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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Thirty first Session

Christchurch, New Zealand 23 June – 2 July 2007

Item 16 of the Provisional Agenda: Working methods of the World Heritage Committee

Working methods of the World Heritage Committee

SUMMARY

Following Decisions **30 COM 14A.9** and **30 COM 13.3** (Vilnius, 2006) and Decision **29 COM 18B.3** (Durban, 2005), this document is structured around the themes of the Procedure for periodically updating the *Operational Guidelines*, the Division of responsibilities between the General Assembly and the World Heritage Committee, and the Perception of conflict of interest.

Draft Decision: 31 COM 16, see Point V

I. Background

- 1. This document is structured around three major themes raised by relevant decisions adopted by the World Heritage Committee. These are:
 - a) Procedure for periodically updating the *Operational Guidelines* (Decision **30 COM 14A** adopted by the World Heritage Committee at its 30th session) (Vilnius, 2006);
 - b) Division of responsibilities between the General Assembly and the World Heritage Committee (Decision 30 COM 13.3 adopted by the World Heritage Committee at its 30th session) (Vilnius, 2006);
 - c) Perception of conflict of interest (Decision **29 COM 18B3** adopted by the World Heritage Committee at its 29th session) (Durban, 2005).

II. Procedure for periodically updating the Operational Guidelines

- 2. Paragraph 2 of the Operational Guidelines for the Implementation of the World Heritage Convention (2005) allows for the "Operational Guidelines [to be] periodically revised to reflect the decisions of the World Heritage Committee".
- 3. The *Operational Guidelines* may therefore be considered as an open document, aiming to facilitate the implementation of the *Convention* over time and to reflect the evolution of its application by the World Heritage Committee.
- 4. For example, as part of this periodical review of the text of the Operational Guidelines, the Committee decided at its 30th session (Vilnius, 2006) to reform the system of International Assistance (Decision **30 COM 14A**). Document WHC-07/31.COM/18B presents the results of that review to the Committee for Decision, as a result of which the Operational Guidelines will need to be amended.
- 5. Rather than amassing a series of amendments to the *Operational Guidelines*, and in conformity with Decision **30 COM 14A.9** adopted at its 30th session (Vilnius, 2006), the Committee may wish to authorize the World Heritage Centre to check, in close consultation with the Advisory Bodies, the consistency of the relevant decisions of the Committee with the *Operational Guidelines*, before updating the electronic, web-based version, of the English and French texts of the *Operational Guidelines*. In case of inconsistency, the proposed revisions will be submitted for consideration by the World Heritage Committee at its following session.
- 6. The printed paper version of the English and French texts of the Operational Guidelines so revised would be edited accordingly once every four year, therefore starting in 2009 (four years after the entry in force of the 2005 version). The list of the relevant decisions of the Committee adopted after the entry in force of the current version of the Operational Guidelines and containing provisions modifying them (2 February 2005) is presented in Document WHC-07/31.COM/INF.16.

III. <u>Division of responsibilities between the General Assembly and the World Heritage</u> <u>Committee</u>

7. With Decision **30 COM 13.3** adopted at its 30th session (Vilnius, 2006), the World Heritage Committee recalled that division of responsibilities between the Committee and the General Assembly of States Parties should be based on the following principles:

- a) Strategic policy issues should be discussed and adopted by the General Assembly;
- b) Decisions by the General Assembly should direct and guide the work of the World Heritage Committee in its implementation of the *World Heritage Convention*;
- c) The World Heritage Committee should concentrate its agenda around the State of Conservation of listed properties, Periodic Reporting, and nominations to the World Heritage List.
- 8. In addition, and in order to ensure that the meetings of the General Assembly are both efficient and structured around a manageable agenda, the Committee decided to allow one additional full meeting day every two years, devoted to issues to be presented to the General Assembly the same year, starting with the current Committee session in 2007 (Decision **30 COM 13.6**).
- 9. With the aim of facilitating its tasks, and in order to reinforce the policy guidance role of the General Assembly, the Committee may consider sending for examination and adoption by the General Assembly long-term guidance items such as¹:
 - a) Strategic Objectives for the implementation of the World Heritage Convention and;
 - b) Strategic policy issues such as the Global Strategy for a Representative, Balanced and Credible World Heritage List;
 - c) Orientations in relation to World Heritage Programmes and World Heritage Fund;
 - d) Reflection on major themes on cultural and natural heritage;
 - e) Special reports on and follow-up to World Heritage related Declarations, *Memoranda* and major international Conferences;
 - f) Implementation of previous General Assembly resolutions.

IV. Perception of conflict of interest

- 10. The perception of conflict of interest in the work of the World Heritage Committee was raised at the 28th session of the World Heritage Committee (Suzhou, 2004), under the specific perspective of the feasibility, from a legal point of view, of a rule restricting Committee Members from proposing nominations during their term of office. The Legal Adviser was asked by the World Heritage Committee to look into the legal implications of such a proposal (Decision 28 COM 14B.57, paragraph 7). The Legal Adviser's document relating to this issue was distributed for discussion at the following 7th extraordinary session of the World Heritage Committee (UNESCO, 2004) and is included herewith in Annex I.
- 11. On that occasion, the issue was discussed in the framework of a working group on the Working methods of the World Heritage Committee. The Committee then decided that the Working group "established at its 7th extraordinary session shall complete its mandate at its 29th session (Durban, 2005)" (Decision **7 EXT.COM 4B.3**).

¹ In this regard, it should be mentioned that after the new mechanism for the election of the Committee members was put into place during the 15th session of the General Assembly of States Parties (UNESCO, 2005), the elections now take place in parallel session to the regular meeting of the General Assembly, so that the agenda item and time of discussion should not be at the expense of policy and strategic discussions.

- 12. Due to time constraints and the broadness of the debate, the Committee decided to further examine this item at the 31st session (Decision **29 COM 18B.3**).
- 13. For the Committee's information and ease of reference, the ICOMOS Code of Ethics and the IUCN Code of conduct of IUCN work on the *World Heritage Convention* are also included in Annex II.
- 14. As far as the World Heritage Centre is concerned, the Standards of conduct for the International Civil Service, which should inspire and guide international civil servants in their professional activities as well as in their personal conduct (prepared by the International Civil Service Commission and welcomed by the United Nations General Assembly in 2001 in replacement of the previous standards adopted in 1954) is available at the following Web address:

http://unesdoc.unesco.org/images/0014/001497/149745e.pdf

V. Draft Decision

Draft Decision 31 COM 16

The World Heritage Committee,

- 1. Having examined Document WHC-07/31.COM/16,
- 2. <u>Recalling</u> Decisions **30 COM 14A.9** and **30 COM 13.3** (Vilnius, 2006), and **29 COM 18B** (Durban, 2005),
- 3. <u>Requests</u> the World Heritage Centre to check, in close consultation with the Advisory Bodies, the consistency of the relevant decisions of the Committee with the Operational Guidelines, before updating the electronic, web-based version, of the English and French texts of the Operational Guidelines;
- 4. <u>Further requests</u> the World Heritage Centre to edit a printed paper version of the English and French texts of the Operational Guidelines once every four years, starting in 2009, for distribution of the revised paper version at its 33rd session (2009);
- 5. <u>Invites</u> the General Assembly to take into account the debate on the division of responsibilities between the General Assembly and the World Heritage Committee held at its 31st session (Christchurch, 2007) in examining the possibility that strategic policy issues become permanent agenda items for the Assembly;
- 6. <u>Takes note</u> of the debate on the perception of conflict of interest.

LEGAL OPINION ON POSSIBLE IMPLICATIONS OF CERTAIN MEASURES PROPOSED DURING THE 28TH SESSION OF THE WORLD HERITAGE COMMITTEE REGARDING SUBMISSIONS OF NOMINATIONS BY ITS MEMBERS

I. Introduction

- 1. At its 28th Session, the World Heritage Committee (hereinafter referred to as "the Committee"), discussed certain measures regarding possible limitations on submissions of nominations.
- 2. Among the measures considered by the Committee, the following proposal was put forward by the delegation of the United Kingdom:

" [The World Heritage Committee] proposes that the Committee should consider, at its next session, whether its members refrain from proposing nominations for inscriptions during their tenure. Committee members with no sites on the World Heritage List would be exempt from this obligation. This proposal would not come into effect before the 16th General Assembly of States Parties (2007)."

3. Some Members of the Committee questioned the legality of the measures suggested in the proposal and asked the Committee to examine their implications. Consequently, the Committee adopted the following decision:

"[The World Heritage Committee] (r)equest(ed) the Legal Advisor to study the legal implications of a rule restricting Committee members from proposing a site during their mandate whether or not an exemption is made for Committee members with no site on the World Heritage List" (28 COM 14B.57, paragraph 7).

II. Legal consideration of the proposed measures

4. It should be noted at the outset that the measures proposed by the UK delegation and those referred to in the above decision of the Committee are quite different and would entail different legal consequences. Both are discussed below.

(A) VOLUNTARY ABSTENTION OF COMMITTEE MEMBERS FROM THE SUBMISSION OF NOMINATIONS

5. First, the measures suggested in the UK proposal, as formulated above, are essentially of a programmatic nature. It is proposed to the Committee to "consider" at its next session "whether its members refrain from proposing nominations for inscriptions during their tenure". Secondly, through the use of the term "refrain", it clearly refers to the possibility for Committee members to abstain from submitting nominations during their

tenure, thus implying voluntary or self-imposed restrictions, rather than restrictions imposed by the Committee itself. This interpretation is slightly contradicted by the reference in the second sentence of the UK text to an "*obligation*". The use of the word "*obligation*" creates some confusion with regard to the overall intention of the proposal.

6. Nevertheless, if the proposal was intended to say that members of the Committee would **voluntarily** refrain from proposing nominations during their tenure, such a proposal would not pose any legal problem. States Parties may indeed voluntarily renounce to exercise their rights or privileges granted under the *Convention* or other relevant rules. Equally, as members of the Committee, they may refrain from submitting nominations during their tenure. If, on the other hand, it was intended to be a restriction imposed by the Committee on its members as an obligation, such a restriction would produce certain legal consequences as explained in the analysis below.

(B) IMPOSING RESTRICTIONS ON SUBMISSION OF NOMINATIONS BY COMMITTEE MEMBERS

- 7. The decision of the Committee (**28 COM 14B.57**, paragraph 7) requests the legal adviser to study the legal implications of "*a rule restricting Committee members from proposing a site during their mandate*".
- 8. In order to manage a large number of nominations, the Committee has, in the past, adopted decisions, by which it limited the number of nominations submitted to the Committee by States Parties. For example, the Committee decided at its 24th session 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". ("The Cairns Decision", 24 COM VI.2.3). This limit was retained by the Committee at its 27th session (27 COM 14.1). At its 28th session, the Committee, further decided (28 COM 13.1) to "examine up to two complete nominations per State Party, provided that at least one of such nominations concerns a natural property". These decisions of the Committee are based on the powers explicitly conferred upon it by the Convention for the establishment of its working methods and rules (e.g. the adoption of rules of procedures, the drafting of criteria, etc.) or on its inherent functions as defined in the Convention.
- 9. Should the use of the word "*restriction*" in the above decision be meant to denote a limitation of the number of nominations to be made², it would be the same as previous limitations of nominations by the Committee, the only difference being that, in this case, it would not apply to all States Parties to the *Convention*, but only to those who are members of the Committee, throughout the duration of their membership (see also Section C below).
- 10. Should it, on the other hand, be meant to denote a prohibition to submit nominations during their tenure as Committee members, the legal consequences arising from such a decision would be substantially different and are analysed below.

² The word "*restriction*" is defined as "*a limiting condition or measure*" or "*the action or state of restricting or being restricted*" (Oxford English Dictionary).

11. Article 11 of the *Convention* deals with the establishment by the Committee of the World Heritage List. Paragraph 1 thereof reads as follows:

"Every State Party to this Convention shall, in so far as possible, submit to the World Heritage Committee <u>an inventory of property</u> forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion for the list provided for in paragraph 2 of this Article." [emphasis added]

12. On the basis of such an inventory, the Committee is to establish the World Heritage List. In this regard, paragraph 2 of the same Article provides that:

"On the basis of the inventories submitted by States in accordance with paragraph 1, the Committee shall establish, keep up to date and publish, under the title of "World Heritage List" a list of properties forming part of the cultural heritage and natural heritage, as defined in Article 1 and 2 of this Convention, which it considers as having outstanding universal value in terms of such criteria as it shall have established." [emphasis added]

13. Paragraph 3 of the same Article also provides that:

"The inclusion of a property in the World Heritage List requires the consent of the State concerned..."

- 14. It is clear from the above that, under Article 11, paragraph 1, States Parties have an obligation to submit an inventory (which is constituted by the "Tentative list" defined in paragraph 7 of the present *Operational Guidelines*) to the extent that it is possible and is considered suitable for inclusion in the World Heritage List.
- 15. It is also clear that, under Article 11, paragraph 2, the Committee has an obligation to establish, keep up to date and publish the World Heritage List on the basis of the inventories submitted by States Parties. It follows from this that, once an inventory has been submitted by States Parties in accordance with Article 11, paragraph 1 of the *Convention*, those States Parties have <u>a right to have the inventory examined by the Committee for possible inclusion in the World Heritage List</u>. In examining the properties of States Parties, the Committee must give equal and objective consideration to the properties of all States Parties, in accordance with the general principles of law.
- 16. The right of States Parties to have their properties considered by the Committee for possible inclusion in the World Heritage List is exercised through the act of "*nominations*" introduced in the *Operational Guidelines*, as one of the procedural steps to be taken between the submission of the inventory by States Parties and the process of establishment of the World Heritage List by the Committee as defined under Article 11 of the *Convention*.
- 17. The *Operational Guidelines* adopted by the Committee at its first session (1977) read as follows:

"All States Parties to the Convention will be invited by the Director-General of UNESCO on behalf of the Committee to submit nominations to the World Heritage List in conformity with the decisions taken by the Committee with respect to the form and content of nominations to the World Heritage List and to the criteria in terms of which the inclusion of properties in the World Heritage List will be determined... "(Paragraph 15(a)).

- 18. The reference to the invitation by the Director-General was deleted as part of the amendments to the *Operational Guidelines* at the 2nd session of the Committee (Washington D.C., 1978). Under the present *Operational Guidelines*, in order for the Committee to establish the World Heritage List on the basis of the inventories submitted by States, as defined under Article 11 of the *Convention*, States Parties are requested to nominate properties from among the properties included in the inventory, which are first evaluated by Advisory Bodies, and then are examined by the Bureau of the Committee and finally by the Committee itself. Unless each of these procedural steps established by the *Operational Guidelines* is taken, the Committee would not be able to include new properties in the World Heritage List.
- 19. Thus, the submission of nominations by States Parties constitutes the exercise of the right to have their inventory considered by the Committee, a right which stems from the terms of Article 11, paragraph 2. It is also the means by which States Parties express their consent, which is required for the inclusion of the properties under Article 11, paragraph 3 of the *Convention*.
- 20. In the light of the above, it should be concluded that if members of the Committee were to be **prohibited** from proposing a property during their tenure, they would not be able to fully exercise their rights as foreseen under the *Convention*. A prohibition to submit nominations applicable only to the members of the Committee would therefore contravene the provisions of the *Convention*, in particular, their right to have their properties considered by the Committee for inclusion in the World Heritage List.

(C) IMPOSITION OF RESTRICTIONS ON THE COMMITTEE ITSELF REGARDING THE EXAMINATION OF NOMINATIONS SUBMITTED BY ITS MEMBERS

- 21. While it would be legally problematic to attempt to prohibit members of the Committee from submitting nominations, it does however appear to be possible that the Committee imposes on itself certain restrictions in examining nominations. The Committee is empowered to lay down rules, by which it imposes on itself a limit or a priority in the number or in the categories of nominations it examines during a session.
- 22. For instance, the Committee, at its 24th session, decided to set at 30 the number of nominations examined by it at its 27th session ("The Cairns Decision", 24 COM VI.2.3). Later, at its 27th session, it also set the limit at 40 (27 COM 14.4). At its 28th session, it further decided to "set at 45 the annual limit on the number of nominations it will review, inclusive of nominations deferred and referred by previous sessions of the Committee, extensions (except simple modifications of limits of the property), transboundary nominations, serial nominations and nominations submitted on an emergency basis "(28 COM 13.1, paragraph 16).
- 23. It would be legally possible that when examining nominations submitted by States Parties, the Committee decides to set a low priority to the nominations submitted by its members or not to examine them <u>during the session</u>, with a view to rationalizing its

activities and methods of work and to avoiding that membership of the Committee be used to obtain priority consideration for nominations submitted by members of the Committee. Such limitations would not impinge on the basic right of members to have their properties considered for inclusion in the World Heritage List.

III. CONCLUSIONS

- 24. From the analysis made in the preceding paragraphs, the following conclusions can be drawn both with regard to the measures proposed during the 28th session of the Committee by the United Kingdom, and the decision of the Committee requesting the present legal opinion:
 - a) If it were intended, under the UK proposal, that members of the Committee **voluntarily** refrain from submitting nominations during their tenure, such voluntary abstention would not contravene the provisions of the *Convention*, nor of any other rules established under it. It would therefore be possible for all Committee members or for some of them to renounce their right to submit nominations to the Committee during their tenure.
 - b) On the other hand, should the Committee decide to <u>prohibit</u> its members from submitting nominations during their mandate, such an action would be contrary to the provisions of the *Convention*, in particular, the right of States Parties to submit the inventory of property and to have such property considered for inclusion in the World Heritage List as foreseen under Article 11 of the *Convention*.
 - c) Nevertheless, it would be legally possible that, when examining nominations submitted by States Parties, the Committee decides to set a low priority to the nominations submitted by its own members or not to examine them during the session for the purpose of rationalizing its work and avoiding a situation where membership of the Committee might be used to obtain priority consideration for nominations submitted by members of the Committee.



International Council ON MONUMENTS AND SITES

POLICY FOR THE IMPLEMENTATION OF THE ICOMOS WORLD HERITAGE MANDATE

The purpose of ICOMOS' involvement with the World Heritage Convention is provision of the highest available degree of professional expertise in the evaluation of World Heritage nominations and other aspects of implementation of the World Heritage Convention. The purpose of this document is hence to ensure that the credibility of ICOMOS in performing these functions is above question and to this end it brings together a variety of practices and decisions that have been previously adopted.

Further to the above, ICOMOS understands that in dealing with this area, situations that have potential to create perceptions of conflict of interest are as damaging to the credibility of its work as those in which an actual conflict may exist. This policy is hence designed to avoid both situations where misperceptions may arise and those that raise real questions concerning the validity of its professional opinions.

Experts in the ICOMOS World Heritage system include all persons involved in the process of evaluation of nominations, state of conservation reports and other missions and programmes, including amongst others experts consulted by ICOMOS, its World Heritage Panel (ie: the Panel appointed by the Executive Committee of ICOMOS to evaluate the work of the organisation in the area of World Heritage), experts presenting nominations and the state of conservation reports to the Panel and World Heritage Committee, those conducting evaluation missions and other officers of the organisation.

In order to avoid possible conflicts of interest the following apply:

- 1. ICOMOS bases its evaluations and other opinions on research and peer review.
- 2. Whilst as a standard practice ICOMOS consults the national committees concerned with a property that is being evaluated, in all other steps of the process it draws only on experts from countries other than the State Parties concerned.
- 3. ICOMOS does not use in its involvement with a property experts who have contributed to the nomination file, the development of a management regime or any other study, or state of conservation report submitted by a State Party, regardless of the nationality of the experts concerned.
- 4. All experts involved in ICOMOS' World Heritage work are required to disclose to ICOMOS any advice given or other work (scientific, professional, contractual or voluntary) done on advancing the nomination of the property in question or such activities in the country concerned, including the particular circumstances of the service provided (eq: quest expert).
- 5. ICOMOS does not utilise in field evaluations experts who are currently serving as representatives of their countries on the World Heritage Committee.
- 6. Experts are all made aware of the ICOMOS Ethical Commitment Statement and are required to abide by its principles.

- 7. In order to ensure equitable handling of all nominations and state of conservation reports, ICOMOS does not entrust external missions to any of those whom it employs in its Secretariat, or in any capacity to process World Heritage nominations nor does it involve those serving on its World Heritage Panel in missions the results of which will be considered by the Panel.
- 8. During discussion of a report or situation that concerns their own country, members of the World Heritage Panel must absent themselves from discussion and decision making processes.
- 9. The recommendations to the World Heritage Committee adopted by the ICOMOS World Heritage Panel, or a working group mandated to evaluate additional information, are final and may not be changed or amended in any way other than by the Panel itself.
- 10. When new information concerning a nomination is submitted by a State Party before 28 February, a revised evaluation will be submitted to the World Heritage Panel, or a working group convened for this purpose, in order that the recommendation to the World Heritage Committee may, if appropriate, be amended. New information received after 28 February will only be examined for submission to the following year's session of the World Heritage Committee.
- 11. The recommendations and opinions of ICOMOS experts and the World Heritage Panel are confidential and individuals may not in their independent capacity engage the media, representatives of the State Party or any other individual or organisation that may or may not have an interest in the property concerned. Furthermore, officials of ICOMOS and members of its World Heritage Panel may not disclose the discussions that have taken place in the panel to any person or organisation that was not present in those discussions.

A copy of this policy must be provided to each individual formally involved with ICOMOS World Heritage work (including experts, panel members and staff) and those conducting evaluation and other missions must indicate in advance that they understand and will abide by its terms.

APPROVED FOR IMPLEMENTATION ICOMOS EXECUTIVE COMMITTEE 17 January 2006

CODE OF CONDUCT FOR IUCN WORK ON THE WORLD HERITAGE CONVENTION¹

IUCN² is the advisory body for natural heritage properties under the World Heritage Convention. The specific role of IUCN in relation to the Convention includes: (a) evaluation of natural and mixed properties nominated for inscription on the World Heritage List; (b) monitoring the state of conservation of natural and mixed World Heritage properties; (c) reviewing requests for International Assistance submitted by States Parties; and (d) providing input and support for capacity-building activities³.

This code of conduct sets out internal rules of procedure in relation to IUCN's activities, as noted above, to ensure that potential conflicts of interest in the evaluation of site nominations, and judgments in relation to state of conservation matters, are avoided.

In implementing its advisory role to the World Heritage Committee, IUCN will adhere to the following:

- 1. At all times IUCN will strive to provide objective and rigorous technical advice of the highest quality to the World Heritage Committee;
- 2. In providing this advice IUCN will consult widely with relevant international, regional and local experts as appropriate, including scientists and managers involved and knowledgeable in natural heritage conservation;
- 3. Final IUCN recommendations on nominations of properties to the World Heritage List will be provided through an IUCN World Heritage Advisory Panel. This Panel shall comprise leading global experts in relation to natural heritage conservation;
- 4. IUCN delegations for field missions to State Parties to evaluate properties will not comprise persons from the concerned State Party;
- 5. IUCN will not use in its evaluations of properties experts who have contributed directly to the nomination file or who have a direct advisory or management responsibility for the property under consideration, regardless of the nationality of the experts concerned;
- No member of an IUCN evaluation mission can receive monetary contributions from any person or organization associated with the property being evaluated. Receipt of gifts in association with the evaluation mission should be in accordance with existing IUCN policy⁴. Travel and per diem expenses in association with an evaluation mission are met by IUCN;
- 7. IUCN will not use experts in field evaluation missions who are currently serving as representatives of their countries on the World Heritage Committee;
- 8. Since the responsibility for providing IUCN advice lies with the IUCN World Heritage Advisory Panel, members of IUCN field missions will not comment, either in their technical or in their personal capacity, on whether a nominated property should be

¹ Draft of 15 May, 2007 (as of today it exists only in English version).

² IUCN – The World Conservation Union brings together national governments, NGOs, and scientists in a worldwide partnership. Its mission is to: "*influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable*".

 ³ Derived from article 37 of the Operational Guidelines for the Implementation of the World Heritage Convention.
⁴ The IUCN Conditions of Service, January, 2006 state : "the value of a gift that may be accepted by a staff

⁴ The IUCN Conditions of Service, January, 2006 state : "the value of a gift that may be accepted by a staff member at Headquarters in the course of, or as a result of, his/her work, without seeking the approval of his/her line manager, will not exceed SFR 500".

recommended for inscription on the World Heritage List, except to the IUCN World Heritage Advisory Panel;

- 9. Where a member of the IUCN World Heritage Advisory Panel has undertaken an evaluation of a natural or mixed site that person will not participate in decision making in relation to the final IUCN recommendation in relation to that property;
- 10. The recommendations to the World Heritage Committee adopted by the IUCN World Heritage Advisory Panel are final and represent a corporate product of IUCN. Any subsequent changes can only be undertaken with the agreement of the Panel; and
- 11. The recommendations of IUCN experts, field evaluators, reviewers and panel members in relation to the evaluation of properties are confidential within the IUCN World Heritage Advisory Panel.