistan	1976.07.23	27	13	5	6	6	6	15	1997
LAC	Bolivia	1976.10.04	27	0	3	4	6	6	2	2000
AF	United Republic of Tanzania	1977.08.02	26	6	5	5	6	6	6	2000

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Information subject to verification – BSA – 20.12.2003

World Heritage Convention – Evaluation of the “Cairns Decision”
Year of ratification, number of properties inscribed on the World Heritage List

Region	Country	Date of ratification	Years of ratificat.	Committee years	WHL 1992	WHL 1998	WHL 2002	WHL ¹ 2003	Properties on TL ² 2003	Last inscript ³
ASP	Indonesia	1989.07.06	14	6	4	5	6	6	18	1999
EU/NA	Croatia	1992.07.06	11	0	3	5	6	6	10	2000
ARB	Algeria	1974.06.24	29	8	7	7	7	7	6	1992
ARB	Morocco	1975.10.28	28	6	3	6	7	7	19	2001
AF	Ethiopia	1977.07.06	26	0	7	7	7	7	2	1980
ASP	Sri Lanka	1980.06.06	23	6	7	7	7	7	1	1991
LAC	Cuba	1981.03.24	22	12	2	3	6	7	9	2001
ASP	Republic of Korea	1988.09.14	15	6	0	5	7	7	15	2000
EU/NA	Romania	1990.05.16	13	0	1	4	7	7	20	1999
EU/NA	Pays-Bas	1992.08.26	11	0	0	5	7	7	19	2000
ARB	Tunisia	1975.03.10	28	13	7	8	8	8	1	1997
LAC	Argentina	1978.08.23	25	9	3	3	7	8	9	2003
EU/NA	Hungary	1985.07.15	18	6	2	4	8	8	9	2002
EU/NA	Austria	1992.12.18	11	0	-	4	8	8	9	2001
EU/NA	Belgium	1996.07.24	7	4	-	3	8	8	12	2000
EU/NA	Bulgaria	1974.03.07	29	11	9	9	9	9	12	1985
EU/NA	Turkey	1983.03.16	20	6	7	9	9	9	18	1998
LAC	Peru	1982.02.24	21	6	8	9	10	10	5	2000
EU/NA	Poland	1976.06.29	27	2	6	8	10	11	12	2003
ASP	Japan	1992.06.30	11	6	0	9	11	11	14	2000
EU/NA	Portugal	1980.09.30	23	4	6	9	12	12	6	2001
EU/NA	Sweden	1985.01.22	18	0	1	9	12	12	12	2001
EU/NA	Czech Republic	1993.03.26	10	0	3	8	11	12	13	2003
EU/NA	Canada	1976.07.23	27	14	10	12	13	13	14	1999
ASP	Australia	1974.08.22	29	19	10	13	14	15	5	2003
EU/NA	Greece	1981.07.17	22	12	13	14	16	16	9	1999
LAC	Brazil	1977.09.01	26	19	8	9	17	17	24	2001
EU/NA	Russian Federation	1988.10.12	15	2	6	12	17	19	26	2003
EU/NA	United States of America	1973.12.07	30	19	18	20	20	20	83	1995
LAC	Mexico	1984.02.23	19	18	10	19	22	23	23	2003
ASP	India	1977.11.14	26	8	19	21	23	24	16	2003
EU/NA	United Kingdom of Great Britain and Northern Ireland	1984.05.29	19	2	14	17	24	25	26	2003
EU/NA	Germany	1976.08.23	27	15	11	20	27	27	22	2002
EU/NA	France	1975.06.27	28	21	19	25	28	28	38	2001
ASP	China	1985.12.12	18	10	10	21	28	29	87	2003
EU/NA	Italy	1978.06.23	25	21	7	30	36	37	70	2003
EU/NA	Spain	1982.05.04	21	6	17	29	37	38	32	2003

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Information subject to verification – BSA – 20.12.2003

CANADA

Subject: Circular Letter CL/WHC.10/03

It is important to recall that, in addition to the decision on new nominations, the Cairns meeting adopted a broad suite of recommendations on how to achieve better representivity on the World Heritage List, including strategic use of the tentative lists and capacity-building measures:

The Committee recognized that the issue of representivity of the World Heritage List was the most difficult of the reform issues under consideration by the Committee. The Committee noted that more effective use of tentative lists and greater regulation of the ever-increasing number of nominations was required. It was agreed that other measures, such as assistance for capacity-building would be vital for ensuring the representation of sites from all regions on the World Heritage List. (Cairns, 2000)

To respond to your circular letter, we will focus on the Cairns decision related to nominations that follows:

In order to promote the effective management of the increasing size of the World Heritage List, the Committee at each ordinary session will set the maximum number of nominations to be considered. In the first instance and on an interim basis, it is proposed that at the twenty-seventh session of the Committee in 2003, the number of nominations examined by the Committee will be limited to a maximum of 30 new sites.

... No State Parties should submit more than one nomination, except those States Parties that have no sites inscribed on the World Heritage List who will have the opportunity to propose two or three nominations.

In order to address the issue of representivity of the List the following criteria will be applied in order of priority...

In addition to the approved maximum number of sites, the Committee will also consider nominations deferred, or referred, from previous meetings and changes to the boundaries of already inscribed properties. The Committee may also decide to consider, on an emergency basis, situations falling under paragraph 67 of the Operational Guidelines. (Cairns, 2000)

We wish to address three aspects: limits to new nominations, number of nominations per State Party, and relationship between Committee membership and inscriptions.

Limits to new nominations

Canada's views are based on many years' participation at meetings of the World Heritage Committee. Recalling several marathon meetings, for example the 1991 meeting that deliberated past midnight or the 1999 meeting which examined close to 60 nominations, we conclude that it is necessary to limit the number of new nominations to be examined by the Committee in a given year, in order to give each nomination the level of scrutiny it deserves.

Taking into account the capacity of the Secretariat, the Advisory Bodies and the Committee, Canada supports the principle that the Committee should set a limit to the number of new nominations to be examined in any given year. One should not lose sight of the fact that the Committee not only examines new nominations, but also examines deferred, referred, trans-boundary and emergency proposals.

By way of example, the Committee set a limit of 30 new nominations for the 27th session in July 2003. In fact, while it is true that the Committee only examined 25 new nominations, they also examined 10 nominations that had previously been examined or previously withdrawn before examination (referred, deferred, withdrawn, not inscribed), and an additional 10 nominations that were either not examined at the request of the State Party concerned or were extensions or re-nominations under new criteria. In fact, on the 2003 agenda of the World Heritage Committee with its established ceiling of 30, the number of nominations proposed for examination was in fact 45.

Given the time and resources available to the Committee to thoroughly examine nomination proposals, Canada would be prepared to support the continuation of a limit of 30 new nominations. However, in the spirit of compromise, we would support the proposed increase to 40 new nominations, but would caution against any further increase, in the interests of due diligence on the part of the Committee.

Number of nominations per State Party

With regard to the number of nominations to be examined per State Party, Canada supports the proposal of one nomination a year for countries which are already well represented on the World Heritage List. The purpose of the World Heritage Convention is the *protection* of sites. States Parties that are well represented on the List have demonstrated that they have the capacity and the resources to protect their heritage to the highest standards. Therefore, additional sites are generally not threatened with neglect and can be inscribed in a paced, orderly manner over time. By building the World Heritage List slowly and carefully, the risk diminishes that sites will be inscribed that do not meet the threshold of outstanding universal value. All States Parties have a vested interest in not debasing the coinage.

Relationship between Committee membership and inscriptions

We would like to take this opportunity to bring to the attention of our colleagues a troubling trend that may require further consideration in next year's debate. The trend is the direct relationship between membership on the Committee and new inscriptions. At any one time, 21 out of the 177 States Parties to the Convention serve as members of the Committee. This represents approximately 12% of the States Parties. Yet, the number of sites being inscribed on the list from countries represented by Committee members is considerably higher.

Statistical analysis supports this observation. At the 27th session (Paris, 2003), nine of the 24 new inscriptions (37%) were in countries represented by Committee members. At the 25th session (Helsinki, 2001), ten of the 31 new inscriptions (32%) were in countries represented by Committee members. While these are only examples, it might be useful if the Secretariat could prepare a systematic analysis over time of this pattern.

This leads Canada to suggest that the open-ended working group at the 28th session in China in 2004 may wish to consider whether it would be prudent to request that Committee members whose countries are already well represented on the World Heritage List refrain from proposing nominations during their tenure as members of the Committee. In the interests of improving the representivity of the List, we would propose that Committee members whose countries have no sites on the List would be exempt from this practice.

CHILE

Draft opinion on Cairns Decisions

Our country deems it highly positive that the Committee has resolved to implement a firm and concrete policy for improving representativeness of the World Heritage List and correct the unbalances that it contains. These unbalances have to do with the uneven representation of the various regions of the world, the scarce number of registered natural assets versus the number of cultural assets, and the existence of a number of different types of assets - both in the scope of cultural heritage and natural heritage - which have little or no representation on the official List of mankind's heritage.

As a member of the Committee, Chile is determined to contribute to an advancement in this respect, which appears to be fundamental for the application and attainment of the objectives of the Convention on the World Heritage. Thus we appreciated and contributed to the comprehensive study on of the List, in particular on the issue of cultural assets of universal value with a low representation in it.

THE LIMIT OF 40 SITES

We are likewise aware that a great deal of nominations, as well as a weakening of the rigorosity when it comes to evaluate the registration of assets on the List, and their consequential excessive increase, not only will lead to a collapse of the whole system implemented to apply the Convention on the World Heritage but, what is even worse, will undermine the reliability of this instrument, discrediting it and pulling down all the success that it has so far earned.

Therefore we consider that the limit of 40 sites to be analyzed each year by the Committee - a figure that excludes multinational nominations, last-minute ones and deferred ones is quite reasonable, although this is a practical measure that stems from force majeure reasons and should be reviewed from time to time, always bearing in mind that the ideal thing would be not to have any restrictions at all.

A question still remains as to what criteria will be used select the nominations to be evaluated, if the number exceeds that figure. In that extremely complex definition, certain basic principles should prevail, to be dealt with later.

THE ONE SITE LIMIT

The decision that certain Party States which currently have some sites registered on the List may not submit any more than one nomination per year is the result of a much more critical appreciation than the previous one. On the one hand, as to practical effects, we believe that the reason given to the 27th Meeting of the Committee to keep it, that is, not to exceed the working capacity of the Committee, the advisory bodies, the world Heritage Center, etc, is not applicable to this particular case since this objective is achieved with the limit of all 40 sites.

But above the foregoing there is the fact that we believe the limit of 1 site not only fails to contribute to the essential objective, that is, seeking to improve the representativeness of the List, but it is counterproductive in terms that its effect is exactly the opposite to the one attempted due to the following reasons:

- It perpetuates the regional unbalance: if there is an even limit of 1 site available for the regions most representative and for the least representative ones, the regional unbalance remains the same. As to the exemption enjoyed by the countries that do not have sites on the List which can register two or three nominations it is difficult that if they have

previously been unable or unwilling to deal with a nomination, they can successfully submit one two or three nominations at once, unless they benefit from a bulky cooperation.

- It does not contribute to cultural/natural balance, on the contrary, it tends to perpetuate it or even intensify it. If the general trend has been to submit and register more cultural and natural nominations, it is more expectable then that if they are all restricted to submit one at a time the nominations and registration of cultural assets the gap between cultural and natural assets will increase.
- It does riot contribute to encourage the nomination of assets from categories subrepresented on the Monument Heritage List: As the criteria for selecting the 40 sites to be evaluated each year is not clear, the limit of 1 site per country can hardly encourage the submission of subrepresented assets.

On the other hand, particularly in the case of cultural assets, where the existence of Tentative Lists is mandatory for nominations, they are clearly the result of long-term consideration process which in turn determines a long-term planning. As the types of assets which have deserved less attention are becoming more relevant, it will take a long time to include them on the Tentative List and their actual submission. Planning of applications has generally been made without regard to those types of assets, so priorities that were formerly set for application that are being submitted today do not conform to these new parameters.

CASE OF CHILE

A very good example of how this 1 site limit is counterproductive to the objective attempted is the case of Chile. Our country's current priority is the submission of the Humberstone and Santa Laura Saltpeter offices later followed by the Sewell Campsite. These are modern industrial assets; i.e. they correspond to both categories of cultural assets with little representation on the World Asset List. On the other hand, for sometime now and thanks to the UNESCO, Chile is ready for Nomination of the Torres del Paine National Park, a natural asset. Actually, our have simultaneously submitted nominations for these three assets, all of which belong to the categories the promotion of which is sought - It was unable to do so because of the annual 1 site limit per Party State with registered assets.

And it is because only in 1998 Chile designed and adopted a long-term policy for intensifying the application of the Convention World Heritage - effective as a Law since 1980 - regarding cultural assets. The Convention was viewed as a driving force for promoting protection and conservation of the cultural heritage at the domestic level. The above, because awareness as to cultural heritage in our country expanded much later than its counterpart for natural heritage. Cairns Decisions were made right when this policy was shaping up and developing with the consequential detriment.

At any rate, we admit that this is a conjunctural situation because we have two cultural assets ready to be submitted as a result of the 1998 boost in this area. The thing would be not to be in a position to submit more that one cultural asset each time; however, retaking the world perspective, in the case of countries like ours, which have recently been able to take advantage of this Convention as an instrument for promoting heritage, it is rather paradoxical that limits and restrictions are imposed right now, that the List apparently has two many assets which largely correspond to the most developed countries.

PRINCIPLES

Above these practical steps - imposition of limits - is the general policy of improving the representativeness of the World Heritage List. This policy should stem from certain principles which appear to be fundamental:

- I. The essential condition for the incorporation of an asset on the List is its universal value, rather than its belonging to a certain "group" of assets. In other words, the essential thing to be determined is this exceptional universal value, for determination of which no regard should be made as to the number of sites of the country involved, whether the asset is a cultural or natural one or whether it belongs to one or another category.
This also applies to the verification of the current status: the sites which correspond to categories allegedly subrepresented have in fact a world value and one should be careful when dealing with this matter. That should not be challenged because doing so will end up by discrediting the List which would result in a number of demands for the removal of some of its assets.
- II. The criterion for evaluating the representativeness of the List should be essentially qualitative rather than quantitative. This issue should be given the right consideration other than questioning the number of sites of one or other region, country, type or category. Numbers are useful indicators for illustrating consideration but the problem in itself is not a matter of figures.
On the other hand, the discussion based on figures might results: as to regional there are countries which are the cradle of civilization, which explains that they have more sites on the List; as to natural/cultural unbalance, it might be argued that many natural assets are a lot larger in area than cultural assets and so on.
- III. The policy in question should be based on cooperation rather than on limitation, exclusion or regulation. We had already pointed to this issue before; it is quite clear in the case of countries without registered sites. There is no way they can change this situation just because they are allowed to file two or three applications at once. If countries have neither filed applications nor successfully had their assets registered it is because of their unwillingness or lack of financial or technical resources. We should also admit that there are some countries which do not have assets that might be considered world heritage. In this respect we should not disregard the fact that international cooperation is the cornerstone of the Convention, which provides for a List of all assets having an exceptional universal value without limitation of country, region or type.
- IV. Let us think of the essential nature of the assets rather than of their condition. In our opinion, statements like "archeological sites" or "historical centers" are overrepresented on the List - which we actually listen to and read- are clearly misleading. It is certain historical or cultural realities those which can be fully represented on the List, but it cannot be claimed that archeological or urban assets are in fact sufficiently included. Indeed there are historical or cultural realities or artistic expressions that are equivalent to asset under those conditions in those kinds of assets and not represented on the list.

HAZARDS

The principles enunciated are extremely important and have their counterpart in a number of very serious hazards and dangers that should be borne in mind when formulating the policy in question, some of these hazards are as follows:

1. To undermine the spirit of the Convention, placing "balance" criteria and regulations over exceptional world value, it being the only requirement established by the Convention to be on the list.
2. To bureaucratize the working out of the List of World Heritage through systems of quotas and excessive regulation, seeking to achieve through rules what could and should be achieved through cooperation.
3. To propitiate on a world basis a fragmentation of the view of heritage as a result of putting forward and highlighting certain types of assets. This could lead to commit policies and legislation for asset categories in particular, to the detriment of an integral approach and the advent of "fashions in relation to a certain type of assets, prejudicing the conservation of the overall most valuable cultural and natural heritage.

PROPOSALS

By virtue of all the above, our concrete proposals are so far as follows:

- To study the case of Party States which do not have sites registered on the List to establish, on a rigorous basis the reason why and implement a comprehensive cooperation program directed to them.
- While the decision to limit the number of nominations remains, to provide that at least each Party State with sites registered on the List be able to submit two nominations each year one for cultural assets and another one for natural assets, or otherwise for mixed sites.
- If criteria cannot be clearly established to define the selection of 40 assets, that it be expressly set that it will be according to submission order.
- To assume that, if countries with higher levels of development have already registered a large number of assets on the List, and that it shows the unbalances that we are aware of, the policy should be not to limit evenly, but to encourage selectively, always based on the world value.
- Above all, to build on international cooperation rather than on regulations, each and every policy intended to improve the representativeness of the World Heritage List.

All the above, having as a basis the letter and spirit of the Convention concerning the Protection of the World Cultural and Natural Heritage.

FRANCE

French proposals concerning the Cairns Decision Response to Circular Letter CL/WHC.10/03 of 15 September 2003

Background

Since the '80s, the World Heritage Committee, the Advisory Bodies and the Secretariat have reflected on the means to achieve a more representative World Heritage List, to give it more credibility. To achieve this goal, several meetings were organised of a general or thematic nature, followed by the adoption of the Strategic Orientations in 1992 and the Global Strategy in 1994. The Global Strategy is a reference and methodology framework for the implementation of the World Heritage Convention, with a view to improving the balance and the representivity of the World Heritage List. Already in 1998, the absence of tangible results towards achieving this goal led the Committee to state that the time had come to move forward "from recommendations to action". The following year, the Bureau of the Committee set up an ad hoc group to prepare a draft resolution to be presented to the 12th General Assembly of States Parties, in October 1999. The General Assembly finally adopted two resolutions, one concerning the means to ensure a representative World Heritage List and the other for a representative balance within the Committee. These resolutions were respectively studied by two working groups which met during the first half of the year 2000, the conclusions of which were examined by the Bureau of the Committee during its ordinary session in June and extraordinary session in October in Budapest, and were submitted to the Committee in Cairns that same year and approved. This background highlights the ongoing concern of the World Heritage experts with regard to the representivity and credibility of the World Heritage List and their continual efforts over more than twenty years to achieve this.

The Cairns decisions: nature and impact

First, a clarification is required: reference to "the Cairns decision" is incorrect, because in fact it refers to two decisions, which form a complete and coherent entity. One concerns representative balance within the Committee and is based on two provisions: the first being the reservation, during the election of Committee members, of one (or several) seat(s) for one (or several) State(s) having no properties inscribed on the World Heritage List; the second, based on voluntary action, invites the States elected to reduce voluntarily their mandate from six to four years, and at the end of their term, not to put forward their candidature for re-election. The other decision which concerns the representivity of the World Heritage List, aims at encouraging the submission of nominations from States that are not or are underrepresented on the List and/or belonging to underrepresented categories. It also invites States already well-represented on the List to voluntarily limit their nomination proposals to one per year; it also sets a ceiling for the number of dossiers examined by the Committee each year – initially limited to 30, and establishes an order of priority for the examination of nomination files once the ceiling has been reached.

What can be said about the impact of the Cairns decisions three years after their adoption? Two countries not having properties on the List were elected to the Committee in 2001 and in 2003; one country, elected to the Committee in 1999 – that is prior to the enforcement of the Cairns decisions, but immediately following the adoption by the General Assembly of the two founding resolutions of these decisions – voluntarily withdrew its candidature after four years.

In three years, 7 properties from countries not represented on the World Heritage List have been inscribed, as well as 15 from underrepresented countries (that is having less than three properties inscribed on the List).

At the same time, 18 properties of countries amongst the ten best represented on the List have been inscribed during that same period.

A simplistic interpretation – and optimistic – of these figures would be to conclude that the tendency towards re-establishing the balance of the List has begun, but taking into consideration the huge imbalance that remains to be rectified, this tendency hardly appears significant, just a mere “tremor”.

With regard to the number of dossiers examined each year by the Committee, there were 42 in 2001; in 2002 – year of the change in the calendar of the Committee sessions and year during which it was decided to devote the greater part of the session to in-depth discussions, only 13 nominations were examined, and in 2003, 45. It should be noted that in 2000, in Cairns, the Committee had limited to 30 the number of nomination dossiers that it would examine during its 27th session in 2003. Since then, this ceiling has been continually raised: thus, during its 6th extraordinary session in March 2003, the Committee fixed at 36 the number of new nominations that it would examine at its 28th session in 2004; during its 27th session in June 2003, it decided to increase to 40 the number of dossiers to be examined each year, excluding the deferred or referred dossiers, proposals for extension, transboundary dossiers and emergency inscriptions.

This progressive laxity concerning the strict rules adopted in 2000 could only be justified if it served to achieve the objectives of re-establishing a balance and therefore benefiting all those countries that are underrepresented or not represented at all. However, no provision has been adopted to guarantee this.

The first conclusion to be drawn following the examination of the Cairns decisions three years later is the need to recognize the long-term nature of this effort.

The correction of such a huge and chronic imbalance, which has increased over more than twenty years, calls for long-term perseverance. Only with time will concrete and significant results be achieved.

Today, it can only be noted that the intentions appear to encounter some difficulty in translating into concrete actions, which leads to the question of the pertinence of the present reflection framework and whether it should be enlarged.

The World Heritage Convention – basic principles and their interpretation

As a standard international instrument, the World Heritage Convention acts as an “effective system for the collective protection of the cultural and natural heritage of outstanding universal value” (8th para of its preamble). Over and above the obligations of the States concerning the protection and conservation of their heritage, the international community, represented by the States Parties to the Convention, undertake to co-operate in the protection of this heritage recognized as belonging to humankind.

This undertaking is set forth in Article 7 of the Convention: “international protection of the world cultural and natural heritage shall be understood to mean the establishment of a system of international co-operation and assistance designed to support States Parties to the Convention in their efforts to conserve and identify that heritage”.

After thirty years of implementation of the Convention, and in the light of the above – recognition of a lack of representivity of the World Heritage List and the difficulty in implementing efforts to correct this shortcoming - it is evident that the interpretation of this “system of international co-operation and assistance” has been reduced to the word “list”, or “lists” (to also take into account the properties in danger). Whereas, nothing in the texts of the 1972 Convention indicate that the establishment of these lists should be at the heart of the implementation of the Convention. In fact, it is only mentioned in one article (Article 11), whilst other much more important sections are devoted to international assistance (Articles 7, 13 and 19 to 26) and even to educational programmes (Articles 27 and 28).

However, the establishment of the World Heritage List has become the key point of the Convention and the inscription of properties on this List, more and more coveted, is the subject of increasing political stakes. This tendency is not without risk. The inflation in the number of inscriptions, which reflects the quest for international recognition, bringing renown in terms of image and touristic advantages, will in the long run, make the Convention the victim of its success, resulting, in particular, in making monitoring of the state of conservation of the properties more and more difficult and devalorizing the too easily granted World Heritage "label". We feel that a return to the international priorities set forth in Article 7 of the Convention is urgently required.

The French position – context and argument

France, as a candidate for re-election to the World Heritage Committee in 1999, withdrew its candidature in order to encourage a better representation within the Committee. It was not candidate in 2001, nor in 2003.

Since three years, it also decided not to submit a nomination dossier.

At the same time, it established a bilateral co-operation tool within the framework of UNESCO – signed in 1997 and operational since 1999 – which has implemented 72 projects, the majority of which have direct links with the World Heritage Convention – for an overall budget of 1,500,000 Euros between 1999 and 2003. These projects concern fields as diverse as preparatory assistance, management, conservation and presentation of cultural and natural heritage and capacity-building activities (training of heritage managers, strengthening of judicial and legislative frameworks).

In the light of the above, a return to the implementation of the Convention based on its fundamental missions appears urgent to us. Priority should be given to the following: co-operation, international assistance, education, training and awareness-raising of heritage values; integral study of properties inscribed on the List to identify the over-represented categories and those which are underrepresented; comparative study of the tentative lists in order to rationalise the proposals for inscription (these two studies have, moreover, been requested by the Committee to the Advisory Bodies and the World Heritage Centre in Cairns in 2000).

In our view, it is imperative to pursue the effort of voluntary auto-limitation of inscriptions for the countries already well-represented on the List.

Finally, it would be appropriate to undertake an in-depth study of the state of conservation of all the properties inscribed on the List, to identify those which no longer respond to the criteria of outstanding universal value. The properties thus identified would be the subject, in co-operation with the State Party concerned, of a special mobilisation of the international community for their rehabilitation. It cannot be excluded either that in some exceptional cases, they can be removed from the World Heritage List, once the values for which they were inscribed have degraded to the point of no return. This hypothesis is in fact foreseen in the Guidelines (Chapter I. A. para. 6 (vi) and Chapter I. E. of the Guidelines of July 2002).

HUNGARY

The aim of the document known as the Cairns Decision is to establish a balanced representivity of the World Heritage List, and, firstly, to fill the different gaps in the List, as they presently exist under various aspects.

Since the Cairns meeting, the World Heritage Committee has already considered this matter several times, and the 28th session of the Committee will soon debate the issue again.

It would seem that since the Decision was adopted, the original motives and objectives have become altered little by little, put to the side, and that various new notions have been continually introduced.

Firstly, certain fundamental issues should be clarified, and the spirit and the letter of the Convention should be strictly adhered to.

- The Convention is not specific as to the total number of sites or the total number of elements that can be inscribed on the World Heritage List.
- Neither does the Convention contain a clause that obliges UNESCO's respective regions or the cultural and natural heritage to represent an equal number of sites. This request has been made at the different sessions of the World Heritage Committee, and it appears first and foremost in the Guidelines to express the need to establish "a reasonable balance".
- If a new approach or desire should prevail to consider the representivity according to each country or groups of countries, instead of considering them as actual cultural regions, this would better serve national interests rather than our world heritage and could result in a false "imbalance".
- The effort aiming to "fill the gaps" of the World Heritage List is not exactly, but it can be, in relation to the trend to approximate or balance the number of properties inscribed belonging to the different regions, but in any event it is the presentation and the representation of all the "types" of heritage that must remain the primordial objective.
- The Cairns initiative defining the limitation of the number of yearly nominations can at the most be indirectly related to the "balancing" of the World Heritage List. The general limitation contains a limitation of the work of the World Heritage Committee and its Advisory Bodies so that their tasks remain reasonable and manageable.
- On the one hand, the idea of "one nomination per country per year" could slightly impede the numerical strength of certain countries rich in capacity and sites, and on the other, the restriction is not a big advantage to those countries that are under-represented or not represented at all (as shown by the yearly nomination statistics) – and this, in spite of the "positive discrimination" decided upon in Cairns. This restriction could even be considered as contrary to the very spirit of the Convention. The aim of having a kind of numerical equality is without doubt well intended, although it is not very feasible from a professional point of view since it is not based on heritage values.
- It must be noted that the Cairns Decision is **for a transition period**, thus temporary. (The length of this period and whether or not it will be necessary to modify the Decision thereafter remains undecided.)

The Cairns Decision contains an important element, notably the need and the necessity for the preparation of a study and a thorough analysis of the “under-represented or not-represented” categories, which would be very useful for the work of the States Parties and the World Heritage Committee. These studies (elaborated respectively for the natural and cultural heritage) will be available in 2004. However, without questioning their importance, it would be an illusion to believe that they provide an immediate and automatic solution to the problem of “balance”.

It is therefore necessary to thoroughly consider what the World Heritage Committee has been able to achieve (and perhaps what it has not been able to achieve...) with the Cairns decisions, in order to define the framework to attain all the strategic objectives, or at least to make progress in that direction.

For a global approach:

1. What is a balanced representivity?
 - a. Is it an effort aiming to obtain a numerical equality? Of course not; this would be a superficial, unscientific approach, contrary to the clauses of the Convention. Since Cairns, although there has not been considerable improvement, the current situation could be worse without these decisions...
 - b. Is it an effort aiming to obtain a proportional presentation? Certainly this is the road to follow, bearing in mind that it is scarcely measurable, or only with great difficulty. For example: if there is a total of 10 properties of the same type of which 8 are already inscribed on the World Heritage List, this gives an 80% representivity. If, out of 3000 properties, there are 300 inscribed on the World Heritage List, this is a 10% representivity. Of course, it is strictly forbidden to proceed in a mechanical manner; however this approach is more attractive than that which has the objective of the same number of World Heritage sites for each region. For this, it would be essential to be familiar with all the properties in their entirety, but let's be honest with ourselves, we are far from that...
 - c. What are the elements for which a balance is sought?
 - i. The balance between the natural and cultural heritage: impossible to quantify *merely* in terms of “number” – perhaps a comparison of the total area of the sites inscribed on the List and protected would be a better indication of the representivity;
 - ii. The balance between the regions: we cannot be indifferent to the manner in which these regions adapt to the realities of the cultural heritage...
 - iii. As in most cases, the national borders and those of the cultural regions are not the same; thus there cannot be a balance on a country basis. Inversely, a country the size of a continent can include several cultural regions which must obligatorily be taken into consideration for the representivity!
2. Does there exist, or can one impose a maximum limit to the number of properties inscribed on the List?
 - a. The Convention foresees no restriction in this regard.
 - b. In all probability, there exists an asymptotic limit, theoretically very accessible, but due to the constant refinement of the identification and evaluation of the cultural and natural heritage, this limit can never be attained. From the analysis and the extrapolation of the Tentative Lists, the prognostics foresee about 1800 – 2000 elements.
3. How much time is required to achieve this balance?
 - a. One of the reasons for this lack of balance, (not the only one, certainly, however an important one) is the fact that each region, and consequently their different States

Parties, do not adhere to the Convention at the same time. The same applies to the gaps noted in categories of heritage recently identified: the fact that the inscription of these properties began much later than the others also explains the unsatisfactory level of their representivity. If we add to this the different observations with regard to the unsatisfactory professional level and means (financial and other), it can be noted that the sum total of both the positive and the negative effects of these three factors already explains the important differences at the regional level, even if we do not consider them in absolute figures, but proportionally in regard to the values and their expression.

- b. In the short term, one cannot count on a spectacular result; in the medium term, there is the possibility of developing a better trend, and it is only in the long term, when the List will be (almost) complete that one could envisage a “final” representation, universal and balanced.

To deal with the practical tasks:

1. Consideration of the annual workload

- a. This always imposes a limit to the yearly number of nominations that can be examined: the some 40 nominations per year (which could be as high as 60 due to exceptions and the resubmission of completed dossiers) seem to be a manageable number.
- b. The question of additional resources as concerns preparatory work to be undertaken by the Advisory Bodies could be raised, in which case it is especially a matter of financial means, in order to enable for several years to come (e.g. until 2012):
 - i. The organisation of two sessions of the Committee per year of which one would always convene in Paris to examine only the nominations that had met all the criteria but which, due to lack of time had not been examined at the Committee’s “ordinary session” or which had exceeded the limited number (of 40) but of which the positive characteristics are uncontested (see below the proposal concerning positive discrimination). As to the preparation of the sessions, a major role would be attributed to the Bureau (but not for the anticipated decisions!).
 - ii. Or the organisation of a biannual extraordinary session linked to the General Assembly and with the above objective.

In these cases, the work load of the Committee would be better distributed, but it is also true that the organisation of the work of the specialised organisations as well as the cost of their work financed from the budget of the World Heritage Centre would not be the same; it would be more costly.

2. Consideration of regional differences

- a. Firstly: from the cultural heritage point of view, the regions of UNESCO can and must be approached and managed once they are categorized into sub-regions, according to rational aspects.
- b. In each sub-region, the identification of the cultural properties, the application of a **positive discrimination** could eventually be justified; to this end the World Heritage Committee could define the **yearly inscription quotas for its next session. For a definite period and provisionally!**

3. Priority during the classification of the nominations to be examined – establishment of a classification system:

- a. The main objective is to immediately and completely eliminate the restriction of a one-nomination-per-country-per year system, WHICH DOES NOT MEAN THAT ALL THE NOMINATIONS WILL BE EXAMINED THE SAME YEAR!

- b. The elaboration of a points system, which of course IS NOTHING OTHER THAN A MEANS TO ESTABLISH THE ORDER OF EXAMINATION OF THE NOMINATION DOSSIERS AND HAS NOTHING TO DO WITH THE DECISION CONCERNING THE NOMINATIONS!
- c. The attribution of a points system could manage multilaterally the nominations by classifying them in a multifunctional system.

Ways and means:

1. Tentative Lists
The principal tool for achieving an eventual balance of the World Heritage List is the Tentative List, capable of strengthening, maintaining and justifying the work schedule, definition of quotas, etc: the “perfect”, complete, updated Tentative List of each State Party!
2. Action plan
To eradicate the cause of the imbalances which have been partially dealt with above, it is necessary to initiate specific and well-focused actions. One of these could be, if even temporarily, the reconvening of the extraordinary sessions of the Committee. Of course, this would have budgetary and extra workload implications should these Bureau meetings be reconvened, temporarily or not!
3. The establishment of an order to be followed with regard to the evaluation of the nomination dossiers (see above).
4. Cooperation and complementarity in regard to the Convention concerning Intangible Heritage.
Last, but certainly not least: cultural heritage is whole and indivisible and for practical reasons is considered in an articulated manner! It is our firm conviction that the true representivity, as such and effectively balanced, in all its splendour and diversity will be expressed by the whole of the tangible and intangible heritage. To attain this, we should work henceforth to set up ways and means of cooperation in order to be prepared when the Convention on Intangible Heritage enters into force.

ISRAEL

Comments and Proposals concerning the Decision taken by the 24th session of the World Heritage Committee (Cairns, Australia, 2000) to limit the number of new nominations to be examined each year by the Committee and the number of nominations to be submitted by each State Party (the "Cairns Decision")

The basic aim of the World Heritage Convention is for the protection of world cultural and natural heritage. The convention does not stipulate any restrictions on the number of sites to be inscribed on the WH List, therefore any use of *numerus clausus* is in contradiction of the stated aims and will restrict the capacity of States Parties to identify, protect, conserve, present and transmit to future generations, sites of universal significance as indicated in Article 4. Bureaucratic ceilings are problematic - they do not relate to the magnitude and potential of each country and their indigenous problems and potential.

The Israel World Heritage Committee (IWHC) recommends that the Cairns decision be revoked but with a series of decisions that will encourage an improved format and greater representativity while addressing the technical and logistic issues of the nomination, evaluation, reporting and monitoring of the List. The IWHC adopts the Italian proposal to have the open-ended working group discussion prior to the 2004 World Heritage Committee meeting in China. The presentation of such a summary will ensure that the issue is prepared in a proper manner with the necessary alternatives and reasoning. This could be presented as a working paper document to the Committee.

The IWHC comments are divided in two parts - professional and technical.

Professional

Structure of the List

There is a greater need to put World Heritage on National Lists and not National Heritage on World Lists. This means a that more effort must be made to analyse the Global Strategy in conjunction with the Tentative Lists of the States Parties. The World Heritage List needs to be grouped under the sub-categories of culture and nature to effectively reflect the universal significance of the epochs of history. This can be achieved by presenting the List also by the subject sub-categories in addition by States Parties.

Representativity

A professional evaluation of the Tentative Lists and the recognition of the sub-categories of culture and nature can bring about representativity. There are two aspects to the balance of representativity that need to be considered - geographic balance and category balance.

Geographic balance

This is a bottom-up problem and needs to be addressed with a greater application in the preparation and updating of the Tentative Lists. Interdisciplinary professional help is needed for those States Parties that do not have the resources for the harmonization of sites in a geo-cultural region. The assistance might include specialists in the fields of environment, history, archaeology and architecture.

Category balance

This is a top-down problem and is currently being addressed by the Advisory Bodies, albeit in a slow and sure process. The Global Strategy should be extended to ensure a

reevaluation of the content of the Lists. Ideas and thoughts like the Great Rift Valley and the Inca Route need to be encouraged.

With the ratification of the Convention on Intangible Heritage, further thought must be given to its connection with criterion (vi) of the WH Convention and category (iii) of cultural landscapes in the Operational Guidelines. This will have wider implications than at first appears.

Technical

The technical aspects need to be addressed under the process headings of nomination, evaluation, reporting and monitoring. In addition there needs to be an assessment of the costs involved, the logistics and decision-making processes.

Nomination

Assistance in the form of cooperation between States Parties should be developed to complete and update local Tentative Lists. Twinning between States Parties should be encouraged. The Tentative Lists should be pro-evaluated by the Advisory Bodies to ensure that the stage of dossier preparation will be relevant and meaningful.

As in the Global Strategy, priority should be given to trans-national sites and serial nominations.

Evaluation

The evaluation by the Advisory Bodies is a function of resources and manpower, while the proposed nomination and evaluation calendar gives an acceptable time-scale for dialogue between the Advisory Bodies, the WH Centre and the State Party. The method of discussion of the nominations by WH Committee needs to be changed and a possible delegated Bureau sub-committee working structure could be proposed as recommended by the Italian delegation.

Reporting and monitoring

A reasonable solution has also been reached for reporting and monitoring. At the last Committee meeting in Paris 2003, only reports that were specifically requested for discussion were to be brought to the plenary, while other reports would be noted. Once again, the use of a sub-committee working structure could also be considered.

Costs

The more sites, the greater expense; so it might be equitable to base the contributions to the WH Convention on the number of sites inscribed. The IWHC has previously proposed that a voluntary contribution should be raised based on the number of sites inscribed on the World Heritage List, and as a factor of the economic reality of the State Party. The mean number of sites for all countries will represent the value of the compulsory contribution. Thus, if the mean value is set at 10 - a possible formula could be as follows:

- a State Party with 0-4 sites will pay no voluntary contribution,
- a State Party with 5-9 sites will pay a voluntary contribution equal to half the compulsory contribution,
- a State Party with 10-14 sites will pay a voluntary contribution equal to the compulsory contribution,
- a State Party with 15-19 sites will pay a voluntary contribution equal to 150% of the compulsory contribution,
- a State Party over 20 sites will pay a voluntary contribution equal to twice the compulsory contribution.

Decision-making processes

As mentioned in the previous paragraphs, greater use should be made of Bureau subcommittee working groups, together with comments and questions solicited by to the Committee meetings. The Bureau should be re-activated in a role that is consistent with good practice.

Proposals

Cairns decision be revoked from 2005; priority should be given to trans-national sites and serial nominations.

An open-ended working group discussion should take place prior to the 2004 World Heritage Committee meeting in China. The issues to be discussed could include:

- decision-making processes- possibly re-activating the Bureau in a role that is consistent with good practice;
- investigating the possibility that only reports that were specifically requested for discussion were to be brought to the plenary, while other reports would be noted;
- voluntary contributions should be raised based on the number of sites; format and structure of representativity as proposed by the Advisory Bodies;
- cooperation for the preparation of Tentative Lists and nominations.

These recommendations would be brought to the open-ended working group to be established at the beginning of the 28th session of the Committee in Suzhou, China (2004), and would review the comments of States Parties, documents (including the results of the Advisory Bodies' analyses of the World Heritage List and Tentative Lists, and the Report of the 1999/2000 working group on the Representativity of the World Heritage List) and statistics relative to the operation of the Cairns Decision, and to make recommendations to the Committee.

For this purpose, the World Heritage Centre will distribute the necessary documentation as early as possible prior to the 28th session to be held in June-July 2004.

ITALY

Comments on the Cairns decision submitted by the Government of Italy

1. Introduction

At its 24th session (Cairns, 2000), the World Heritage Committee (WHC), "in order to promote the effective management of the increasing size of the World Heritage List", decided (so-called Cairns decision) that at each ordinary session it would set the maximum number of nominations to be considered. "In the first instance and on an interim basis", the WHC proposed to limit the number of nominations examined in 2003 to a maximum of 30 new sites. It also decided that "no States Parties should submit more than one nomination, except those States Parties that have no sites inscribed on the World Heritage List who will have the opportunity to propose two or three nominations".

At its 27th session (Paris, 2003), the WHC decided "to retain the limit of one new and complete nomination per State Party with properties already on the World Heritage List as the best means of managing the workload of the Committee, the Advisory Bodies, and the World Heritage Centre, and of improving the geographic distribution of properties on the World Heritage List". It set at 40 the annual limit on the number of new nominations it will review. States Parties that had no properties inscribed on the List were given the opportunity to nominate two or three properties.

However, the WHC also requested States Parties to send comments and proposals on the Cairns decision by 31 December 2003. It also established, at the beginning of the next session (Suzhou, 2004) an open-ended working group to review the comments of States Parties, documents and statistics relative to the operation of the Cairns decision, and to make recommendations to the WHC.

The comments presented by Italy hereunder are based on the views already expressed by the Italian representative during the 27th session of the WHC. The position put forward by Italy is that the artificial limits on nominations resulting from the Cairns decision need to be repealed, as contrary to the 1972 Convention for the Protection of the World Cultural and Natural Heritage (hereinafter: the Convention). Many reasons lead to a full reconsideration of the decisions taken on a provisional basis in Cairns three years ago.

2. Quantitative Limits on Nominations are Contrary to the Letter and Purpose of the Convention

There is no indication in the Convention of quantitative restrictions on the number of nominations. In fact, this kind of artificial limits are contrary to both the purpose and the letter of a Convention which must be interpreted according to the general rule set forth in Art. 31, para. 1, of the Vienna Convention on the Law of Treaties, that is "in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose". By itself, the WHC cannot provide any authoritative interpretation of the Convention. Nor can the Cairns decision, which has a provisional nature and is put in question by a certain number of Parties, be considered as a subsequent practice in the application of the Convention.

The preamble of the Convention provides a clear guidance to determine the purpose of the Convention. It mentions (third paragraph) the danger of deterioration or disappearance of a heritage belonging to "all the nations of the world" (not to a single nation). It also recalls (sixth paragraph) the importance "for all peoples of the world" (not for a single people) of safeguarding this unique and irreplaceable property, "to whatever people it may belong". It confirms (seventh paragraph) that the cultural or natural heritage of outstanding interest needs to be preserved "as part of the world heritage of mankind as a whole" (not of a Single country). It refers (ninth

paragraph) to the establishment of "an effective system of collective protection of the cultural and natural of outstanding universal value".

The idea behind these expressions is self-evident. Far from being restricted to serving any national interests, the purpose of the Convention is to safeguard the cultural and natural heritage as a value belonging to the international community ("mankind") as a whole, in whatever State it is located.

The letter of the Convention sets forth (Art. 4) the "duty" of each State Party of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage which is of outstanding universal value, as defined in Arts. 1 and 2. In identifying the properties of outstanding universal value situated on its territory (Art. 3), the States Parties to the Convention recognize that such heritage constitutes a world heritage and that it is the duty of the international community as a whole to co-operate for its protection (Art. 6, para. 1). Any State Party is bound to submit to the WHC all its cultural and natural properties which qualify for being inscribed on the List in the interest of humanity as a whole. But how could a State accomplish this duty if the number of nominations it may submit to the WHC is limited to one per year?

In principle, any cultural or natural property which presents an outstanding universal value, as set forth in Arts. 1 and 2, qualifies for inclusion in the List without being subject to artificial quantitative limitations. No State Party can be penalized for the mere reason that it has accomplished its duty to identify the relevant properties and submit the consequent nominations to the WHC. The WHC is entrusted with the task of defining the criteria on the basis of which a property is considered to have an outstanding universal value (Art. 11, para. 2) and may be included in the List (Art. 11, para. 5). But such criteria, which in fact have been defined in the Operational Guidelines for the Implementation of the Convention, relate to the substantive characteristics of the properties (integrity, authenticity, etc.) and cannot include any quantitative limits on nominations.

The application of quantitative limits ultimately results in the creation of an artificial balance among States Parties that does not correspond to the reality. It is a matter of fact that the distribution of cultural and natural properties of outstanding universal value is shaped according to features, such as the size and the population of a given country, the action of natural elements or the course of history that, due to their very nature, may not be, and are not in fact, geographically and politically balanced. The sites to be inscribed on the List need to be selected according to their intrinsic cultural or natural relevance, irrespective of the State they politically belong to.

The Convention is not an agreement on fisheries, where a commission is entrusted with the yearly allocation of quotas of limited resources to States Parties according to a set of quantitative criteria. Nor is the List something similar to an intergovernmental body where participation by member States is subject to the balancing of political or economic factors. The determination of discriminatory and quantitative limits on nominations would have the unacceptable consequences of impairing the scope of the Convention and departing from its very spirit. It will eventually lead to the weakening and loss of credibility of the system established under the Convention, an instrument which has so far proved to be a way of peace and dialogue between cultures.

3. A More Sophisticated Approach to Address the Issue of Unbalance

The question of a more balanced representation on the List has been addressed since 1983, when the WHC invited ICOMOS to elaborate a typology of sites on the basis of properties inscribed in the List. At the beginning of the nineteen-nineties the WHC inaugurated the new approach based on "thematic studies" which transcended the concept of national territory to focus on world cultural and natural heritage placed in a trans-regional geographic context.

Following the establishment of the WH Centre and the meeting of the WHC at Cartagena de Indias, in 1993 a new in-depth reflection on the causes of the imbalance in the list began to take hold. The notion of "global strategy" was developed especially to discover those aspects of material cultural and natural heritage which are closely connected to living culture. This has had the effect of bringing greater attention to a new and under represented typology of sites, such as cultural landscapes, archaeological landscapes, sacred sites, spiritual itineraries, and proto-industrial heritage. Such a process has enlarged the breadth and scope of the concept of outstanding universal value by linking the idea of universality, not so much to the presumed universal value of the object itself, but rather to the outstanding incarnation in that site of a universal theme reflecting the eternal aspirations and vicissitudes of the human condition, with life and death, progress and prosperity, war and peace, beauty and horror of violence. In this perspective, the requirements of universality and of representativity cannot be linked to the quantitative datum of the number of sites inscribed on the List. But they must rather be connected to the cultural diversity expressed in a particular territory by the variety of the human condition found therein, and by the variety of its natural environment.

The WHC has shown to be capable to address the issue of unbalance by adopting this gradual and sophisticated approach. It would be a step back if we tried to replace this approach by a mechanic system of quantitative limits. Therefore, more nuanced remedies must be sought consistent with the methodology adopted since the early nineteen-nineties.

4. Quantitative Limits Do Not Lead to Promotion of Less Represented States

While a number of States are less-represented in the List, there is no State which is over-represented. The idea of "over-representation" is completely misleading, as any property included in the List has already been scrutinized under the appropriate procedures and meets the conditions provided for by the Convention.

There is no logical link whatsoever between the artificial constraints imposed by the Cairns decision on the States which already have several properties included in the List and the improvement of the situation of States which are less represented. In fact, the Cairns decision has not proved to be effective in reaching its aim, as there has not been any appreciable increase in the number of nominations submitted by un-represented or less-represented States.

Of course, all Parties should look forward to a more balanced representation in the List, as the most appropriate way to fulfill the objective of the Convention. But it is self-evident that to penalize States which have properties of outstanding universal value is not the proper way to reach this objective. The real question is how to find the best means to meet the needs of States which are less-represented. This could be done by paying more attention to some less frequent categories (such as modern architecture or prehistoric sites) or by assisting developing States to prepare the nominations for the properties of outstanding universal value which do exist in their territories.

5. New Means of Cooperation and Assistance Should Be Established

Italy is aware that one of the factors influencing the current attempt at introducing artificial limits to nominations is the increasing difficulty of the IWC, the Advisory Bodies and the Centre to manage the heavy workload entailed by the rising number of nominations. This situation calls for remedies that can be found both within the institutional structure of the Convention and, outside of it, in new creative forms of support by member States.

As to the first type of remedies, one can envisage the possibility of introducing extraordinary sessions of the WHC, the setting up of working groups or sub-committees within the WHC so as to streamline the evaluation process, the granting of additional resources to the Convention Bodies. For example, the budget of the Centre seems today inadequate to face a much wider membership and to cover a much higher demand for inscriptions. In that regard Italy has

promoted, in all relevant bodies (Executive Board, Culture Commission, General Conference, General Assembly of State Parties to the 1972 Convention), actions for increasing the resources foreseen for the WHC in UNESCO regular budget so as to meet more satisfactorily the request for support by State parties related to the identification, protection, preservation and presentation of cultural and natural properties of outstanding universal value. As a result, the pertinent line of action in UNESCO Programme and Budget for 2004 and 2005 has been doubled. Further, a reasonable harmonization of the respective work methods by ICOMOS and IUCN would reduce the present imbalance between the percentage of positive recommendations for cultural sites as compared to the much lower percentage of positive recommendations for natural sites. In any case, the present administrative constraints cannot become a reason to set aside the purpose of the Convention.

As for external remedies, Italy is persuaded that the most effective contribution to the solution of the problem of under-representation in the List may come from appropriate training, assistance and capacity-building, so as to enable under-represented countries to acquire the skill and competence necessary to develop laws, regulatory instruments, management plans, as well as human resources that are critical in presenting a successful nomination and in fulfilling the conditions of heritage conservation laid down in the Convention. In view of this, Italy is prepared to consider, in co-operation with the WHC, the Centre and the Advisory Bodies, the development of a specific project aimed at the training of world heritage experts of the less-represented countries in the legal and administrative aspects of world heritage management and conservation. This should include also appropriate assistance in the preparation of the documentation needed for nominations of suitable sites. In this respect, Italy has promoted the adoption of a Resolution at the last General Assembly recommending that additional financial resources be allocated to the World Heritage Centre for programmes to strengthen capacities in the State parties and regions under-represented on the World Heritage List and that part of UNESCO carry-over funds of the 2002-2003 budget be also considered for this purpose. Other forms of co-operation and assistance could be envisaged, such as the involvement of the private sector and foundations, the organization of itinerant world heritage exhibitions with fund raising purposes.

In this way, rather than placing a negative and artificial limit on the number of nominations that a State Party may make consistent with the Convention, we could address the obstacles that hinder the identification and presentation of potential world heritage sites in countries that have remained under-represented in the List. Italy has always played an active role in the field of co-operation in cultural matters. As far as World Heritage is concerned, Italy has provided funds for several UNESCO projects aimed at safeguarding cultural heritage and at building capacities in countries that are willing to submit nominations for inscription in the List (i.e. 4 projects for "capacity-building and institutional development" in Southern and Eastern Africa as well as in the Pacific region and in the Caribbean). Furthermore, in keeping with the Joint Declaration for the Protection of World Cultural and Natural Heritage signed in March 2001, the Italian Government has granted the WHC with voluntary contributions (up to a total amount of approx. 2,500,000 US\$) so as to allow the Centre to carry out activities in response to needs expressed by State parties from developing areas of the world. Italy is ready to renew its efforts. It does hope, in pursuing the common interest of the best preservation of the world cultural and natural heritage of mankind as a whole, that the artificial limits set forth under the Cairns Decision are removed as soon as possible.

ITALY

27th Session of the World Heritage Committee Statement by the Representative of Italy on Point 14.B of the Agenda "Evaluation of the Cairns Decision"

Madam Chairperson,

Italy attaches a great importance to the point here under discussion which can greatly influence the future cooperation among the Parties to the World Heritage Convention. As already stated, Italy can only partially agree with draft decision 27 COM 14. In particular, Italy agrees on the decision to eliminate the annual limit of 30 new sites. But Italy also strongly suggests to eliminate the limit of one nomination per State Party with properties already included on the World Heritage List. Many reasons lead to a full revision of the decisions taken on a provisional basis in Cairns three years ago.

A. Artificial Limits to Nominations are Contrary to the Letter and Purpose of the World Heritage Convention

There is no indication in the World Heritage Convention of quantitative limits to the number of nominations. In principle, any cultural or natural property which presents an outstanding universal value, as set forth in Arts. 1 and 2, qualifies for inclusion in the World Heritage List without being subject to artificial time limitations. The Convention aims at the preservation of a heritage which belongs to "mankind as a whole", as stated in the preamble. Under Art. 3, States Parties are bound to identify properties deserving inclusion in the List.

It may be said that any artificial limits on the number of nominations would be contrary to both the letter and the universal purpose of the World Heritage Convention. The Convention is not an agreement on fisheries, where a Commission is entrusted with the yearly allocation of quotas of limited resources to States Parties under predetermined quantitative criteria. Nor is the List something similar to an intergovernmental body where participation by member States is subject to political or economic factors. In the long run, artificial limits to nominations could lead to endless discussions and even undermine the credibility of the World Heritage Convention, an instrument which has so far proved to be a way of peace and dialogue between cultures.

B. Artificial Limits Do not Lead to Promotion of Less-Represented States

While a number of States are less-represented in the List, there is no State which is over-represented. The idea of "overrepresentation" is completely misleading, as any property included in the List has already been scrutinized under the appropriate procedures and meets the conditions provided for by the Convention.

There is no logical link whatsoever between the time constraints imposed on certain Parties, for example the States which have several properties to be included in the List, and the improvement of the position of States which are less-represented. In fact, the Cairns decision has not proved to be effective in reaching its aim, as there has not been any appreciable improvement in the inclusion in the List of nominations submitted by un-represented States.

Of course, all Parties should look forward to a more balanced representation in the List, as the most appropriate way to fulfill the objective of the Convention. But it is self evident that to impose artificial limits on States which have properties of outstanding universal value is not the proper way to reach this objective. The real question is how to find the best means to meet the situation and the needs of States which are less-represented. This could be done by paying more attention to some less frequent categories (such as modern architecture or prehistoric sites) or by assisting

developing States to prepare the nominations for the properties of outstanding universal value which do exist in their territories.

C. New Means of Cooperation and Assistance Should be Established

Italy has always played an active role in the field of cooperation on cultural matters and is ready to remove its efforts. Rather than through artificial limits, the question of less-represented States should be addressed through the strengthening of forms of international cooperation and the establishing of new ones. To meet the requests for support by States Parties to the Convention, Italy welcomes the decision adopted in April 2003 by the UNESCO Executive Board to consider the increase of the resources related to the identification, protection, preservation, periodic reporting and presentation of cultural and natural properties of outstanding universal value, and related to the submission of pertinent proposals to the Executive Board.

Other forms of cooperation and assistance could be envisaged. They could be based on capacity-building and training programmes, to be implemented also on a regional basis through regional heritage centres, the involvement of the private sector and foundations, the organization of itinerant world heritage exhibitions with fund raising purposes. Attention could also be given to twinning nominations. For example, a Party which presents in a given year more than one nomination for itself should also sponsor twin nominations in cooperation with other Parties which are assisted in the preparation of their relevant nominations. This could promote cooperation without imposing undue artificial limits on the presentation of nominations.

D. Working Methods of the World Heritage Bodies Could be Redefined

If the only reason to introduce artificial limits to nominations is due to the need to manage the heavy workload of the Committee, the Advisory Bodies and the Centre, some appropriate remedies to the problem could be discussed and introduced. For example, extraordinary sessions could be held in case of key issues (such as how to make capacity-building more effective), sub-committees could be established, additional resources to the Convention Bodies could be granted. The present administrative constraints cannot become a reason to set aside the main purpose of the Convention (indeed, this could be the consequence of the continued implementation of the Cairns decision).

Madam Chairperson,

In conclusion, Italy proposes to fully modify para. 1 of the draft decision 27 COM 14, by stating that the World Heritage Committee "decides to eliminate the limit of one new and complete nomination per State Party with properties already on the World Heritage List". Para. 2 should consequently be deleted. The following new paragraph should be added: "Adequate financial resources should be allocated from UNESCO's regular budget to the implementation of the 1972 World Heritage Convention, in particular for the strengthening of the capacities of un-represented and less-represented States". Paras. 3, 4 and 5 should remain unchanged.

If it were impossible for time reasons to take a substantive decision on point 14.B of the Agenda in this session of the World Heritage Committee, Italy would be ready to accept the establishment of an intersessional working group entrusted with the mandate to propose alternatives to the Cairns decision, in particular alternatives based on forms of international assistance addressed to un-represented or less-represented States. However, due to the urgent need to modify the Cairns decision, it is the understanding of Italy that the World Heritage Committee will be able to take a substantive decision on this matter by its next 2004 session. It is also important that the intersessional working group be open to the participation of States which are not members of the World Heritage Committee.

JAPAN

Comments from Japan on Decision 14 "Evaluation of the Cairns Decision" (WHC-03/27.COM)

With regard to Decision 14 adopted during the twenty-seventh session of the World Heritage Committee, Japan wishes to submit the following comments.

In Decision 14, the Committee chose "to retain the limit of one new and complete nomination per State Party with properties already on the World Heritage List" (14.1). The Committee also "set at 40 the annual limit on the number of new nominations it will review" (14.4).

We should, however, appreciate, and not shun, the increase in the number of applications for nomination to the list, if taking into consideration the objective of the World Heritage List as stipulated by the Convention: the Committee "shall establish, keep up to date and publish" the [World Heritage List](#) of the cultural and natural heritage, "which it considers as having outstanding universal value" (Article 11).

Japan does understand the capacity constraint present when scrutinizing a large number of applications. It therefore seems appropriate, at the moment, to place a ceiling on the number of nominations the Committee will handle, reflecting the capacity of the World Heritage Committee, ICOMOS, IUCN and World Heritage Center. Even so, we should reconsider whether or not this ceiling corresponds accurately to the capacity of these bodies, and readjust it if necessary.

JORDAN

Comments and Proposals concerning the Decision taken by the 24th session of the World Heritage Committee (Cairns, Australia, 2000) to limit the number of new nominations to be examined each year by the Committee and number of nominations to be submitted by each States Party (the "Cairns Decision")

In reference to the above-mentioned Decision, the Department of Antiquities of Jordan as representing the Government of the Hashemite Kingdom of Jordan (Jordan), the State Party to the World Heritage Committee, would like to propose the following comments:

1. We advise the Committee to defer, till year 2013, receiving new nominations submitted from State Parties with five or more inscribed sites so as to add more opportunity of priority for those States Parties with limited inscribed sites.
2. On the other hand, we propose to the Committee to defer the implementation of all components of that Decision for five more years so as to encourage States parties of few inscribed sites to nominate more sites.
3. We support the decision of maintaining the deadline for the receipt of complete nominations as 1 February and encouraging States Parties to submit draft nominations by 30 September to ensure that nominations have the maximum opportunity of being complete on 1 February.
4. We propose that the Committee and Advisory Bodies of evaluation to facilitate conditions of evaluation for the benefit of States Parties with few inscribed sites so as to achieve balance with other States with plenty inscribed sites.

MEXICO

I am addressing you in response to Note CL/WHC.10/03 from Mr Francesco Bandarin, Director of the World Heritage Centre, in which he asks the States Parties to send their comments on Decision 27 COM 14 by 31 December 2003. In this connection, please find herewith the respective comments point by point, together with some of the preliminary conclusions from the meeting held in Querétaro on "Representativity of the World Heritage List" from 12 to 16 December last, with representatives of authorities of the American continent and Spain, in addition to ICOMOS with the presence of its President, its Secretary-General and its Treasurer, Mr Petzet, Mr Bumbaru and Mr Solar, respectively.

COMMENTS ON DECISION 27 COM 14 (CAIRNS DECISION)

1. Mexico is in complete agreement with this point. Over-represented States will have to nominate just one property and those that have not participated will be able to nominate two or three properties for inclusion. This sounds restrictive and limiting but we believe that there is no other way of achieving a balanced representation of the world's regions. This action will give the Committee, the Advisory Bodies and the World Heritage Centre a chance to keep a closer "watch" on site management, and to programme the support sought for the properties concerned.
2. In the case of emergency nominations a limit or recovery period will have to be observed, and this will apply to any form of assistance granted them since there are some sites that have shown no improvement and are still on the List of World Heritage in Danger, such as Jerusalem (21 years) and the Democratic Republic of the Congo. The latter has all its sites on that list and entered them during the year in which they were declared World Heritage, without informing the Committee of any developments relating to them and of their state. On the other hand, we believe that extensions to properties already declared are beneficial since they ensure broader conservation of the property listed.
3. Account must be taken of the fact that the States Parties will not always have a balance between their cultural and natural heritage. There will accordingly have to be a move towards striking a regional balance, with States being invited, as has been done, to give resolute attention to their natural heritage. First of all, however, we would have to decide what we mean by balance and how far we want to go.
4. We believe that the number of nominations to be examined should be decided each year by the Committee, as happened last June, of course taking account of the Cairns Decision. We consider that transboundary sites, extensions and deferred or referred properties should continue free of limitation, while emergency nominations should be dealt with in accordance with the foregoing paragraph.
5. This decision is extremely positive since submitting its draft nomination by 30 September will give the State Party time to complement, amend or amplify the information and present a sound piece of work by 1 February. We think that this action can and should help those States Parties that have no site included to be more sure of presence in the World Heritage List.
6. No comment.
7. The open-ended working group **will have to be interdisciplinary**, with specialists in both branches of the cultural and natural heritage, and who represent a majority of the regions.

Querétaro Meeting

In order to examine the presence of the American countries in the Convention, a meeting was held in Querétaro on the "Representativity of the World Heritage List" and the Cultural and Natural Heritage of Ibero-America, Canada and the United States, from 12 to 16 December 2003.

1. One of the first conclusions was that there are many countries hardly present in the List, owing to ignorance of the machinery of the Convention and a lack of human, technical and financial resources. It is also true that in other cases there is a clear lack of interest on the part of some countries, and in most cases there is no elementary, basic inventory or register of the country's cultural and natural heritage.
2. A specific evaluation methodology will be needed for nominating transboundary sites, and for this purpose the *Operational Guidelines* will need to provide for this new heritage category.
3. Study cases like the Agave Landscape and Ancient Industrial Facilities in Tequila, Jalisco, were a conclusive example of the methodology applied for revealing the universal value of one of the little-represented categories that is formed by cultural landscape.
4. Periodical and methodological review of the Tentative Lists.
5. We are surprised to observe the lack of channels of communication in the American region with the authorities responsible for natural sites, since the meeting was affected by the absence both of the national authorities and of the IUCN. It is fairly significant that Latin America is under-represented on the natural side when it possesses such wealth in that respect. As in the case of ICOMOS, it would be appropriate for the IUCN to have representations in each State Party of the continent, which would result in improved balance between the cultural and natural aspects or, failing that, the regional representatives should be more attentive to the needs and gatherings of the States Parties of the region.

NEW ZEALAND

New Zealand States Party comments on the Cairns Decisions

The 27th Session of the World Heritage Committee invited states parties (27 COM 14.6) to send you comments on the Cairns Decision. New Zealand's comments follow.

New Zealand supports the intention of managing the workload of the Committee, its advisory bodies and the Secretariat by limiting nominations for World Heritage List inscriptions. We commend the Secretariat's work in assisting the Committee to achieve this outcome while still increasing the geographical distribution of properties on the World Heritage List.

To that end, we support the provisions described in paper WHC-03/27.COM/14, which are based on limiting a state party to one new nomination per year, unless it has no properties on the World Heritage List, and on a provisional total annual limit of 30 nominations per year.

We applaud the encouragement of transboundary and multi-country serial nominations. This meets both the intent of the Cairns decision and offers a cost-effective option for developing countries that might otherwise struggle to meet their states party obligations.

The issue of identifying under-represented types of site is important. We accordingly look forward to the analyses by IUCN and ICOMOS. We are, however, concerned to ensure that the gaps that may be identified are accorded some form of prioritisation. Without such guidance, we feel that there may be a risk of encouraging states parties that are already well-represented on the World Heritage List to identify properties that might otherwise be considered as parts of their national heritage but would not otherwise be considered as being of outstanding universal value.

We would be happy to provide any further elaboration on these matters.

NORWAY

World Heritage Convention - the Cairns Decision

The Cairns decision is the result of the proposals from a Working Group on the representativity of the World Heritage List, with the aim of increasing the geographic representation of properties on the list. For this purpose there is set a roof on the annual number of nominations to be examined by the Committee to 30 for the year 2003, and allowing only one nomination to be submitted by state parties that already have properties on the list.

We also have to face the other dimension of under-representation, namely that of categories. The advisory bodies are given the task to make an analysis of the World Heritage List and the submitted tentative list on a regional, chronological, geographical and thematic basis. It is suggested though, that such an analysis could not be used objectively to select nominations of under-represented categories, even if it could be helpful for state parties when considering new nominations on their part.

The third problem is to secure a sound management of the nomination procedure. In this we have to look at the capacities of the different players in the nomination process:

- the capacity of under-represented nations to put nominations forward
- the capacity of the World Heritage Centre to check that submitted nominations meet the requirements
- the capacity of the advisory bodies to evaluate nominations and make recommendations
- the capacity of the Committee to examine the nominations in their sessions.

The capacity of the World Heritage Centre and the advisory bodies is a matter of how many resources they get at their disposal. From the analysis given in document WHC03/27.COM/14 the present capacity seems to be more or less in balance with the number of nominations that the Committee expects to be able to handle.

There is consequently no need to set a fixed roof of the number of nominations that can be submitted each year, because the existing filters in the system should be convenient.

Nevertheless it can be useful in this context to remember the proposal put forward at Cairns to examine in priority firstly the nominations from States Parties with no sites inscribed, then the under-represented categories and finally other nominations.

If more resources would be available it is quite clear that the support and capacity for and in the under-represented nations should be given the first priority. This could both be done by direct support to the States Party and to the UNESCO agencies that have such support as their defined responsibilities.

It seems sensible to maintain the principle that state parties that already have properties inscribed on the list can only submit one proposal for a new nomination every year. And accordingly those nations with no properties on the list can nominate up to three a year. This will support a long term perspective on how the World Heritage List should function based on the following argument:

When organising the procedure for the processing of nominations for the World Heritage List, the core question must be: How can we secure that the properties inscribed on the list meet the general criterion of being of outstanding universal value? If the answer for every property to this is an undebatable yes, then we can escape all questions of regional balance, balance of categories, possible inflation in the number of inscriptions and so on. Over the years each of the properties that really defend a place on the list will eventually be inscribed.

This calls for a long-term perspective and a lot of patience. An important task for the World Heritage Committee must be not to yield to present political needs of the state parties to get properties inscribed, but to stick to the overall original ideology of the convention to inscribe what is of undisputable outstanding universal value.

This means mobilising courage. Bold questions should be put forward, like the question of whether de-listing is a possible avenue to create more representativity. In the periodic evaluation of the sites one should not only examine the management of the sites, but also answer the question: Can the inscription of this site be defended in the perspective of the site possessing an outstanding universal value? This has to be related to the list in its present state, not the list as it was in the moment of inscription. We must be brave enough to for instance ask: How many European cathedrals are of outstanding universal value?

This question is put forward in a clear understanding that de-listing is not a very realistic option. But unless we have the courage to discuss it, we fail to meet the responsibility as managers of the World Heritage Convention.

Conclusion:

Our position is to maintain the principle of limited access to nominations related to whether state parties already have sites inscribed, but not to set an overall limit to how many nominations the Committee can examine every year. At the same time we call for a strong focus on the basic ideology of the World Heritage Convention.

PERU

The Permanent Delegation of Peru to UNESCO cordially greets the World Heritage Centre and has the honour to submit herewith the communication whereby the National Institute of Culture (INC) of Peru signifies its agreement with the Cairns Decision, in accordance with paragraph 6 of Decision 14 "Evaluation of the Cairns Decision", adopted at the 27th session of the World Heritage Centre held in Paris in July 2003.

The INC's agreement with the Cairns Decision is based on the fact that "the provisions stated at the session in question permit the more conclusive participation of States Parties as yet having no properties on the List in question, without taking that faculty away from the other States with such properties it is likewise significant that, despite the existence of a limitation for the latter, this restriction does not apply to transboundary and emergency nominations. Finally, it is to be commended that the number of new nominations has been increased".

The Permanent Delegation of Peru takes the opportunity to renew to the World Heritage Centre the assurances of its highest consideration.

National Institute of Culture

I have pleasure in addressing you for the purpose of informing you that, following our evaluation of the Decision of the 27th session of the World Heritage Committee held in Paris last June, regarding the Cairns Decision, we hereby signify our agreement with the terms thereof.

It is important to observe that the provisions stated at the session in question permit the more conclusive participation of States Parties as yet having no properties on the List in question, without taking that faculty away from the other States with such property; it is likewise significant that, despite the existence of a limitation for the latter, this restriction does not apply to transboundary and emergency nominations. Finally, it is to be commended that the number of new nominations has been increased.

SLOVAKIA

Re: The Cairns Decisions - comments

The work of the World Heritage Committee needed to resolve the unsatisfactory situation caused in connection with the evaluation process of new nominations by standing increasing of their number. One of the possible approaches is the Decision from Cairns, which in contrary to the specialised orientation of the Convention and the creation of the World Heritage List on the basis of universal values applies the political and statistic principle only. Our proposal is to evaluate after certain time of functioning (for instance after five years) the results of the limitation. On their basis might be applied the corrections and changes to the evaluation process.

SWEDEN

Sweden State Party comments on the Cairns Decisions

The 27th Session of the World Heritage Committee invited states parties to send comments on the Cairns Decision (Decision 27 COM 14).

Sweden is content with the current decision and maintains the principle of limited access to nominations related to whether states parties already have sites inscribed. It seems sensible to maintain the principle that states parties that already have properties inscribed on the list can only submit one proposal for a new nomination every year.

Sweden also supports the means of improving the geographic distribution of properties inscribed on the World Heritage List.

SWITZERLAND

Decisions taken during the 24th session of the World Heritage Committee in Cairns in 2000 and during the 27th session in Paris in 2003 (27 COM 14)

The Federal Office for Culture, as well as the Federal Office for Environment, Forests and Landscapes, OFEFP, are the offices dealing with all questions concerning World Heritage in Switzerland. In consultation with OFEFP, we have taken the following position with regard to item 6 of the decisions made during the 27th session of the World Heritage Committee held in Paris in 2003 ("Cairns decisions"):

In our view, the World Heritage List can only attain its objectives through the enforcement of restrictive choices. We feel that the measures decided by the UNESCO World Heritage Committee in Cairns and Paris would facilitate the limitation of new inscriptions on the World Heritage List and encourage better representation between the different regions of the globe. A restrictive attitude is in the interests of World Heritage itself. Therefore, we welcome the "Cairns Decision".

We believe that it is necessary and imperative, as concerns future decisions, to respect the criteria of outstanding universality.

In order to promote international projects, we would like to propose an increased collaboration between the States. International exchanges are of crucial importance for the preservation of World Heritage.

UNITED KINGDOM

UK comments on the Cairns Decision

As requested, the UK has reviewed the Cairns Decision papers that were circulated to the World Heritage Committee in July (Paper WHC-03/27.com/14).

Before putting forward detailed proposals, the UK wishes to record that we consider that there has been insufficient time between the decision and its review to identify whether it has made an impact on representivity. This has been made even more difficult as the thematic studies of the Advisory Bodies are not yet available. In addition, we wish to draw attention to the context in which the Cairns decision was made and the work that led up to it. In order to take a holistic approach to the discussion in Suzhou, we think it would be helpful if the supporting papers at the Cairns Meeting were listed in any documentation prepared for next year's Committee so as to ensure that all delegates are reminded of the wider context in which the Cairns decision was taken.

Although, we are proposing possible changes to the current decision in the interests of co-operation, we wish to record that the UK is content with the current decision and consider that it should be reviewed in 2007. However we acknowledge that some States Parties are not content with the current arrangements and, in a spirit of co-operation we would propose the following alternatives:

- States Parties should be permitted to nominate two sites per year with one site in an 'under-represented' category. We have no clear definition of an "under-represented" site but it could be a natural site or a site identified as a result of the thematic studies. Such a definition would have to be clear and unambiguous.
- In addition States Parties should continue to be encouraged to co-operate in skills transfer and capacity development e.g. through the development of bilateral or multi-lateral agreements. States Parties should also be encouraged to have up-to-date Tentative Lists in order to ensure that appropriate comparative studies can be undertaken and possible trans-boundary nominations identified.
- Consideration should be given to whether an upper limit of nominations can be considered and how this should be prioritised.
- Transboundary nominations and extensions to existing nominations should continue to be exempt from any limit on nominations.
- The exemption for referred nominations should be phased out and any future referrals should be time limited. The advantage of this is that the workload of the Committee is clearer. In addition some referred nominations are effectively new nominations given the Committee's new requirements on management plans etc and the situation could have changed since they were previously considered by the Committee.

In addition we wish to propose that there should be only three categories of decision for nominations:

- Inscribed
- Not Inscribed
- Referred

The current position where the Committee can "defer" or "refer" a nomination has, we believe, led to confusion and inconsistency.

I hope that the UK's proposals will contribute to a constructive debate in Suzhou.