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

WORLD HERITAGE COMMITTEE

Thirty-fifth session

Paris, UNESCO Headquarters

19-29 June 2011

Item 12 of the Provisional Agenda: Reflection on the Future of the *World Heritage Convention*

12B. Report of the expert meeting on decision-making procedures of the statutory organs of the *World Heritage Convention* (Manama, Bahrain, 15-17 December 2010)

SUMMARY

This document presents the outcomes of the expert meeting on decision-making procedures of the statutory organs of the *World Heritage Convention* which took place in Manama, Bahrain, on 15-17 December 2010. A set of recommendations is proposed in Part D of this document for adoption by the World Heritage Committee.

All the documents related to this meeting are available on the World Heritage Centre website at the following address: <http://whc.unesco.org/en/futureoftheconvention>

Draft Decision: 35 COM 12B, see Part E.

A. Background

1. An expert meeting on decision-making procedures of the statutory organs of the *World Heritage Convention* (15-17 December 2010, Manama, Bahrain) was organised by the UNESCO World Heritage Centre in cooperation with the Kingdom of Bahrain - Ministry of Culture and with the support of the Government of Australia. Participants were selected through consultation with UNESCO regional groups and included 34 experts from all regions, including former and current Chairs and Rapporteurs and representatives of the Advisory Bodies (ICOMOS, IUCN, ICCROM) and UNESCO World Heritage Centre. The Agenda (Annex 1) and list of participants (Annex 2) were based on the preparatory meeting held in Bahrain in December 2009 (see Document WHC-10/34.COM/12) and the related World Heritage Committee Decision (**34 COM 12**). This report provides a summary of the discussions and recommendations of the expert meeting.

B. Introduction

2. The 17th session of the General Assembly of States Parties to the *World Heritage Convention* (UNESCO, 2009) welcomed the offer of Bahrain and Australia to host an expert meeting in Bahrain on the decision-making procedures of the statutory organs of the *World Heritage Convention* to identify opportunities for increasing the efficiency and transparency of these procedures (Resolution **17 GA 9**). In mandating the expert meeting, the General Assembly requested the World Heritage Centre, in cooperation with the host States Parties, to launch and facilitate consultations on the meeting's scope and agenda for discussion by the World Heritage Committee at its 34th session in 2010.
3. The consultation meeting held in Bahrain in December 2009, recommended (WHC-10/34.COM/12) that the agenda of the expert meeting focus on six key themes:
 - Theme I: Conduct of meetings
 - Theme II: Responsibilities of the statutory organs
 - Theme III: Statutory meetings
 - Theme IV: Quality of decisions
 - Theme V: Meetings of an advisory character
 - Theme VI: Confidentiality of documents and statutory meetings
4. The World Heritage Committee adopted the recommended agenda at its 34th session. It also asked that the expert meeting "*study and prepare measures to optimise the work of the statutory organs of the World Heritage Convention*", examine the Rules of Procedure and "*provide proposals for consideration by the 35th session of the World Heritage Committee in 2011*" (Decision **34 COM 12**).
5. The expert meeting is part of the process of reflection on the Future of the *World Heritage Convention*, initiated by the World Heritage Committee at its 32nd session (Quebec City, 2008) and addresses some of the global strategic issues, key challenges, trends and opportunities facing the *World Heritage Convention* identified in WH-09/33.COM/14A.
6. The participants of the expert meeting appreciated the financial support of the Kingdom of Bahrain for organising this important event in collaboration with the UNESCO World Heritage Centre and with the support of the Government of Australia.

C. Summary of the Discussion of the expert meeting

7. The expert meeting provided for an in-depth discussion on the procedures, logistics and technological requirements for decision-making within the statutory organs of the *World Heritage Convention*.
8. The participants appreciated the input of three keynote speeches. Dr Christina Cameron, on the evolution of decision-making procedures of the statutory organs of the *Convention*, argued that the *Convention* has undergone a continuous process of reform or self-correction. She identified nine recurring issues (strategic direction and accountability, strategic policy issues, cycle of meetings, preparatory discussions, venue, order and time limit of speakers, experts, rate of examination of new nominations and documents). Participants of the meeting noted that the global community looks to the Committee to set standards and strategic direction for World Heritage conservation. Key lessons identified from Dr Cameron's presentation were the need for a strategic direction and accountability framework and the need for the Committee to address these long-standing issues to free up time for strategic policy discussion.
9. Dr Greg Terrill's presentation compared the decision-making procedures of the World Heritage Convention with effective, non-UNESCO frameworks and conventions. Dr Terrill noted that policy development is a major priority for the World Trade Organization (WTO), the International Atomic Energy Agency (IAEA), the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on International Trade in Endangered Species (CITES), supported by structural processes allowing for cumulative discussion over time. Each convention has a dedicated budget committee designed to orient resources around strategic priorities. Notably, each convention has a higher core budget to extra-budgetary ratio than the *World Heritage Convention*. The WTO, IAEA, FCCC and CITES have a high frequency of meetings and devote priority agenda time to policy issues. Transparency of operations is a key feature, with regular media briefings and sessions open to media and observers on non-sensitive issues. Finally, the role of the Rapporteur in the other conventions is limited to providing political legitimacy to reports produced by the secretariat.
10. An independent analysis (by Baastel) of the established decision-making procedures of the *World Heritage Convention*, presented via the "GoToMeeting" web technology, recommended the introduction of a sub-committee structure. Participants looked forward to receiving the final report from Baastel.
11. Participants engaged in a lively discussion on the six themes identified by the December 2009 consultation meeting and the Rules of Procedure requested by the Committee. There were a number of recurring issues in this discussion.

Participants noted the need to create a devoted space for strategic direction setting and policy development

12. Participants noted that the current decision making procedures of the statutory organs of the *Convention* do not allow for systematic, cumulative policy and strategic discussion. There is a clear need to allow space for these discussions to take place.
13. At present, policy debates are struggling to find a proper forum. Policy debates are squeezing their way onto the agenda of the General Assembly, increasingly occurring in the margins of Committee meetings and resulting in a plethora of expert meetings and consultative groups throughout the year. Policy issues are also increasingly impinging on discussions of operational aspects of the *Convention* related to revision of the *Operational Guidelines*. The lack of devoted policy space is, in other words, having unintended consequences.
14. The meeting noted that part of the reason for the constant pressure to make additions to the *Operational Guidelines* is that currently they are the only means to register, with ongoing visibility and ready accessibility, the outcomes of discussions. To address this, the meeting recommended that the *Operational Guidelines* should be restricted to operational guidance, and that a new document, Policy Guidelines, be developed as a means to capture the range of policies that the Committee and the General Assembly adopt. The outcomes of expert

meetings on policy matters would feed into these Policy Guidelines, rather than being forced – sometimes inappropriately – into the *Operational Guidelines*. The meeting further recommended that the Policy Guidelines only be altered after full consideration of the results of any expert meeting through the expanded opportunities for discussion by all States Parties and interested observers, as provided for elsewhere in the recommendations below.

15. While the Committee has invited the General Assembly to engage in policy discussion on certain issues (Decision **31 COM 16A**), the expert meeting noted that a simple transference of responsibility for strategic and policy issues from the Committee to the General Assembly will not suffice. Policy issues have and will continue to emerge from a variety of sources, including from specific nomination and state of conservation discussions within the Committee. Policy issues have and will continue to be best addressed at a variety of levels within UNESCO (as the recent discussion on Historic Urban Landscapes demonstrates).
16. Participants noted that holding policy discussions in the margins of Committee sessions creates an enormous drain in time and energy during what is already an intense meeting and deprives participants of breaks. This workload is not sustainable. Participants noted that strategic policy issues should not be marginal to the implementation of the *Convention*.
17. Participants also discussed the mushrooming of expert and consultative meetings out of session. Again, these meetings are human and financial resource intensive and produce a single “event”- based approach to policy development. Participants noted that policy development should, by contrast, be a cumulative process. Expert meetings are also limited by their very nature to only a few participants, yet decisions on the strategic direction of the *Convention* and policy affect all States Parties.
18. The expert meeting noted that the Committee has consistently looked to free-up workload so that these strategic and policy discussions can take place. A variety of options have been mooted, from sub-committee structures, to changing the frequency or duration of meetings, to splitting the agenda of the Committee in alternate years.
19. The meeting participants noted that the introduction of a devoted policy space needs to take account of workload and cost implications. They were not in favour of a sub-committee structure, as potentially duplicative and difficult to resource for small delegations. They noted the potential offered by new Information Technologies as a space to continue policy discussions out of session. Participants were in favour of introducing extraordinary sessions of the Committee, held concurrently with the General Assembly, devoted specifically to policy and strategic issues as a means of limiting additional costs and enabling shorter sessions.

Participants noted the need to enhance the efficiency of the operations of the Convention to aid decision-making

20. A recurring refrain throughout the expert meeting was that the current workload for the Committee, Advisory Bodies and Secretariat is unsustainable. A number of options for increasing efficiency were therefore discussed.
21. The expert meeting noted that the Committee has recently focused on clarifying the roles of the Secretariat and Advisory Bodies, based on the mandates set out in the *Convention* and the *Operational Guidelines*. This focus has been generated by a concern about duplication, particularly in relation to missions and the preparation of documents for the Committee. The expert meeting felt that these roles were now sufficiently clear, but now need to be put into practice.
22. Experts noted that good decision-making relies on effective preparation and timely and accessible documentation. In terms of improving efficiency, the experts considered that significant streamlining was required to documentation, including potentially using easy to comprehend checkboxes and matrices. They considered 6 weeks inadequate for issuing of documents and that 3 months should be the standard, but also noted that significant changes are needed to the current timelines of the Committee sessions for this change to occur.

23. Experts praised the recent innovation of only opening for discussion the state of conservation reports requested by Committee members, but noted the need for adequate advance notice to Committee members. In a similar vein, they felt that not all issues needed to be opened for discussion. They also noted the considerable time spent by repetitious interventions and the practice of interrupting the meeting to congratulate States Parties on inscriptions to the World Heritage List.
24. The meeting considered further options for increasing efficiency including potentially introducing an absolute limit on the number of reactive monitoring missions and state of conservation reports to be considered in order to manage workload for both the Committee and Advisory Bodies, as well as to remain within the available budgetary framework.

Participants noted the need to increase the effectiveness of decision-making processes in supporting the objectives of the Convention

25. Experts considered that the primary objectives of the *Convention* are to identify and protect heritage of outstanding universal value, and ensure the ongoing conservation of World Heritage properties. They noted that the current cycle of annual reporting on state of conservation issues does not provide States Parties with sufficient time to effectively implement the recommendations of the Committee before they need to report on progress. They considered that a default two-year cycle would resolve this concern, with exceptions for urgent cases, and even a longer cycle for cases requiring significant implementation effort.
26. In terms of effective decisions, the participants noted that draft decisions on state of conservation tended to include a variety of recommended actions, not necessarily connected to protecting the outstanding universal value of the site, which also adds to the Committee's workload.
27. Participants discussed the potential to proactively use the Periodic Reporting process to reduce the state of conservation reporting workload. They noted that States Parties identify financial assistance needs in both the periodic and state of conservation reports but that these were not linked to requests for International Assistance under the World Heritage Fund, which is currently underutilised.
28. Capacity building and preparatory meetings to improve the effectiveness of decision-making were considered essential by the meeting participants. They considered that both the Chairperson and Rapporteur needed to be well briefed in relation to their roles and the tools at their disposal to manage the discussion and decision-making process. They noted the vital role of the Chairperson in managing potentially contentious site-based issues inter-sessionally, with help from the vice-Chairpersons and the Bureau as required. They welcomed the recent introduction of induction sessions for new Committee members, but recommended a greater focus on process-related practical issues.
29. Experts also welcomed the innovative pilot scheme for "Upstream" processes and were keen to see the results of this increased dialogue between the States Parties and the Advisory Bodies and the World Heritage Centre.

Increased transparency of decision-making procedures was considered essential

30. The meeting noted that an advantage of policy discussions that take place in the General Assembly is that all State Parties have the opportunity to participate. The meeting therefore recommended that policy discussions in the Committee be organised, as far as possible, to enable participation by all States Parties. This may require the use of Consultative Groups, or the recognition of requests for interventions from non-members of the Committee (subject to the decision of the Chairperson) on policy agenda items.
31. The expert meeting noted problems associated with "surprises" to States Parties, to the Committee and to the Advisory Bodies in the decision-making process. This has the effect of making the Committee meeting overly-"dramatic". The upstream processes pilot seeks to address this element of surprise for States Parties by increasing the dialogue between States

Parties and the Advisory Bodies. The experts considered, however, that there is also a need to address “surprises” for the Advisory Bodies from the current practice of States Parties providing new information at the Committee session, which can not be then evaluated by the Advisory Bodies.

32. Participants noted an increase in the politicisation of decisions. They expressed concern about the development of amendments to decisions, signed by a range of delegations, prior to consideration of the debate. They felt that this practice places inappropriate pressure on Committee members and inadequate scrutiny of decisions. Similarly, experts were concerned about the conflict of interest in being a member of the Committee and presenting new nominations to the World Heritage List. There is some statistical evidence that Committee members achieve a significantly higher level of inscriptions, which is being remarked upon by external stakeholders and damaging the credibility of the *Convention*.
33. Experts noted that some decisions have been taken that are inconsistent with the *Operational Guidelines*. Again, this weakens the rigour of the process and the credibility of the *Convention*. There is a clear need to enhance conformity and consistency of decisions with the *Operational Guidelines*, technical merit and effective conservation. Inconsistency frequently occurs when parts of draft decisions are amended without considering the implications for the decision as a whole.
34. Participants discussed the need to increase the transparency of partnerships. They noted the current work on the World Heritage Emblem and the audit of the PACT, as requested by the General Assembly (Resolution **17 GA 9**). However, they considered that increased information was needed about how partners are decided and how they contribute to the strategic goals of the *Convention*. They were concerned about inappropriate use of the Emblem and noted that standards for use exist in the UNESCO International Partnerships Guidelines. Experts recognised the value of NGO participation in the work of the *Convention* and see benefit in exploring increasing NGOs participation.
35. The expert meeting considered the current rules regarding confidentiality of documents and statutory meetings and noted a gap between the rules and practice. In particular, they noted the increase in ‘leaks’ of information from the closed Committee sessions. Experts considered it was necessary to take measures to transmit its messages to the media in a way that is advantageous to the *Convention*. They also noted that meetings are public in accordance with Rule 18. (Provision for private meetings is made under Rule 19). They therefore wanted to open the Committee session to journalists but noted that the press does not currently fit under the rules for accredited observers. Experts welcomed the contribution of the UNESCO Press Service to the work of the Committee by preparing press releases and press conferences and considered that this could be further enhanced. They noted that the Nairobi 2010 meeting of the Intangible Heritage Committee was live-streamed over the web to enhance transparency of its operations.

Experts considered the Rules of Procedure were satisfactory for their purpose

36. The expert meeting discussed the Rules of Procedure for the Committee and considered that they were, for the most part, appropriate for their purpose. A number of minor modifications are recommended below.
37. Experts did, however, note that Rules 25 and 26 were complementary and that further work was required to make this more evident. They also noted that point of order rules could be abused, with the effect of stymieing debate.

D. Recommendations

The expert meeting on decision-making procedures in statutory organs of the *World Heritage Convention* proposes the following recommendations to the World Heritage Committee:

Theme I – Conduct of meetings

1. Timeframes for interventions and order of speakers should be set by the Chairperson at the outset of Committee sessions;
2. The following changes (highlighted in grey) to the Rules of Procedure should be considered:

Rule 8.3. The United Nations and organizations of the United Nations system, as well as, upon written request, at least 15 days prior to the date of the session of the Committee, other international governmental and non-governmental organizations, permanent observer missions to UNESCO and non profit-making institutions having activities in the fields covered by the *Convention*, [according to criteria defined by the World Heritage Committee,] may be authorized by the Committee to participate in the sessions of the Committee as observers.

Rule 14. Duties of the Chairperson, [Vice-Chairpersons and Rapporteur]

14.1 In addition to exercising the powers which are conferred upon him elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Committee. He shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He shall not vote, but he may instruct another member of his delegation to vote on his behalf. [He shall work, with the assistance of the vice-chairpersons at his discretion, to anticipate and address potentially contentious issues, including out of session.] He shall exercise all other functions given to him by the Committee.

14.2 [Should the Chairperson be absent during a meeting, or any part thereof, he shall be replaced by a Vice-Chairperson.] A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

14.3 The Chairperson and Vice-Chairperson, or Vice-Chairpersons, of a subsidiary body of the Committee shall have the same duties with regard to the bodies over which they are called upon to preside as the Chairperson and the Vice-Chairpersons of the Committee.

[**14.4** In addition to exercising the powers which are conferred upon him elsewhere by the present Rules, the Rapporteur shall certify that the Secretariat has accurately recorded the Committee's decisions. He shall work with the Secretariat to monitor and record Committee debate on amendments.]

Rule 22. Order and time-limit of speeches

22.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.

22.2 The Chairperson may limit the time allowed to each speaker if the circumstances make this desirable.

[**22.3** The Chairperson, at his discretion, shall call on speakers from the Advisory Bodies and the Secretariat prior to the Committee taking a final decision.]

22.4 The representatives of organizations, individuals and observers referred to in Rules 6, 7 and 8 may address the meeting with the prior consent of the Chairperson.

[**22.5** The Chairperson shall put Committee member's questions to a State Party once at the end of the Committee's debate on the property]

[22.6 Committee members shall not speak to World Heritage properties in their own territories, except at the explicit invitation of the Chairperson and in response to specific questions posed. Advocacy in favour of a particular proposal will not be entertained.]

22.7 Representatives of a State Party, whether or not a member of the Committee, shall not speak to advocate the inclusion in the World Heritage List of a property nominated, [the state of conservation of a property on their territory] or the approval of an assistance request submitted by that State Party, but only to deal with a point of information in answer to a question. This provision also applies to other observers mentioned in Rule 8.

Theme II – Responsibilities of the statutory organs

3. Oversight and monitoring mechanisms should be put in place by both the Committee and General Assembly to ensure that actions associated with priority policy issues are implemented;
4. Consideration should be given to enhancing the role of the Bureau in facilitating the work of the Committee (without assuming a decision-making role);
5. The various actors to the *Convention*, including the World Heritage Centre and the Advisory Bodies should follow in practice their mandated roles under the *World Heritage Convention* and its *Operational Guidelines*;

Theme III – Statutory meetings

6. The General Assembly and Committee should annually consider a consolidated list of all proposed meetings in order to decide which to sanction on the basis of priorities and available resources (human and financial) and consider the option to hold virtual meetings where appropriate;
7. Policy discussions in the Committee should be organised to enable participation by all States Parties. This may require the use of Consultative Groups, or the recognition of requests for interventions from non-members of the Committee (subject to the decision of the Chairperson) on policy agenda items;
8. All meetings attended by the Secretariat should be documented in the Report on the Secretariat's activities to the Committee;
9. Three regular (not extended) sessions of the Committee should be held each biennium as follows:
 - a. Even years – host country; agenda: reports, budget, nomination and state of conservation reports
 - b. Odd years – host country; agenda: reports, budget, nomination and state of conservation reports,
 - c. Odd years – UNESCO Headquarters immediately after the General Assembly, (which should be held within the period of UNESCO's General Conference and not after it as in 2009); agenda: strategic and policy issues;
10. Except for cases of utmost urgency, the Committee should default to a minimum two-year cycle for the examination of state of conservation reports for individual properties on the World Heritage List, and for the discussion of those inscribed on the List of World Heritage in Danger;
11. Establish a four-year cycle for updating the *Operational Guidelines*;
12. The *Operational Guidelines* should be restricted to operational guidance, and that a new document, Policy Guidelines, be developed as a means to capture the range of policies that the Committee and the General Assembly adopt;
13. Items on the agenda need not all be opened for discussion, if there is a consensus on the draft Decision by the Committee;

Theme IV – Quality of decisions

14. Tools to support Committee members should be developed, including a guide to standard language adopted in decisions, an updated searchable database of decisions, simple explanations of key procedures (especially voting procedures) and a republished edition of the Basic Texts;
15. The orientation/induction session for new Committee members should be mandatory and include the direct participation of the Chairperson and Rapporteur;
16. Develop further capacity building activities for the Chairperson, Rapporteur and Committee members, including the systematic explanation of documents to their Permanent Delegations to UNESCO;
17. As a regular part of the preparation for each session of the World Heritage Committee, the Secretariat, Advisory Bodies [and the Bureau during its morning meetings] should work together to devise and agree on scenarios for the presentation, discussion and timing for each item of the agenda;
18. Draft decisions should be concise and focus on issues central to the *Convention* (notably on matters related to Outstanding Universal Value) and be limited to consideration of priority issues;
19. The draft decision for inscriptions on the List of World Heritage in Danger should include a costed programme of operations needed, as required in Article 11.4 of the *World Heritage Convention* and encourage the use of International Assistance in meeting these needs;
20. To ensure consistent decisions and avoid contradictions between paragraphs, display of draft wording on large screens should only be undertaken on an exceptional basis and when the full draft decision is printed and available;
21. Decisions should be costed and workload implications assessed for all stakeholders (States Parties, Committee, Secretariat, Advisory Bodies) prior to adoption;
22. Establish a standing consultative body for review of the Committee's biennial budget;
23. Discourage strongly the practice of Committee members endorsing amendments to draft decisions, prior to the debate, impeding the latter;
24. Committee members should not bring forward new nominations during their term serving on the Committee (exceptions could be made for specific cases of referred and deferred nominations arising from prior to their term);
25. The Committee should listen to comments from the Secretariat (and Advisory Bodies when relevant) at the end of debates to reflect on implications of amendments, for technical or *Operational Guidelines* considerations, prior to taking a final decision;
26. The Chairperson (supported by advice from the Secretariat and Legal Advisor)– when required – should move to delete paragraphs that are not in conformity with the *Operational Guidelines*;
27. To enhance consistency, and as a standard practice, draft decisions addressing:
 - a. Development threats should recommend use of Environmental Impact Assessment,
 - b. Lack of capacity should recommend assessments of management effectiveness,
 - c. Where funding is required for particular actions, should recommend applications for International Assistance from the World Heritage Fund;
28. Additional information from States Parties regarding state of conservation issues should not be accepted within the Committee session, as no opportunity for reflection and evaluation is available;

Theme V – Expert meetings

29. Develop “Policy Guidelines” for the implementation of the *World Heritage Convention*, drawing in part on the results of expert meetings and consultative bodies;
30. Clarify the different types and categories of expert meetings;

Theme VI – Confidentiality of documents and statutory meetings

31. The Committee should continue its reflection on the best way for the States Parties to engage in a constructive dialogue with the Advisory Bodies during the assessment of the nominations processes, and with the Advisory Bodies and the Secretariat during the reactive monitoring process;
32. Define the purpose of partnerships with NGOs and develop criteria for their recognition as partners to the *World Heritage Convention*;
33. In relation to partnerships, the current *Operational Guidelines* should be scrupulously followed and, more generally:
 - a) Partnerships should be established in so far as they allow to pursue the objectives of the *Convention*,
 - b) An accountability framework should be established,
 - c) Any partnership should be compliant with the UNESCO Rules for partnership agreements,
 - d) All financial resources from partnerships should be received in a transparent way and, as far as possible, as a contribution to the World Heritage Fund,
 - e) Partnerships should be established in a balanced way, taken into account the Committee’s priorities, the value of the “World Heritage Brand” and the legitimate objectives of the partners,
 - f) Highly specialised competences, within UNESCO and outside, should be used to handle partnerships,
 - g) Regular report should be made to the Committee in order to define strategic priorities;
34. World Heritage Committee meetings should be live-streamed over the web;
35. Relations with media should be strengthened, including through media briefings prior to the opening of Committee sessions, capacity building for journalists on World Heritage matters, regular interface between the media and the Chairperson during Committee sessions and media training for the Chairperson and representatives of the Advisory Bodies. The meetings should be opened to accredited journalists.
36. The mission reports [and the assessments of the nominations] should be transmitted by the Secretariat to the relevant States Parties as soon as they are finalised, to allow time for proper dialogue;
37. Working documents should be made public by the Secretariat, at the time of their distribution to the States Parties;

E. Draft Decision

Draft Decision: 35 COM 12B

The World Heritage Committee,

1. *Having examined* Document WHC-11/35.COM/12B,
2. *Recalling* Resolution **17 GA 9** adopted by the General Assembly of States Parties to the World Heritage Convention at its 17th session (UNESCO, 2009) and Decision **34 COM 12** (Part IV para. 24 and 25) adopted by the World Heritage Committee at its 34th session (Brasilia, 2010),
3. *Thanking* the States Parties of Bahrain and Australia and the UNESCO World Heritage Centre for organizing the expert meeting on the decision-making procedures of the statutory organs of the World Heritage Convention (Manama, Bahrain, 15-17 December 2010),
4. *Notes* the report provided by the participants at the above-mentioned expert meeting;
5. *Adopts* the following amendments to its Rules of Procedure:

Rule 8.3. The United Nations and organizations of the United Nations system, as well as, upon written request, at least 15 days prior to the date of the session of the Committee, other international governmental and non-governmental organizations, permanent observer missions to UNESCO and non profit-making institutions having activities in the fields covered by the Convention, [according to criteria defined by the World Heritage Committee,] may be authorized by the Committee to participate in the sessions of the Committee as observers.

Rule 14. Duties of the Chairperson, [Vice-Chairpersons and Rapporteur]

14.1 In addition to exercising the powers which are conferred upon him elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Committee. He shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He shall not vote, but he may instruct another member of his delegation to vote on his behalf. [He shall work, with the assistance of the vice-chairpersons at his discretion, to anticipate and address potentially contentious issues, including out of session.] He shall exercise all other functions given to him by the Committee.

14.2 [Should the Chairperson be absent during a meeting, or any part thereof, he shall be replaced by a Vice-Chairperson.] A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

14.3 The Chairperson and Vice-Chairperson, or Vice-Chairpersons, of a subsidiary body of the Committee shall have the same duties with regard to the bodies over which they are called upon to preside as the Chairperson and the Vice-Chairpersons of the Committee.

[**14.4** In addition to exercising the powers which are conferred upon him elsewhere by the present Rules, the Rapporteur shall certify that the Secretariat has accurately recorded the Committee's decisions. He shall work with the Secretariat to monitor and record Committee debate on amendments.]

Rule 22. Order and time-limit of speeches

22.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.

22.2 The Chairperson may limit the time allowed to each speaker if the circumstances make this desirable.

[**22.3** The Chairperson, at his discretion, shall call on speakers from the Advisory Bodies and the Secretariat prior to the Committee taking a final decision.]

22.4 The representatives of organizations, individuals and observers referred to in Rules 6, 7 and 8 may address the meeting with the prior consent of the Chairperson.

[22.5 *The Chairperson shall put Committee member's questions to a State Party once at the end of the Committee's debate on the property]*

[22.6 *Committee members shall not speak to World Heritage properties in their own territories, except at the explicit invitation of the Chairperson and in response to specific questions posed. Advocacy in favour of a particular proposal will not be entertained.]*

22.7 *Representatives of a State Party, whether or not a member of the Committee, shall not speak to advocate the inclusion in the World Heritage List of a property nominated, [the state of conservation of a property on their territory] or the approval of an assistance request submitted by that State Party, but only to deal with a point of information in answer to a question. This provision also applies to other observers mentioned in Rule 8.*

6. *Also adopts the recommendations of the expert meeting aimed at improving the transparency, equitability, accountability and efficiency of the World Heritage system and in decision-making procedures of the statutory organs of the World Heritage Convention.*

Experts meeting on decision-making procedures in the statutory organs of the *World Heritage Convention*

15-17 December 2010

Manama, Bahrain

AGENDA

The Agenda for the Expert meeting, as adopted by the World Heritage Committee at its 34th session (Brasilia, 2010) (Decision **34 COM 12**), is as follows:

- a. Welcome
- b. Context of expert meeting and relationship with the process to reflect on the “future of the *World Heritage Convention*”
- c. Keynote speeches and presentation of background documentation
- d. Improving current processes or reengineering decision-making procedures of the statutory organs of the *World Heritage Convention*:
 - i. Responsibilities of statutory organs (roles of different statutory organs and relationships among them)
 - ii. Statutory meetings (frequency, agenda, workload, additional meetings, alternative technologies to face-to-face meetings, time management)
 - iii. Conduct of meetings (order of speakers, role of chairperson, vice-chairpersons and rapporteur, right to speak and vote, voting)
 - iv. Quality of decision (consistency of decisions between and within sessions, working document needs, awareness of implications of decisions)
 - v. Meetings of advisory character (expert meetings, working groups and consultative bodies, status, integration of recommendations into statutory organ procedures, engagement of external partners to assist decision-making)
 - vi. Confidentiality of statutory meetings and document (publication of documents, media participation in statutory meetings)
- e. Drafting of Recommendations for discussion during the 35th session of the World Heritage Committee in June/July 2011.
- f. Closure

In addition to this Agenda, the World Heritage Committee also requested the Expert meeting to include the examination of the Rules of Procedure on the conduct of and participation in World Heritage Committee meetings, and in particular, on adoption of decisions particularly in respect of:

- a. The application of the procedure for secret ballots during the course of the adoption of decisions;
- b. An analysis of the frequency and context of the application of the secret ballot while in the course of the adoption of decisions;
- c. Possible implications for the interpretation of Rules 25, 26, 40, 41 and 42 and their amendments;
- d. The participation of persons qualified in the field of cultural and natural heritage (as set out in Rule 5.2) and the transmission of their qualification (as set out in Rule 5.3);
- e. The application of Rule 45.

**Experts meeting on decision-making procedures
in the statutory organs of the *World Heritage Convention***

15-17 December 2010

Manama, Bahrain

LIST OF PARTICIPANTS

Former Chairpersons of the World Heritage Committee and/or General Assembly

1. Dr Christina Cameron, Canada
2. H.E. Mrs. Ina Marčiulionytė, Lithuania
3. Dr. Dawson Munjeri, Zimbabwe
(also Rapporteur of the 24th session of the World Heritage Committee in 2000)

Former Rapporteurs of the World Heritage Committee and/or General Assembly

4. Mr. Nicolas Mathieu, Switzerland
5. Mrs. Alissandra Cummins, Barbados
6. Mr. Ali Ould Sid, Mali, current Rapporteur of the World Heritage Committee

Experts appointed by the UNESCO Regional Groups

7. Mr. Larry Ostola, Canada
8. Mr. Olivier Poisson, France
9. Mrs. Anastasia Tzigounaki, Greece (Observer)
10. Dr. Jan Turtinen, Sweden (Observer)
11. Ms Sladjana Prica, Serbia
12. Mr. Nilson Acosta Reyes, Cuba
13. Mr. Adam Muniz, Brazil (Observer)
14. Mr. David Measketh, Cambodia
15. Ms. Orachat Suebsith, Thailand
16. M. Janhwij Sharma, India (Observer)
17. Dr. Nobuko Inaba, Japan (Observer)

18. Dr. O.J Eboreime, Nigeria
19. Dr. Yonas Beynes Gebre-Michel, Ethiopia
20. Dr. Saeed Al-Otibi, Saudi Arabia

Organizers

21. H.E. Sheika Mai Bint Muhammad Al Khalifa, Bahrain, current Chairperson of the World Heritage Committee
22. Mrs. Haya Ahmed Al-Sada, Bahrain
23. Mr. Abdulla Al Saliti, Bahrain
24. Dr. Saeed Al-Khuzai, Bahrain
25. Dr. Kate Feros, Australia
26. Dr. Greg Terrill, Australia

Advisory Bodies

27. Mrs. Bénédicte Selfslagh, ICOMOS
(also Rapporteur of the 27th session of the World Heritage Committee in 2003)
28. Mr. Tim Badman, IUCN
29. Mr. Joe King, ICCROM

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30. Mr. Kishore Rao, UNESCO
31. Mrs. Mechtild Rossler, UNESCO
32. Mr. Karim Hendili, UNESCO
33. Mr. Richard Veillon, UNESCO