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CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Sixth extraordinary session
Paris, UNESCO Headquarters, Room II
17 – 22 March 2003

Item 5 of the Provisional Agenda : Revision of the *Operational Guidelines*

**Report of the March 2002 Drafting Group on the Revision of the *Operational Guidelines for the Implementation of the World Heritage Convention*
(formerly WHC-02/CONF.202/14A)**

See also:

Operational Guidelines for the Implementation of the World Heritage Convention
(WHC.02/2, July 2002)

WHC-03/6 EXT.COM/5 Draft Decision on the revision of the *Operational Guidelines*

WHC-03/6 EXT.COM/INF.5B 3rd Draft Annotated Revised *Operational Guidelines for the Implementation of the World Heritage Convention* prepared by the March 2002 Drafting Group (formerly WHC-02/CONF.202/14B)

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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
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CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

30th Anniversary
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WORLD HERITAGE COMMITTEE

Twenty-sixth session

Budapest, Hungary
24 - 29 June 2002

Item 18 of the Provisional Agenda: Revision of the *Operational Guidelines for the Implementation of the World Heritage Convention*: Report of the March 2002 Drafting Group.

SUMMARY

This document presents the report of the March 2002 Drafting Group for the revision of the *Operational Guidelines for the Implementation of the World Heritage Convention* held at UNESCO Headquarters in Paris, France from 18-22 March 2002.

Please note: This report should be read in conjunction with document WHC-02/CONF.202/14B 3rd Draft Annotated Revised *Operational Guidelines*.

Action required

The Committee is requested to:

- (i) take note of the substantial progress made in revising the *Operational Guidelines*;
- (ii) take note of legal/policy issues identified in the report of the March 2002 Drafting Group (indicated in ***bold, italics*** and **underlined** in this document and in the notes to WHC-02/CONF.202/14B); and
- (iii) examine the 3rd Draft Annotated Revised *Operational Guidelines* in document WHC-02/CONF.202/14B.

**Report of the
Drafting Group for the Revision of the
*Operational Guidelines for the Implementation of the
World Heritage Convention***

**UNESCO Headquarters, Paris
18 - 22 March 2002**



An electronic version of this report and the 3rd Draft Annotated Revised *Operational Guidelines* are available at <http://whc.unesco.org/opgu/> in English and <http://whc.unesco.org/fr/orient/> in French.

DISCLAIMER

Nothing in this document shall be construed to nullify or otherwise negatively affect the current *Operational Guidelines* (WHC.99/2 March 1999) or any past actions of the World Heritage Committee or its Bureau. Furthermore, any proposed changes to the *Operational Guidelines* identified in this document will not become operational until adopted by the World Heritage Committee.

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I. SUMMARY

1. At the 25th session of the World Heritage Committee in Helsinki, December 2001, the Committee approved the organization of a second drafting group meeting to revise the *Operational Guidelines*. The Drafting Group met at UNESCO Headquarters in Paris, France from 18 to 22 March 2002. The meeting was organised by the UNESCO World Heritage Centre with funding provided from the World Heritage Fund as decided at the 25th session of the World Heritage Committee.

2. The task of the Drafting Group was to review the Annexes and sections of the *Operational Guidelines* still requiring finalization, and submit a revised document for discussion and decision to the 26th session of the Committee (Budapest, 24-29 June 2002).

3. As agreed by the Committee, the Drafting Group meeting was attended by cultural and natural heritage experts from the existing and former Bureau of the World Heritage Committee. An additional expert from the United Kingdom, representatives of the Advisory Bodies (IUCN, ICOMOS and ICCROM) and the UNESCO World Heritage Centre also attended. A List of Participants is included as Annex I to this report.

4. The Drafting Group recalled the key recommendations of the International Expert Meeting on the Revision of the *Operational Guidelines*, Canterbury, United Kingdom (April 2000) (WHC-2000/CONF.204/INF.10) and the progress made by the October 2001 Drafting Group (WHC-01/CONF.208.6). The March 2002 Drafting Group also recalled the decision of the 25th session of the Committee that they only examine technical questions and leave discussions on legal and policy issues to the Committee.

5. The Drafting Group worked with reference to the 22 submissions received in response to Circular Letter CL/WHC.16/01, dated 21 December 2001, which requested comments on the 2nd Draft Annotated Revisions of the *Operational Guidelines* (30 November 2001). The submissions are available on the web site <http://whc.unesco.org/opgu/>.

6. Draft annexes that were prepared before the meeting of the Drafting Group by the World Heritage Centre and the Advisory Bodies were posted on the website <http://whc.unesco.org/opgu> to enable the experts to review them prior to the meeting.

7. The Drafting Group made excellent progress in the revision of the *Operational Guidelines* and produced a final draft of Sections I-V of the Guidelines and ten Annexes, through positive and co-operative discussions, seeking consensus wherever possible. The text developed by the March 2002 Drafting Group represents a significant stage in the revision of the *Operational Guidelines*.

8. The March 2002 Drafting Group identified a number of additional legal/policy issues for decision by the Committee before the revision process is finalised, which are as follows:

- (i) **Who can nominate a property to the World Heritage List in the case of an emergency?**
- (ii) **Final wording for criterion (v) and criterion (vi).**
- (iii) **Is a management plan necessary before inscription on the World Heritage List?**

II. OVERVIEW

II.1 Background to the March 2002 Drafting Group

9. At the 23rd session of the World Heritage Committee (Marrakesh, 1999) the revision of the *Operational Guidelines* was proposed. In the following year the International Expert Meeting on the Revision of the *Operational Guidelines* (Canterbury, UK, April, 2000) proposed the following key recommendations:

- (i) to create a user-friendly document that is logical, streamlined and simplified with material being relocated to Annexes;
- (ii) to retain as much of the original text of the *Operational Guidelines* as possible but adding for the first time a consolidated section on the protection and conservation of World Heritage properties; and
- (iii) to propose text for paragraphs where text does not exist to date.

10. Following this meeting, the 24th session of the World Heritage Committee (Cairns 2000) decided that the *Operational Guidelines* be restructured according to a new overall framework as follows:

- I INTRODUCTION
- II ESTABLISHMENT OF THE WORLD HERITAGE LIST
- III PROTECTION AND CONSERVATION OF WORLD HERITAGE PROPERTIES
- IV INTERNATIONAL ASSISTANCE
- V ACTIVITIES IN SUPPORT OF THE *WORLD HERITAGE CONVENTION*

11. The Committee requested that the *Operational Guidelines* be simplified, streamlined and presented in a user-friendly form with most of the supporting material to be moved to annexes and other documentation. The Committee asked that the *Operational Guidelines* be organized in a logical way, returning to the fundamental principles of the *World Heritage Convention*.

12. The Committee decided that the process for revising the *Operational Guidelines* should be co-ordinated by the World Heritage Centre through a collaborative process involving representatives of States Parties, the Advisory Bodies and the Secretariat. It was agreed that revised *Operational Guidelines* should reflect different regional and cultural perspectives.

13. Following agreement at the 25th session of the Bureau of the World Heritage Committee in June 2001, the first compilation of the *Operational Guidelines* that was prepared by the Centre was posted on the Centre's web site (<http://whc.unesco.org/opgu/>) and distributed to States Parties for comment in July 2001. Seventeen submissions were received in response.

14. The Bureau agreed that a meeting of a small Drafting Group be held to prepare the revision of the *Operational Guidelines* at UNESCO Headquarters from 8 to 12 October 2001. The Drafting Group comprised experts nominated by each Bureau member, a representative from each of the Advisory Bodies, one additional expert from the United Kingdom, and representatives of the World Heritage Centre.

15. Following the meeting of the October 2001 Drafting Group, the 2nd Draft Annotated Revised *Operational Guidelines* were submitted for discussion and decision to the 25th

session of the Committee in Helsinki (2001) as Annex IV to document WHC-01/CONF.208/6). The Drafting Group had considered that several issues required legal and policy consideration by the Committee before drafting could be finalised. These were:

- (i) The role of State Party consent in reactive monitoring;
- (ii) The role of State Party consent for inscription of a property on the List of World Heritage in Danger; and
- (iii) The capacity of the World Heritage Committee to decide and the role of the State Party to consent to deletion of properties from the World Heritage List.

16. The Committee took note of the progress made by the Drafting Group in October 2001, and approved the organization of another meeting of the group at UNESCO Headquarters from 18 to 22 March 2002 to review the Annexes and the sections of the *Operational Guidelines* still requiring finalisation. The Committee also considered that the Drafting Group should only examine technical questions and should leave discussions on legal and policy issues to the Committee.

II.2 Aims and objectives of the March 2002 Drafting Group

17. The aim of the March 2002 Drafting Group was to develop revised *Operational Guidelines*, with annexes, that are streamlined and user-friendly, for consideration by the World Heritage Committee at its 26th session, and to identify policy and legal issues for further consideration by the Committee.

18. The objectives of the March 2002 Drafting Group were similar to those of the October 2001 Drafting Group and are as follows:

- (i) review the 2nd Draft Annotated Revised *Operational Guidelines* for the Implementation of the *World Heritage Convention* (30 November 2001) following the key recommendations of the International Expert Meeting on the Revision of the *Operational Guidelines*, Canterbury, United Kingdom (April 2000);
- (ii) consider the 22 submissions received in response to Circular Letter CL/WHC.16/01 whereby comments from States Parties and Advisory Bodies were called for regarding the 2nd Draft Annotated Revisions of the *Operational Guidelines* (30 November 2001);
- (iii) identify gaps, duplications and inconsistencies in the *Operational Guidelines*;
- (iv) refine the new structure, content and format for the *Operational Guidelines* and annexes to make the document more user friendly; and
- (v) identify unresolved legal and policy issues and prepare recommendations to be submitted for discussion and decision to the 26th session of the World Heritage Committee in Budapest (June 2002).

III. REPORT OF THE DRAFTING GROUP

III.1 Opening of the meeting

19. The Assistant Director-General for Culture, Mr Mounir Bouchenaki, welcomed participants to the meeting. He noted the substantial progress in revising the *Operational Guidelines* achieved to date. He commented that the reforms recently approved by the World Heritage Committee and the General Assembly of States Parties now need to be reflected in the revisions to the *Operational Guidelines*. He also remarked that the lessons learnt from the destruction of the giant statues at Bamiyan in Afghanistan will hopefully lead to new ways to strengthen the implementation of the existing legal instruments and find if necessary, new instruments and partnerships for international co-operation for conservation on a global scale.

20. The meeting was chaired by Dr Henrik Lilius (Finland), Chairperson of the World Heritage Committee. The Chairperson welcomed the participants and recalled the purpose and mandate of the Drafting Group. He acknowledged the huge challenge placed before the Drafting Group and his desire for the Group to prepare the 3rd draft annotated revised *Operational Guidelines* and annexes for presentation to the 26th session of the World Heritage Committee. Dr Christopher Young from English Heritage and the Director of the World Heritage Centre then gave an overview of the objectives of the revision of the *Operational Guidelines* (based on the recommendations of the April 2000 meeting in Canterbury, UK) and a summary report of what progress had been made in the last two years.

21. On Thursday afternoon (21 March 2002), the Drafting Group was honoured by the presence of the Director-General of UNESCO, Mr Koïchiro Matsuura and the Assistant Director-General for Culture, Mr Mounir Bouchenaki. Mr Matsuura congratulated the Drafting Group for the progress made to date and informed them that he hoped to attend the 26th session of the World Heritage Committee in Budapest, Hungary, in June 2002. He commented that he is paying personal attention to the progress of the revision of the *Operational Guidelines* and that World Heritage is a priority of UNESCO.

III.2 Adoption of the Agenda

22. The Drafting Group adopted an agenda and timetable that included presentation and review of each of the five sections and the 10 annexes listed in the 2nd Draft Annotated Revised *Operational Guidelines*.

III.3 Meeting Process

23. The Drafting Group remained in plenary session throughout the meeting. Following the completion of discussions on each section or annex, a revised version of the text was prepared by small working groups consisting of volunteers amongst the experts, Advisory Bodies and the World Heritage Centre. Revised texts were then circulated amongst the Drafting Group for further comment and approval.

24. As agreed at the 25th session of the World Heritage Committee (Helsinki 2001), the Drafting Group only discussed technical issues and did not engage in discussions on legal and policy issues. The documents used by the Drafting Group are listed in Annex II.

IV. GENERAL COMMENTS

25. The Drafting Group reviewed general comments received from States Parties, the Advisory Bodies and others on the 2nd draft revised *Operational Guidelines* (November 2001).

26. The Expert from Greece informed the Drafting Group that the World Heritage Committee at its 21st session (Naples, 1997) decided "to include in the *Operational Guidelines* at the next revision, a paragraph calling attention to the need to protect sites against illicit traffic by administrative and security measures as well as available legal means, national and international." The Drafting Group noted this suggestion.

27. The Expert from Thailand also referred to the 2nd Protocol of the *Convention* for the Protection of Cultural Property in the event of Armed Conflict adopted at The Hague (Netherlands) in 1954 and its relevance to discussions on the inclusion of sites on the List of World Heritage in Danger and emergency nominations. **The Drafting Group acknowledged the need to better co-ordinate the implementation of the World Heritage Convention with the 2nd Protocol of the Convention for the Protection of Cultural Property in the event of Armed Conflict, adopted at The Hague (Netherlands) in 1954, and suggested that this was a matter for the Committee to address.**

28. The Drafting Group noted the submissions and comments made by the Delegation of Belgium dated 15 March 2002. The Delegation of Belgium proposed that the current *Operational Guidelines* (March 1999) be amended to include the Committee's decisions made in Cairns (2000) and Helsinki (2001) for approval at the 26th session of the Committee in Budapest (June 2002), as the revision process was taking time due to procedural issues. The proposal also included a new structure of the revised *Operational Guidelines* whereby all fundamental texts relating to the *Convention* would be published in one volume. The Drafting Group considered that the process of revising the *Guidelines* was too far advanced to change the approach as suggested by the Belgium Delegation.

29. The Expert of Greece cautioned against paraphrasing the *World Heritage Convention* in the *Operational Guidelines* as it might lead to misinterpretation of the *Convention* text. The Drafting Group agreed however that the purpose of the *Operational Guidelines* was to be user friendly and communicate what is required by the *Convention*, consequently paraphrasing the *Convention* was necessary in the *Operational Guidelines*.

30. The Drafting Group noted that the Delegation of Belgium stressed in their submission, the importance of having a good French translation of the *Operational Guidelines* and offered to assist in this process. The Delegate of Egypt also suggested the translation of the revised *Operational Guidelines* into Arabic once approved by the Committee. The Director of the World Heritage Centre advised that a budget had been approved by the World Heritage Committee in Helsinki (2001) that should allow for the dissemination of the revised *Guidelines* in a number of languages as had been achieved for the education kit "World Heritage in Young Hands".

31. The Expert of Egypt noted the educational purpose of the *Operational Guidelines* and the need for a simplified approved version of the *Operational Guidelines* to be accompanied by education kits for training courses. The representative of ICCROM stated that this process had started with kits currently being developed for the nomination process.

V. REVIEW OF THE *OPERATIONAL GUIDELINES* SECTION BY SECTION

I. INTRODUCTION

32. A draft 3rd annotated revised version of Section I of the *Operational Guidelines* was presented to the Drafting Group. This draft, prepared by the World Heritage Centre, incorporated comments received from States Parties and the Advisory Bodies in response to the 2nd draft annotated version (November 2001), and following meetings with the Advisory Bodies in January and February 2002.

33. Section I was approved by the Drafting Group with the exception of text in brackets. Approved amendments and discussions were as follows:

Annex 1 World Heritage Convention

34. Following a recommendation of the October 2001 Drafting Group, the *World Heritage Convention* was annexed to Section I as Annex 1. ***The legality of annexing the Convention to the Operational Guidelines was referred by the March 2002 Drafting Group to the 26th session of the World Heritage Committee for decision.***

Principles and Procedures to Guide the Implementation of the World Heritage Convention

35. A new paragraph was added to acknowledge that the *Operational Guidelines* are periodically reviewed and revised to reflect the decisions of the Committee. The text derives from the Strategic Orientations adopted by the World Heritage Committee in Santa Fe (1992).

Purpose of the Operational Guidelines and its relation to sustainable development

36. The Expert of Egypt noted that the *World Heritage Convention* was prepared before the concept of "sustainable development" was widely used in conservation efforts. Although he acknowledged that the intergenerational concept is included in the *Convention*, he noted that it must be further elaborated with the concept of "sustainable development" in the *Operational Guidelines*.

General Principles

37. Substantial additions were made to the General Principles text developed by the October 2001 Drafting Group, in order to better reflect the *World Heritage Convention*. Although questioned, the Drafting Group decided to retain the words of the Resolution adopted by the 12th General Assembly of States Parties (1999) relating to the encouragement of nominations from under-represented States Parties.

Definition of outstanding universal value

38. The Drafting Group acknowledged that Articles 1 and 2 of the *Convention* do not provide a clear definition of outstanding universal value. A definition of outstanding universal value that was consistent with Articles 1 and 2 of the *Convention* and that included text proposed by the October 2001 Drafting Group was finally agreed upon. The Drafting Group agreed that the bibliography to the revised *Guidelines* include all relevant texts on outstanding

universal value such as the La Vanoise report of 1996 and the Amsterdam report of 1998 in order to assist users of the *Operational Guidelines* in further clarifying the meaning of outstanding universal value.

Ratification/ Acceptation/ Accession of the *World Heritage Convention* and Annex 2

39. Text on ratification, acceptance and accession to the *World Heritage Convention* was simplified to ensure consistency with the *Convention*. The revised Annex 2 contains forms based on the existing ratification/acceptation and accession forms that have been approved by the UNESCO Office of International Standards and Legal Affairs.

Roles and Responsibilities under the *World Heritage Convention*

40. Text on the roles and responsibilities of State Parties, the Committee, the Bureau, the Advisory Bodies, partners and the World Heritage Centre was further refined building on the current *Operational Guidelines* (March 1999) and text proposed by the October 2001 Drafting Group. Additions were made to reflect the *Convention* text and recent Resolutions of the General Assembly of States Parties.

41. ***The role of the Committee to allocate funds to assist less developed countries who are members of the Committee to participate in Committee and Bureau sessions was identified as a policy issue for Committee decision.***

Role of the Advisory Bodies

42. The Drafting Group revised the text on the role of the Advisory Bodies to highlight the different fields of expertise of ICCROM, ICOMOS and IUCN.

Partners in the protection of World Heritage

43. The Drafting Group identified the need to distinguish between partners at the World Heritage property and fundraising partners. In paragraph I.D.30 of the 3rd Draft annotated revised *Operational Guidelines* it was accepted that "partners" referred primarily to partners involved in the management of a World Heritage property. The Drafting Group considered that the ***World Heritage Committee would have to further discuss the issue of partnerships at its 26th session in Budapest (June 2002).***

Other Conventions and Recommendations

44. The Drafting Group removed the list of other international conservation instruments and decided that a list of these instruments and relevant UNESCO recommendations and programmes would be included on the World Heritage Centre's website.

Authority under the *Convention* for inscription of a property on the List of World Heritage in Danger or Deletion from the World Heritage List

45. Although the Drafting Group acknowledged that legal/policy issues were not to be discussed, the majority of the Group agreed to insert text in a footnote to paragraph I.B.4 (ix). The footnote includes an extract from paragraph 24 of the Strategic Orientations adopted by the World Heritage Committee (Santa Fe, 1992) which states that:

"The possibility of inscribing a site on the List of World Heritage in Danger, without a prior request from the State concerned, should be included in the *Operational Guidelines*."

II. ESTABLISHMENT OF THE WORLD HERITAGE LIST

Global Strategy

46. The text proposed by the October 2001 Drafting Group was amended to include "credible" in the title "Introduction to the Global Strategy for a Balanced, Representative and Credible World Heritage List"

Tentative lists

47. The importance of tentative lists as a planning tool for States Parties and the World Heritage Committee was stressed. The preferred periodicity of updating tentative lists was discussed at length and it was suggested that this was up to the discretion of the State Party. Text was added to refer to the World Heritage Centre's role in updating its database when a property on a tentative list has been inscribed on the World Heritage List. The Drafting Group also stressed the importance of having an indication of legal and protective systems for the sites on tentative lists.

Capacity-Building for States Parties whose heritage is not represented or under-represented on the World Heritage List

48. Following a suggestion by ICCROM to include text on capacity-building, two new paragraphs were inserted relating to the decision of the 24th session of the World Heritage Committee (Cairns 2000). The paragraphs refer to capacity-building and training to assist with preparation and harmonisation of tentative lists and nominations, with the use of Preparatory Assistance for States Parties whose heritage is un-represented or under-represented in the List.

Criteria

49. The Drafting Group acknowledged that the unified set of criteria in the 2nd draft annotated revised *Operational Guidelines* required formal adoption by the Committee. The Drafting Group noted that it did not have the mandate to revise the criteria, consequently the original texts of criteria (v) and (vi) were reinstated. **The final presentation and drafting of the criteria require a Committee decision.** The Drafting Group agreed to make reference to the proposed wording for criteria (v) and (vi) in the footnotes and to include reference to discussions of the 25th session of the Bureau (June 2001) concerning the application of criterion (vi).

Integrity and authenticity

50. The Drafting Group acknowledged that the concept of authenticity was not well explained in the current *Operational Guidelines*. New text was proposed by a small working group however it was not accepted as the text from the 2nd Draft annotated revised *Operational Guidelines* (November 2001) was considered to be more concise.

51. It was agreed that:
- (a) Authenticity and integrity could not be applied in the same way.
 - (b) Authenticity is limited in application to cultural heritage.
 - (c) Integrity can be applied to natural and cultural heritage.
 - (d) The text on authenticity within the *Guidelines* should only present the general notion of authenticity to avoid being too restrictive. Text was amended to include reference to Nara, and some of the recommendations of the Expert Meeting on Authenticity and Integrity in an African context (Zimbabwe, 2000).
 - (e) The *Nara Document on Authenticity* should not be referred to in the text of the *Operational Guidelines* but included in Annex 5 Authenticity in Relation to the *World Heritage Convention*. Other concepts of authenticity were noted other than the one provided by in the *Nara document on Authenticity*, for instance San Antonio. The *Nara document* however provided the important element of the notion of cultural relativity.
 - (f) Regional and other charters on authenticity should not be referred to as this would imply that the World Heritage Committee agrees with their goals and objectives, which may not be the case.
 - (g) References on authenticity should be made in the Bibliography.
52. Concerning integrity for natural properties, it was suggested that the notion of biodiversity be broadly interpreted to include species, genetic, habitat and landscape diversity.
53. The representative of ICOMOS requested that discussions continue after the Drafting Group meeting on the text on Integrity in order to develop new paragraphs to address the integrity of properties nominated under criteria (ii) to (vi).

Annex 5 Authenticity in relation to the *World Heritage Convention*

54. Following the discussions relating to authenticity, it was agreed that Annex 5 would comprise the *Nara Document on Authenticity* (November 1994). The Bibliography of the *Operational Guidelines* will also list subsequent expert meetings that have enriched the understanding of the concept of authenticity in relation to the *World Heritage Convention* in different regional contexts.

Legal/Management Requirements

55. The Drafting Group considered that the text on legal/management requirements should be drafted with reference to diverse types of management systems applied by different cultures (to include traditional protection). It was also acknowledged that there is a need to provide international assistance for the preparation of management plans and legal provisions as many World Heritage sites still do not have management plans.

56. ***The question of whether or not a management plan has to be in place or whether it can be under preparation at the time of inscription of a property on the World Heritage List was raised as a policy issue to be decided by the Committee.***

Nomination of properties for inclusion in the World Heritage List

57. The new timetable for nominations approved by the World Heritage Committee (Cairns, 2000) was integrated into the text.

Statement of outstanding universal value

58. When discussing section G. "Inscription on the World Heritage List", the Drafting Group questioned the meaning in the words "Statement of Outstanding Universal Value". Concerns were raised that it could limit the application of the *Convention*. It was suggested to replace these words with "World Heritage Value", however as this term has not been used in the past, it was decided not to use it. The Expert of the United Kingdom noted that the statement of outstanding universal value is meant to be an agreed text by the State Party concerned and the Committee as to why the site is inscribed on the World Heritage List. It was decided to retain the words "statement of outstanding universal value" for the time being using lower case.

Annex 3 Tentative List Submission Format

59. The World Heritage Centre advised the Drafting Group that the new draft Annex 3 derived from Annex 1 of the current *Operational Guidelines* (March 1999) with minor amendments. The Drafting Group approved draft Annex 3 for presentation to the 26th session of the World Heritage Committee.

Annex 4 Guidelines for the inclusion of specific types of sites on the World Heritage List

60. The different origins and status of the texts proposed to be included in this annex were discussed. The Group noted that many global and thematic studies have been carried out by ICOMOS and IUCN, which should be referenced in the Annex. It was also agreed that the identification of typologies was an evolving process and that additional text might be added to this annex by the Committee in future years. The Drafting Group decided not to include text on fossil sites, but to reference the study on this topic.

61. The agreed text of Annex 4 contains an introduction and definitions of cultural landscapes, historic towns and town centres, heritage canals and heritage routes. A website (<http://whc.unesco.org/req1.asp>) is mentioned that contains the reports of the expert meetings presented to the World Heritage Committee and its Bureau. Annex 4 also contains a list of thematic and comparative studies by the Advisory Bodies with their respective website addresses for readers to access.

Annex 6 Provisions for protection and management of nominated and inscribed properties

62. Annex 6 has not been prepared. The Expert of Australia commented that there was a need for Annex 6 in order to further explain the application of concepts of protection and management in the text of the *Operational Guidelines*. The Drafting Group agreed not to include this annex in the 3rd Draft Annotated Revised *Operational Guidelines* as guideline manuals would be developed over time for different types of cultural and natural sites. Once prepared these manuals would be cross-referenced in the *Operational Guidelines*. It was acknowledged that documents were currently under preparation for the management of World Heritage cultural landscapes and archaeological sites. The Chairperson informed the meeting that other initiatives such as the HEREIN network will also provide guidance on legal provisions for site protection. The Drafting Group noted that a glossary could be used in the short term whilst the manuals are being developed to further clarify heritage management terminology.

Annex 6 Guidelines and format for the preparation of nominations of properties for inclusion on the World Heritage List

63. This Annex was previously referred to as Annex 7 in the 2nd Draft Annotated Revised *Operational Guidelines*. The draft of Annex 6 presented to the Drafting Group was amended based on consultation with the Advisory Bodies in early 2002 and consideration of submissions received in response to Circular Letter CL/WHC.16/01. The draft Annex was put on the website <http://whc.unesco.org/opgu> prior to the meeting to enable the participants to familiarise themselves with the text. All text with legal/policy issues was square bracketed in this annex.

64. In summary, the following points were discussed by the March 2002 Drafting Group:

- (a) The Resolutions of the General Assembly (1999 & 2001), the Task Force on the implementation of the *Convention* and the subsequent decisions of the World Heritage Committee to limit the number of nominations to be examined in 2003 to 30 : The Group decided to refer only to the Committee's overall strategy and not to specific decisions in this regard.
- (b) Incomplete nominations: It was suggested that the World Heritage Centre invite States Parties to advise the Centre if they intend to present a nomination in advance of the 1 February deadline. This would allow the Centre to advise the States Parties of the necessary information required to ensure submission of full and complete nominations.
- (c) The definitions of "phased", serial and transboundary nominations: The Drafting Group stated that in the case of transboundary nominations, all States Parties concerned should be involved in the planning and consultation process. The first element of a phased nomination must be of outstanding universal value in its own right.
- (d) Emergency nominations: **A decision concerning the procedures for emergency nominations is required from the Committee.** The Drafting Group recommended the inclusion of properties of outstanding universal value in tentative lists prior to emergency nomination. The Group also noted that the *Convention* does not refer to emergency procedures, but only to inclusion on the List of World Heritage in Danger.

65. A photo authorization form to be included in Annex 6 was not ready for presentation to the Drafting Group. The World Heritage Centre advised the Drafting Group that a new system of authorization will be proposed to the World Heritage Committee for decision.

Annex 7 Evaluation Procedures of ICOMOS and IUCN

66. The draft Annex presented to the Drafting Group was a combination of text proposed by ICOMOS and IUCN. The Drafting Group made some editorial comments on the language and evaluation procedures.

SECTION III PROTECTION AND CONSERVATION OF WORLD HERITAGE PROPERTIES

Management and the Management Cycle

67. The Drafting Group prepared a revised text to include reference to effective management and the diversity of heritage management approaches. The Group also recommended that the concept of sustainability be included in the text on the Management Cycle.

Training and Research

68. ICCROM recommended that new text on training needed to reflect the recent adoption by the Committee of the Global Training Strategy for Cultural and Natural Heritage. ICCROM suggested that the best place to situate text on training was within Section III where training can be seen as a part of the process to build up effective systems for conservation and protection. ICCROM noted that the content on text in Section V on training had a different objective and focused on mobilization of national and international support whereby the text in Section III was on roles and responsibilities of States Parties in regards to training.

69. The Drafting Group agreed to include three new paragraphs relating to the recognition of high-level skills and a multidisciplinary approach necessary for the protection, conservation and presentation of World Heritage. The text also refers to the Global Training Strategy, an annual review of training issues, and the need for States Parties to develop national training strategies and make resources available to undertake research.

Periodic Reporting

70. The Expert of Greece noted that Periodic Reporting is a planning tool for the Committee for capacity-building. The final draft text approved by the Drafting Group contained a revised definition, five main purposes of periodic reporting, and retained the essence of the paragraphs relating to the format for periodic reports and follow-up that were included in the 2nd Draft revised *Operational Guidelines*.

Reactive Monitoring

71. The Drafting Group retained all text within square brackets as presented in the 2nd draft revised *Operational Guidelines*. Some members of the Drafting Group worked on a revised text on reactive monitoring whereby information on successful outcomes and implementation of the *Convention* was requested from States Parties to report on international co-operation for effective conservation management. The Group however decided not to include the revised text in the 3rd Draft Annotated Revised *Operational Guidelines*.

72. The Expert of Australia circulated for information a proposed new text on Reactive Monitoring amongst the Drafting Group. However, as it had been agreed not to discuss square bracketed text, he did not request that the text be included in the 3rd Draft Annotated Revised *Operational Guidelines*.

List of World Heritage in Danger

73. The Drafting Group agreed to largely rely on text in the existing *Operational Guidelines* (March 1999) and text proposed by the October 2001 Drafting Group. Text was further simplified to describe the process involved and the objectives of the List of World Heritage in Danger. The criteria for the inclusion of properties in the List of World Heritage in Danger were noted to contain outdated language and were therefore revised by the Drafting Group. Two new sub sections of text were prepared on "Development of a programme for corrective measures" and "Supplementary factors" that the Committee may wish to bear in mind when considering the inclusion of a property on the List of World Heritage in Danger. This new text largely derives from the existing *Operational Guidelines* (March 1999) and text proposed by the October 2001 Drafting Group.

Deletion from the World Heritage List

74. The Drafting Group redrafted text that was not of a legal/policy nature. The text was revised with the objective being to explain the logical flow of reactive monitoring, followed by potential inclusion of a property on the List of World Heritage in Danger and if necessary, deletion from the World Heritage List.

75. Text was added at the beginning of the section stating the need for all possible measures to be taken to ensure conservation of World Heritage properties in order to prevent deletion from the List. New text was added referring to the availability of international assistance, including emergency assistance, to States Parties for conservation of properties under threat.

Annex 8 Process of Periodic Reporting and Format and Explanatory Notes

76. Annex 8 derives from the current Format for Periodic Reporting on the application of the *World Heritage Convention*, approved by the Committee at its 20th session in 1996. Small editorial amendments were made including inclusion of the amended Periodic Reporting schedule agreed to by the World Heritage Committee in Helsinki (2001). Other additions included the importance of periodic reporting to long term conservation and the development of long-term programmes whereby periodic reporting would provide an integral link to more accurately reflect the needs of World Heritage and facilitate international assistance. Text on tentative lists was reinforced by stating that States Parties should report on actions taken to implement the decision of the 24th session of the Committee (Cairns, 2000) and the 12th General Assembly of States Parties (1999) whereby tentative lists are to be used as a planning tool to reduce the imbalances in the World Heritage List.

Annex 10 Process of reactive monitoring, Annex 11 Inclusion on and treatment of properties on the List of World Heritage in Danger and Annex 12 Deletion of a property from the World Heritage List

77. The Drafting Group was informed that these annexes referred to in the 2nd draft annotated revised *Operational Guidelines*, had not yet been prepared. The Drafting Group agreed that at this stage, their preparation was not required.

IV. INTERNATIONAL ASSISTANCE

78. The International Assistance text in the 1st draft annotated revised *Operational Guidelines* (June 2001) was not reviewed at the October 2001 Drafting Group meeting. Consequently the World Heritage Centre prepared a new draft Section IV and Annex 9 on International Assistance using comments from States Parties and the Advisory Bodies in response to Circular Letter CL/WHC.8/01 (dated 20 July 2001) and CL/WHC.16/01 (dated 21 December 2001). The World Heritage Centre informed the Drafting Group that the new text and annex had only recently been prepared and had not been reviewed by the Advisory Bodies, nor included on the *Operational Guidelines* website for review. The World Heritage Centre acknowledged that significant amendments were made to the draft developed at the Expert Meeting in Canterbury (April 2000) to clarify the practical application of International Assistance and the process of evaluation and follow-up.

Priorities

79. The Drafting Group agreed that the text of Section IV and Annex 9 should follow the priorities of the *Convention* and the Committee whereby the first priority for assistance is given to properties on the List of World Heritage in Danger.

Eligibility

80. The Drafting Group recommended that the Committee's decision at its 13th session in 1989 to only allow international assistance for States Parties that have paid their dues to the World Heritage Fund (with the exception of emergency assistance), be retained. **The Drafting Group however, identified that the Committee needs to decide whether the exemption of the condition of payment of dues to the World Heritage Fund can be removed for the granting of training and research assistance.**

Annex 9 International Assistance

81. The World Heritage Centre presented the Drafting Group with a draft revised Annex that comprised a single application form for international assistance whereby all 5 existing international assistance forms were merged into one. The existing training form proved the most useful basis to create the merged revised form.

82. **The Drafting Group recommended that assistance for training be expanded to "training and research" subject to the decision of the Committee.**

83. The Annex included a table showing relevant information on each of the 5 types of international assistance including the purpose, the eligibility, the deadline for submissions, the approval process and the budget ceilings. Following discussions, several amendments were made to the Annex including the insertion of a budget table requesting States Parties to give a detailed breakdown of costs foreseen for international assistance projects.

V. MOBILIZATION OF NATIONAL AND INTERNATIONAL SUPPORT IN FAVOUR OF THE WORLD HERITAGE CONVENTION

84. In reviewing Section V, the Drafting Group largely retained text from the 2nd draft annotated revised *Operational Guidelines* (November 2001). Approved amendments and discussions were as follows:

Objectives

85. An additional objective was inserted in paragraph V.A. which was "to enhance the function of World Heritage in the life of the community".

Information

86. The text was revised to include reference to key sources of information. The Expert of Canada highlighted the need to include text in the *Operational Guidelines* requiring States Parties to be consulted when material relating to sensitive sites such as sacred sites was to be published.

Awareness building

87. Additional text was included on awareness building, encouraging States Parties to raise awareness of the need to preserve World Heritage, in particular by ensuring that World Heritage status is adequately marked and promoted on-site.

Education

88. ICCROM's proposal to relocate text on training and research from Section V to Section III was accepted. An additional paragraph was inserted referring to the World Heritage Educational Resource Kit "World Heritage in Young Hands".

Mobilisation of technical and financial resources in support of the *World Heritage Convention*

89. New text entitled "Mobilisation of technical and financial resources in support of the *World Heritage Convention*" was included. The text partly derives from the *World Heritage Convention* and from the 2nd draft annotated revised *Operational Guidelines*. New text was adopted referring to the development of partnerships with public and private institutions.

World Heritage Emblem

90. The issue of copyright of the World Heritage Emblem was raised by the Expert of the United Kingdom. He suggested that the Centre and the Committee register the Emblem as an international trademark, to ensure States Parties introduce legislation on the use of the Emblem.

91. The Expert from Mexico suggested that the User's Manual of the World Heritage Visual Identity (under preparation) referred to in paragraph V.D.2, be translated into the six working languages of UNESCO.

Annex 10 Guidelines and principles for the use of the World Heritage Emblem

92. Annex 10 comprises Annex 2 and 3 of the current *Operational Guidelines* (March 1999). The first page with the Emblem contains text originating from paragraph 127 of the current *Operational Guidelines* (March 1999), describing the history, meaning and symbolism of the emblem.

93. The first footnote explains that the Users Manual of the World Heritage Visual Identity will provide a user-friendly approach to how the principles for use of the Emblem

could be applied. The proposed manual will be presented to the 26th session of the World Heritage Committee.

94. *In the same footnote it is stated that the World Heritage Centre considers that it may be useful to include guidelines that would regulate the use of the Emblem by World Heritage partners. The Drafting Group noted that this is a policy matter for decision by the World Heritage Committee.*

VI. RECOMMENDED FOLLOW-UP

95. The Drafting Group identified a number of issues that require decision by the 26th session of the World Heritage Committee in Budapest (June 2002) before the revision of the *Operational Guidelines* can be finalised. The issues are as follows:

Legal/Policy issues identified by the October 2001 Drafting Group:

- (i) The role of State Party consent in reactive monitoring;
- (ii) The role of State Party consent for inscription of a property on the List of World Heritage in Danger; and
- (iii) The capacity of the World Heritage Committee to decide and the role of the State Party to consent to deletion of properties from the World Heritage List.

Legal/Policy issues identified by the March 2002 Drafting Group:

- (i) *Who can nominate a property to the World Heritage List in the case of an emergency?*
- (ii) *Final wording for criterion (v) and criterion (vi).*
- (iii) *Is a management plan necessary before a property can be inscribed on the World Heritage List?*

Other issues highlighted for decision by the World Heritage Committee:

- (i) *The need to better co-ordinate the World Heritage Convention with the 2nd Protocol of the Convention for the Protection of Cultural Property in the event of Armed Conflict adopted at The Hague (Netherlands) in 1954.*
- (ii) *The legality of annexing the World Heritage Convention to the Operational Guidelines.*
- (iii) *The role of the Committee to allocate funds to assist less developed countries who are members of the Committee to participate in Committee and Bureau sessions.*
- (iv) *Partnerships in relation to site management needs to be distinguished from partnerships for fundraising.*
- (v) *Whether the exemption of the condition of dues to the World Heritage Fund can be removed for the granting of training and research assistance.*

- (vi) *The Drafting Group recommended that assistance for training be expanded to "training and research" subject to the decision of the Committee.*
- (vii) *The need to include guidelines that would regulate the use of the World Heritage Emblem by World Heritage partners.*

General Recommendations

- (i) The revised *Operational Guidelines* must be user-friendly. Professional editing, and graphic design will be required.
- (ii) The French version of the *Operational Guidelines* and annexes should be carefully prepared to accurately reflect the meanings in the English version.
- (iii) The Committee should allow for the dissemination of the revised *Guidelines* in a number of languages.
- (iv) A Glossary of World Heritage Terms and an index should be prepared.

VII. CLOSING SESSION

96. The Chairperson thanked the participants of the meeting for the significant progress made during the week. He thanked the representatives of the World Heritage Centre for organising the meeting and providing support throughout the process and he thanked the interpreters and translators for their work. The Drafting Group thanked the Chair for his leadership and expressed their condolences to Mr Skounti, the Expert of Morocco who could not attend the meeting due to a loss in his family. The meeting closed at 13.00 on Friday 22 March 2002.

List of Participants

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Operational Guidelines for the Implementation of the
World Heritage Convention*

**Room VII Fontenoy, UNESCO Headquarters
18-22 March 2002**

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List of Documents / Liste des documents

***Drafting Group for the Revision of the
Operational Guidelines for the Implementation of the
World Heritage Convention /
Groupe de rédaction pour la Révision des Orientations devant
guider la mise en œuvre de la Convention du patrimoine mondial***

Room VII Fontenoy, UNESCO Headquarters

18-22 March 2002 /

Salle VII (Fontenoy) Siège de l'UNESCO

18 - 22 mars 2002

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Provisional Agenda and Timetable / Ordre du jour et calendrier provisoires

Provisional List of Participants (English only; anglais seulement)

Compilation table of comments on the 2nd draft annotated revisions of the *Operational Guidelines for the Implementation of the World Heritage Convention* / Tableau récapitulatif des commentaires sur le 2^e Projet de révisions annotées des *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial*

Comments on the 2nd draft annotated revisions of the *Operational Guidelines for the Implementation of the World Heritage Convention* / Commentaires sur le 2^e projet de révisions annotées des *Orientations devant guider la mise en oeuvre de la Convention du patrimoine mondial* (available on request / disponible sur demande)

Submission from the Delegation of Belgium 15 March 2002 / Commentaires de la Délégation belge, 15 mars 2002

- (a) Convention du patrimoine mondial - Textes fondamentaux / World Heritage Convention - Basic texts (table of contents in English only)
- (b) Questions à examiner / Matters to examine

Strategic Orientations adopted by the World Heritage Committee at its 16th session (Santa Fe, 1992) / Orientations stratégique adoptées par le Comité du patrimoine mondial à sa 16^e session (Santa Fe, 1992)

Operational Guidelines for the Implementation of the World Heritage Convention (March 1999) / *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial* (mars 1999)

Report of the International Expert Meeting on the Revision of the *Operational Guidelines for the Implementation of the World Heritage Convention* (Canterbury, United Kingdom, 10-14 April 2000) / Rapport de la Réunion internationale d'experts sur la révision des *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial* (Cantorbéry, Royaume-Uni, 10-14 avril 2000)

Extract from the Report of the 24th session of the World Heritage Committee (Cairns 2000) / Extrait du rapport de la 24^e session du Comité du patrimoine mondial, Cairns, Australie, 27 novembre - 2 décembre 2000

Draft annotated revisions, *Operational Guidelines for the Implementation of the World Heritage Convention* WHC.2001/2, 22 June 2001 / Projet de révisions annotées, *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial* WHC.2001/2, 22 juin 2001

Report presented to the 25th session of the World Heritage Committee (Helsinki 2001) Revision of the *Operational Guidelines for the Implementation of the World Heritage Convention* WHC-01/CONF.208/6 / Rapport présenté à la 25^e session du Comité du patrimoine mondial, (Helsinki 2001) Révision des *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial* WHC-01/CONF.208/6

Extract from the Report of the 25th session of the World Heritage Committee (Helsinki, Finland, 11-16 December 2001) / Extrait du rapport de la 25^e session de Comité du patrimoine mondial, (Helsinki, Finlande, 11-16 décembre 2001)

Rules of Procedure of the World Heritage Committee (February 2002) / Règlement intérieur du Comité du patrimoine mondial (février 2002)

Web Site of the Revision of the *Operational Guidelines* - whc.unesco.org/opgu / Site Web de la Révision des *Orientations* - whc.unesco.org/opgu

Draft Annex 1 Projet Annexe 1	<i>World Heritage Convention</i> Convention du patrimoine mondial
Draft Annex 2 Projet Annexe 2	Model Instrument of Ratification/Acceptance and Accession Modèle d'instrument de ratification/d'acceptation et d'adhésion
Draft Annex 3 Projet Annexe 3	Tentative List Submission Format (English and French) Format pour la soumission d'une liste indicative (anglais et français)
Draft Annex 4 Projet Annexe 4	Guidelines on the inclusion of Cultural Landscapes, Towns, Canals, Cultural Routes and Fossil Sites on the World Heritage List Orientations pour l'inclusion de paysages culturels, villes, canaux, routes culturelles et sites fossilifères sur la Liste du patrimoine mondial
Draft Annex 5 Projet Annexe 5	Authenticity and integrity in relation to the <i>World Heritage Convention</i> Authenticité et intégrité par rapport à la Convention du patrimoine mondial
[no Annex 6 / pas d'Annexe 6]	
Draft Annex 7 Projet Annexe 7	Guidelines for the preparation of nominations of properties for inclusion on the World Heritage List Orientations pour la préparation des propositions d'inscription sur la Liste du patrimoine mondial
Draft Annex 8 Projet Annexe 8	Evaluation procedures of ICOMOS and IUCN Procédures d'évaluation de l'ICOMOS et de l'IUCN
Draft Annex 9 Projet Annexe 9	Format for the periodic reporting on the application of the <i>World Heritage Convention</i> Format pour la soumission de rapports périodiques sur l'application de la Convention du patrimoine mondial (English and French/ anglais et français)

[no Annex 10, 11, 12 / pas d'Annexes 10, 11, 12]

Draft Annex 13
Projet Annexe 13

International Assistance
Assistance internationale

Draft Annex 14
Projet Annexe 14

Guidelines and Principles for the use of the World Heritage Emblem
Orientations et principes régissant l'utilisation de l'emblème du patrimoine mondial