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CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Twenty-seventh session
Paris, UNESCO Headquarters, Room XII
30 June - 5 July 2003

**Item 18 of the Provisional Agenda: Preparations for the 14th General Assembly of
States Parties to the World Heritage Convention**

New voting mechanism and revision to the procedures for the election of the members of
the World Heritage Committee

SUMMARY

This document is divided into two sections:

Section A: Election of Officers of the General Assembly:

- I. Procedures for the presentation of candidatures for Chairperson, Vice-Chairpersons and Rapporteur of the General Assembly of States Parties to the World Heritage Convention.

Section B: Election of members of the World Heritage Committee:

- II. Procedures for the presentation of candidatures to the World Heritage Committee;
- III. Election to the World Heritage Committee of a State Party not having any properties on the World Heritage List (reserved seat); and
- IV. New voting mechanism and revision to the procedures for the election of the members of the World Heritage Committee.

Draft decisions have been prepared for each of these points and are presented to the Committee in paragraphs 4, 6, 10 and 20.

SECTION A: ELECTION OF OFFICERS OF THE GENERAL ASSEMBLY

I. Procedures for the presentation of candidatures for Chairperson, Vice-Chairpersons and Rapporteur of the General Assembly of States Parties to the World Heritage Convention

Background Information

1. The 13th General Assembly (Paris, October 2001), after a proposal made by the Delegation of France and supported by a number of other delegations, adopted a Resolution on the "Implementation of the election procedures of the Bureau of the General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage".¹ The text of the Resolution is reproduced below:

Noting Rule 3 of the Rules of Procedure of the General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage,

Wishing to improve the transparency of the election procedures of the Members to its Bureau,

The General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage decides on the following procedure that will take effect from its 14th session:

- Three months prior to the commencement of the General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage, the Secretariat informs all States Parties of the seats to be filled and inquires whether they wish to submit candidatures.*
- One month prior to the commencement of the General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage, the Secretariat informs the States Parties with a specific document on the status of candidatures. This document will be revised, as necessary, based on the evolution of the candidatures.*

2. In order to implement this Resolution the Secretariat will be sending, during the month of July 2003, a Circular Letter to all States Parties informing them of the Officers to be elected during the 14th General Assembly (i.e. Chairperson, Vice-Chairpersons and Rapporteur) and inviting them to inform the Secretariat of their candidatures. The Secretariat will also provide all States Parties with a list of all Chairpersons, Vice-Chairpersons and Rapporteurs of the General Assembly since 1991.

3. Another Circular Letter will be sent to all States Parties a month before the 14th session of the General Assembly (Paris, 14-15 October 2003) informing them of all candidatures received. The list of all candidatures received will continue to be updated until the date of the commencement of the 14th General Assembly.

4. Draft Decision - Draft 27 COM 18A.1

The World Heritage Committee,

1. *Recalling the Resolution adopted by the 13th General Assembly (Paris, October 2001) on the "Implementation of the election procedures of the Bureau of the General Assembly of States Parties to the Convention concerning the Protection of World Cultural and Natural Heritage",*

2. *Welcomes the steps to be taken by the Secretariat (as presented in document WHC-03/27.COM/18A) for the implementation of this Resolution.*

¹ Paragraph 102, Report of the 13th General Assembly of States Parties to the World Heritage Convention (Paris, October 2001)

II. Procedures for the presentation of candidatures to the World Heritage Committee

Background Information

5. Although the above-mentioned Resolution of the 13th General Assembly only referred to an improvement in the transparency of the election procedures of the Officers of the General Assembly (i.e. Chairperson, Vice-Chairpersons and Rapporteur), the Secretariat suggests that these procedures also be extended to the election of members of the World Heritage Committee.

6. Draft Decision - Draft 27 COM 18A.2

The World Heritage Committee,

1. Recalling the aim of the Resolution adopted by the 13th General Assembly (Paris, October 2001) (on election procedures of the Officers of the General Assembly) to grant greater transparency to this election process,

2. Recognising that this approach should also be applied to the procedures for the election of members to the World Heritage Committee as this would further facilitate the consultation process amongst States Parties,

3. Invites the Secretariat to provide all States Parties with the following:

a) A Circular Letter, 3 months prior to the commencement of the General Assembly, indicating the seats which need to be filled in the election of members of the World Heritage Committee and inviting States Parties to inform the Secretariat of their candidatures (a list of all members of the Committee since 1977 will also be included); and

b) A Circular Letter, 1 month prior to the commencement of the General Assembly, indicating the list of candidatures received as well as the status of all compulsory and voluntary contributions to the World Heritage Fund made by each of the candidates. This list of candidatures will be revised, as necessary, based on the evolution of the candidatures and of the payments received;

4. Recommends that this list of candidatures be finalised 48 hours before the beginning of the ballot and that no other candidatures nor payments of compulsory and voluntary contributions to the World Heritage Fund (for the purpose of presenting a candidature to the Committee) be accepted after this time.

III. Election to the World Heritage Committee of a State Party not having any properties on the World Heritage List (Reserved Seat)

Background Information

7. The World Heritage Committee, at its 24th session (Cairns, December 2000) and in the context of its discussion on the work of the Working Group on Equitable Representation in the World Heritage Committee, proposed to the 13th General Assembly that it amend its Rules of Procedure to allow that a certain number of seats of the World Heritage Committee be reserved for State Parties who do not have sites on the World Heritage List, upon decision of the World Heritage Committee at the session that precedes the General Assembly.

8. Anticipating the General Assembly's decision on this point, the Committee "decided that one seat be reserved for a State Party not having a site inscribed on the World Heritage List at the date of the thirteenth session of the General Assembly".²

9. Based upon the recommendation made by the 24th session of the Committee, the 13th General Assembly then revised its Rules of Procedure (Rule 13.1) to include the following text.³

"A certain number of seats may be reserved for State Parties who do not have sites on the World Heritage List, upon decision of the World Heritage Committee at the session that precedes the General Assembly. Such a ballot for reserved seats would precede the open ballot for the remaining seats to be filled. Unsuccessful candidates in the reserved ballot would be eligible to stand in the open ballot".⁴

10. Draft Decision - Draft 27 COM 18A.3

The World Heritage Committee,

1. *Taking into consideration Rule 13.1 of the Rules of Procedure of the General Assembly of States Parties to the World Heritage Convention which calls on the World Heritage Committee to decide, at its session preceding the General Assembly, on the number of seats to be reserved for States Parties who do not have properties on the World Heritage List,*

2. *Allocates one seat amongst the seats that have to be filled at the 14th General Assembly to a State Party who does not have any properties on the World Heritage List;*

3. *Requests the Secretariat to provide all States Parties, immediately following the 27th session of the Committee, with an up-to-date list of all States Parties who do not have properties on the World Heritage List.*

² See point VI.2, Report of the 24th session of the World Heritage Committee (Cairns, December 2000)

³ Paragraph 86, Report of the 13th General Assembly of States Parties to the World Heritage Convention (Paris, October 2001)

⁴ See point VI.2, Report of the 24th session of the World Heritage Committee (Cairns, December 2000)

IV. New voting mechanism and revision to the procedures for the election of the members of the World Heritage Committee

Background Information

11. At the 13th General Assembly of States Parties to the World Heritage Convention (Paris, 30-31 October 2001), "a number of Delegates expressed their concern at the length of time required to elect members of the Committee".⁵ As a result the following Resolution was adopted by the General Assembly:

*"The 13th General Assembly of States Parties to the Convention concerning the Protection of the World Cultural and Natural Heritage requests the Secretariat to review the mechanics of the system of voting for new members of the Committee. Proposals for a more time efficient and simplified voting system should be submitted for review by the twenty-seventh session of the World Heritage Committee in 2003 and decision by the 14th General Assembly in 2003".*⁶

12. Following this Resolution, the Secretariat has conducted research on the different election mechanisms existing within UNESCO's governing bodies. Particular attention has been given to the mechanisms established by the Rules of Procedure of the General Conference for the election of members of the Executive Board.

Mechanisms for the election of members of the Executive Board

13. For the election of members of the Executive Board the following provisions apply:

1. Rules 94-95 and 102-104 of the Rules of Procedure of the General Conference;
2. Appendix 1 of the Rules of Procedure of the General Conference on the Procedure for the conduct of elections by secret ballot; and
3. Appendix 2 of the Rules of Procedure of the General Conference on the Procedure for the election of Members of the Executive Board.

14. The procedure for the election of members of the Executive Board can be summarised as follows:⁷

As this election is conducted by secret ballot the Secretariat prepares for each delegation an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups.⁸ The ballot papers bear the names of all the Member States that are candidates for election in that electoral group. Ballot papers and envelopes are distributed to the delegations by the Secretariat the day before the ballot. Voting is held in a room separate from the meeting rooms that are equipped with voting booths and polling stations.

After the voting has taken place and the votes have been counted, the President of the General Conference declares elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the President shall decide the candidate to be considered elected by drawing lots.⁹

⁵ Paragraph 101, Report of the 13th General Assembly of States Parties to the World Heritage Convention (Paris, October 2001)

⁶ Ibid.

⁷ For a more detailed description of the election procedure see <http://www.unesco.org/exboard/rules.pdf>

⁸ The General Conference, at its 30th session, decided on the composition of the electoral groups for the purpose of elections to the Executive Board and the distribution of seats on the Executive Board.

⁹ Rule 95, Rules of Procedure of the General Conference

Mechanisms for the election of members of the World Heritage Committee

15. Rule 13 of the Rules of Procedure of the General Assembly of States Parties to the World Heritage Convention establishes that the election of members of the World Heritage Committee can be conducted by secret ballot when requested by five or more delegations. However, and unlike the General Conference when voting for members of the Executive Board, during the General Assembly the ballot is conducted during its meeting and by roll-call, rather than in a separate room with set times for the voting to take place.

16. Once the voting begins there can be up to five ballots in order to elect the seats for the Committee that remain to be filled (usually 7). This process is described in Rules 13.8 - 13.10 (Rules of Procedure of the General Assembly):

13.8 Those States obtaining in the first ballot the required majority shall be elected, unless the number of States obtaining that majority is greater than the number of seats to be filled. In that case, the States obtaining the greatest number of votes, up to the number of seats to be filled, shall be declared elected. If the number of States obtaining the majority required is less than the number of seats to be filled, there shall be a second ballot. If the number of States obtaining the majority required is still less than the number of seats to be filled, there shall be a third and, if necessary, a fourth ballot, to fill the remaining seats. For the third and fourth ballots, the voting shall be restricted to the States obtaining the greatest number of votes in the previous ballot, up to a number twice that of the seats remaining to be filled.

13.9 After the fourth ballot, the candidates obtaining the greatest number of votes, up to the number of seats to be filled, shall be declared elected.

13.10 If, in the fifth ballot, two or more candidates obtain the same number of votes, the Chairperson shall decide between them by drawing lots.

Comparative analysis of election mechanisms

17. In general terms the established procedure for the election of members of the Executive Board (based on one -possibly two- counts with separate ballot papers depending on the electoral group) seems less time-consuming and more efficient than the one currently in place for the election of the members of the World Heritage Committee. The Committee's attention is drawn to three particular aspects:

(i) First, the mechanism established to elect Executive Board members relies on **simple majorities** rather than absolute majorities, as is the case for the first two ballots in the election for Committee members. This greatly diminishes the number of ballots required to fill the vacant seats.

(ii) This system of electing Executive Board members by simple majority is possible due to the distribution of separate ballot papers for each of the UNESCO **electoral groups**¹⁰. Therefore, each candidate is only competing for a pre-determined number of seats against other candidates in the same electoral group (i.e. Group II has seven seats).¹¹ In addition to the advantage of having one (at the most two) ballots, this system also addresses the issue of equitable regional representation among the members of the Executive Board.

¹⁰ See Annex I for the Proposed Groupings of all States Parties to the World Heritage Convention for the purpose of elections to the World Heritage Committee (based on the Groupings of Members States for the purpose of elections to the Executive Board)

¹¹ The distribution of the number of seats to be filled by each electoral group was decided by the General Conference at its 30th session.

(iii) Another aspect where the two election mechanisms differ is the **place where the ballots occur**. Whereas for the election of members of the Executive Board a separate room is set aside for a determined period of time where delegations can come and cast their votes, in the General Assembly the delegations are required to deposit their ballot papers after being called (by roll-call) during the session itself (and in the same room where the session takes place). The Committee may wish to consider the desirability of having the election take place in a room specifically prepared for this purpose and at a determined time and make proposals to the 14th General Assembly accordingly.

18. Comparing the mechanisms described above (i.e. the mechanism established in the Rules of Procedure of the General Conference to elect members of the Executive Board and the mechanism whereby the General Assembly elects members to the World Heritage Committee), it is proposed that a mechanism inspired on the former model might be closer to the "time efficient and simplified voting system" requested by the 13th General Assembly of States Parties.¹²

19. The Committee should also note that notwithstanding some of the advantages of the system currently in place for the election of the Executive Board, on several occasions there have been proposals for UNESCO to consider an **electronic voting system** in the General Conference and the Executive Board. These initiatives (which in one case resulted in a feasibility study¹³) have not been implemented primarily due to the high costs involved. Thus financial limitations might preclude any proposals for the introduction of an electronic voting system during the sessions of the General Assembly.

¹² Paragraph 101, Report of the 13th General Assembly of States Parties to the World Heritage Convention (Paris, October 2001)

¹³ See Report of the Director-General to the 145th session of the Executive Board, document 145 EX/39, point III

20. Draft Decision - Draft 27 COM 18A.4

The World Heritage Committee,

1. *Reiterating the need for a more time efficient and simplified voting system for the election of members of the World Heritage Committee during the General Assembly of States Parties to the World Heritage Convention,*
2. *Recognizing that some elements of the mechanisms established for the election of members of the Executive Board are a useful model for a reformed voting mechanism for the election of members of the World Heritage Committee,*
3. *Recalling the desired objective of the Committee of an equitable geographic representation of the Committee,*
4. *Calls on States Parties to consult, and if possible agree, in and between their electoral groups prior to the General Assembly on the election of members of the World Heritage Committee;*
5. *Recommends to the General Assembly that it amend its Rules of Procedure as follows:*

a) Rule 13.8 should read:¹⁴

The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. This Rule will also apply in case of a ballot for a reserved seat.

If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot with only those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall decide the candidate to be elected by drawing lots.

b) Rule 13.9 and 13.10 should be deleted.

6. *Further recommends that the General Assembly adopt their revised Rules of Procedure at the 14th General Assembly and that these enter immediately into effect.*

¹⁴ This text is based on Rule 95 (Results of elections) of the Rules of Procedure of the General Conference