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

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

WORLD HERITAGE COMMITTEE

Thirty-ninth session

Bonn, Germany

28 June – 8 July 2015

Item 13 of the Agenda: Follow-up to Recommendations of Evaluations and Audits on Working Methods

13A. Working methods of the evaluation and decision-making process of nomination: Report of the ad-hoc working group

SUMMARY

This document is presented pursuant to Decision **38 COM 13**, by which the World Heritage Committee decided to establish an ad-hoc working group composed of, in principle, two members from each regional group, at the invitation of Germany that would meet inter-sessionally to examine the issues related to working methods of the evaluation and decision-making process of nomination and to formulate its recommendations thereon.

By the same decision, the World Heritage Committee decided that this ad-hoc working group will report to its 39th session in 2015.

This document therefore presents the background of this item and the outcomes of the ad-hoc working group in Annex.

Draft Decision: *After having examined the outcomes of the ad-hoc working group, the World Heritage Committee may wish to adopt an appropriate Decision.*

I. BACKGROUND

1. At its 38th session (Doha, 2014), the World Heritage Committee noted that the growing number of nominations and inscriptions to the World Heritage List had increased not only the workload but also the financial burdens faced by Advisory Bodies. It further recognized the growing need by a significant number of States Parties for technical assistance and support in the preparation of nominations as well as during the inscription process.
2. The Committee took stock of the present state of the evaluation and consultation process between the Advisory Bodies and States Parties. However, while appreciating the high level of expertise and work carried out by Advisory Bodies to meet World Heritage Committee's expanding needs, it observed during the 38th session the factual errors in the evaluations prepared by the Advisory Bodies.
3. Consequently, the Committee underlined that a consistent application of the *Operational Guidelines* and the *Convention* was essential and it called upon the Advisory Bodies to consult and have a dialogue with all concerned States Parties during the course of the evaluation of nominations, in order to enhance overall transparency and to optimise future decision-making by the World Heritage Committee.
4. Furthermore, the Committee, by Decision **38 COM 13**, established an ad-hoc working group composed of, in principle, two members from each regional group, at the invitation of Germany, to meet inter-sessionally to examine the issues related to working methods of the evaluation and decision-making process of nomination and to formulate its recommendations thereon.
5. The ad-hoc working group held several meetings during the course of 2014-2015 as per Decision **38 COM 13**.
6. The outcomes of the ad-hoc working group are annexed to the present document and the Committee may wish to take an appropriate decision following the examination of this report.

II. DRAFT DECISION

Draft Decision: 39 COM 13A

The World Heritage Committee,

1. *Having examined Document WHC-15/39.COM/13A which contains the outcomes of the ad-hoc working group that examined the issues related to working methods of the evaluation and decision-making process of nomination,*
2.

Ad-hoc Working Group established by Decision 38 COM 13 of the UNESCO World Heritage Committee

Summary of Outcomes

The meetings of the Ad-hoc Working Group on 15 September 2014, 21 January 2015 and 16 March 2015 were chaired by H.E Prof. Dr Maria Böhmer, Minister of State at the Federal Foreign Office and Chairperson of the 39th Session of the World Heritage Committee.

The meetings were attended by representatives of the following Member States of the UNESCO World Heritage Committee: Algeria, Finland, Germany, India, Jamaica, Japan, Lebanon, Peru, the Philippines, Poland, Senegal, Serbia, Tanzania; by Mr Kishore Rao, Director of UNESCO's World Heritage Centre. To some of the meetings, representatives of the Advisory Bodies were also invited and Mr Gustavo Araoz, President of the International Council on Monuments and Sites (ICOMOS) and Ms Marie-Laure Lavenir, Director General of ICOMOS, as well as Mr Timothy Badman, Director of the World Heritage Programme of the Union for Conservation of Nature and Natural Resources (IUCN) attended.

The Ad-hoc-Working Group was supported by a Sub-Group to evaluate the World Heritage Committee (Algeria, Germany, Japan, Peru, Poland, Senegal), a Sub-Group to evaluate the Advisory Bodies (India, Jamaica, Lebanon, the Philippines, Serbia, Tanzania) and a Sub-Group to evaluate the Finances of the World Heritage Convention (Germany and Finland). The Sub-Group's meetings were chaired by the German Permanent Delegate to UNESCO, Ambassador Dr. Michael Worbs.

The following outcomes of the debates shall be reflected in the *Operational Guidelines* and *Rules of Procedures of the Committee* whenever appropriate:

A. Sub-group "Advisory Bodies":

The Ad-hoc Working Group has agreed on the following recommendations suggested by the Sub-group "Advisory Bodies":

Dialogue and Consultation

1. An early dialogue needs to be established with States Parties in order to ensure all necessary clarification during the evaluation process, not only by exchange of written information, but also by face-to-face meetings between States Parties and ICOMOS/IUCN, in which all parties involved have the opportunity to listen to each other, discuss problems and clarify issues.
2. Dialogue should resume as soon as possible after meetings of the ICOMOS and IUCN World Heritage Panels in December, e.g. via conference-call, video conference or face-to-face meetings, as individually agreed between the Advisory Body concerned and the State Party.
3. A short interim report outlining the status of evaluations as well as all key issues that emerged during the evaluation process - in particular those related to OUV and detailing any further requests for supplementary information, should be provided by the Advisory Bodies to the States Parties presenting nominations. This short interim report should be presented in one of the working languages of the Committee and submitted at the latest by January with a copy by e-mail to the Chairperson and the World Heritage Centre. This would facilitate communication and promote transparency as well as further dialogue between the States Parties presenting nominations and the Advisory Bodies.
4. Thematic and other meetings could be scheduled on the sidelines of the World Heritage Committee information sessions held at UNESCO Headquarters.

5. Before the official distribution of the final evaluation reports of nominations by the Advisory Bodies in both English and French, ICOMOS and IUCN should send an electronic version of their final evaluation reports in their original language to the Secretariat, who will in turn send them immediately to the Chairperson and the Committee Members.

Expertise

1. ICOMOS should increase the number of advisors with different fields of expertise covering all types of cultural heritage and regions.
2. Experts who visit sites on technical missions should be able to comment on OUV and other core elements of the Convention. All evaluation missions should be undertaken by a minimum of 2 field evaluators, subject to the necessary budget being provided. Missions should provide the opportunity for senior mentoring of new evaluators.
3. The possibility of ICCROM being involved in the evaluation process should be considered.
4. Universities, research institutes and other expert bodies consulted during the evaluation process should not only be consulted but also mentioned in the final evaluation reports. States Parties are invited to provide the Advisory Bodies with updated lists of relevant leading scientific institutions.
5. ICOMOS and IUCN should include within their World Heritage Panel membership some experts who have past experience as members of State Party Delegations, but who are no longer serving as members of the World Heritage Committee. If appointed by the Advisory Bodies, such experts would serve in a personal and professional capacity. The Advisory Bodies should take into consideration equitable geographic distribution when appointing these experts.

Transparency

1. After the submission of the final evaluation report to the World Heritage Centre, the names of all experts involved in the evaluation process and their qualifications should be published on the web pages of ICOMOS and IUCN, except in the case of desk reviewers who have provided confidential reviews.
2. ICOMOS and IUCN should also publish the names and qualifications of members of their World Heritage Panels after the submission of the final evaluation report to the World Heritage Centre.
3. The terms of office of the members of ICOMOS and IUCN World Heritage Panels should be fixed.
4. Detailed breakdown of costs incurred by the Advisory Bodies for the process of evaluation of each nomination should be annexed by them to the evaluation report.

B. Sub-group “World Heritage Committee”:

The Ad-hoc Working Group has agreed on the following recommendations suggested by the Sub-group “World Heritage Committee”:

Cap on nominations

The Committee may decide:

1. not to review nominations of a State Party serving on the committee during its mandate. This should, however, only be applied with the agreement of the State Party concerned;
2. to encourage candidates for the next World Heritage Committee to declare their willingness to refrain from presenting new nominations or to agree not to have their nominations reviewed during their mandate before the elections;
3. to give priority within the annual cap of nominations to nominations of those States Parties after they have left the Committee and who during their membership agreed either not to submit nominations or that their nominations would not be reviewed;
4. to launch this procedure for States Parties elected to the Committee starting with the General Assembly in 2017;
5. not to apply the recommendation at (1) above to States Parties with 3 or less inscribed World Heritage sites.

Process to review nominations

In order to enhance communication and transparency, and to avoid politicisation and lobbying:

1. all nominations, directly after the completeness check, should be publicly accessible through the World Heritage Centre website (i.e. in March of the year before the Committee decision);
2. formalized consultations during the evaluation process should be organized between the Advisory Bodies and States Parties concerned and their results should be reported to the World Heritage Committee;
3. an extension of the existing time frame should be considered for the evaluation process in order to provide for more consultation between ICOMOS and IUCN with the relevant States Parties presenting nominations as well as in-depth consultation with the World Heritage Committee.

Decision on nominations

1. With reference to article 11 of the World Heritage Convention, the World Heritage Committee members may inscribe on the World Heritage List exclusively the properties which the Committee considers as having Outstanding Universal Value in terms of criteria established in the Operational Guidelines.
2. In order to avoid unnecessary misunderstandings, the three Decision-options "referral", "deferral" and "not to inscribe" should be clearly defined in the Operational Guidelines and connected to a well-documented list of justifications in the Advisory Bodies evaluation reports.
3. Committee Members proposing significant amendments to Draft Decisions should submit them at least 24 hours before Draft Decisions are considered by the Plenary. Amendments should be distributed to all Committee Members by the Rapporteur.
4. Committee Members presenting significant amendments to Draft Decisions should be encouraged to convene on the sidelines of the Committee sessions informal open-ended consultations on their proposed amendments before relevant decisions are considered by the Plenary. This would allow for greater transparency, more effective sharing of information and use of time, and better decision-making by the Committee.

Special situations

1. Upstream processes and development of thematic studies should be offered in cases where additional technical dialogue is needed and for groups of nominations with similar challenges. If appropriate, a special postponing mechanism should be offered in consultation with the States Parties concerned in order to allow more time for additional discussion instead of immediate discussion by the Committee.
2. Upstream processes should be introduced with high priority, in particular for properties on Tentative Lists.
3. No individual should take part in decision-making processes on a nomination on which they have provided advice in its upstream process on behalf of ICOMOS and/or IUCN.

C. Sub-group “Finance”:

The ad-hoc Working Group has agreed on the following recommendations suggested by the Sub-group “Finance”:

1. The mismatch between the expectations for the work of the World Heritage Committee and the available resources should be resolved. There seems to be limited possibilities for increasing the cost-effectiveness of Advisory Bodies in terms of the evaluation process. Transparency of real costs visible for each evaluation and monitoring mission helps to match the number of nominations with the resources available although many of the members did not agree to decrease it. The costs which were incurred by the Advisory Bodies during the evaluation process in 2013, including both missions and desk reviews, are presented in Annex.
2. In order to avoid a mismatch between expenses for new nominations and necessary conservation, the expenses for the evaluation of new nominations should be limited to 30% of the compulsory contributions to the World Heritage Fund. The available amount of money for evaluation of new nominations should be further supported by voluntary contributions (options defined by Resolution 8 of the 19th General Assembly).
3. Appeal should be launched to States Parties to voluntarily contribute more and to consider fundraising possibilities.
4. The annual decision of the World Heritage Committee on the number of new nominations to be examined in the following year according to Document INF 8B3 should be taken on the basis of cost estimates for each evaluation produced by the WHC in cooperation with the Advisory Bodies, taking into account the Operational Guidelines § 61.

[No consensus was achieved on the **bold marked** wording of the following observations and recommendations:]

5. Due to the actual financial constraints, **[unless World Heritage Committee members would not refrain from new nominations] , [taking into account the significant amount of costs caused by their nominations]** and unless additional budget (including through voluntary contributions, some kind of fees or other fundraising measures) is secured, the ceiling for new nominations should be lowered from 45 to 25-30 evaluations per year; therefore, the Operational Guidelines § 61 subparagraphs b) and c) should be amended accordingly.
6. **[States Parties proposing nominations shall pay a contribution corresponding to the average costs of the relevant nominations based on their capacity to pay and not exceeding USD 25,000. Least Developed Countries (LDCs) shall be excluded from this fee.]**

or:

6. [States Parties proposing nominations are requested to pay a contribution corresponding to the real / estimated costs of the evaluation of their nomination, according to their capacity to pay.]

or:

[Taking into account the financial constraints of the World Heritage Fund, States Parties proposing nominations, who are in a position to do so, are encouraged / requested to contribute to the evaluation costs, if they are able to do so.]

or:

Taking into account the financial constraints of the World Heritage Fund, States Parties proposing nominations are asked (or called in) to contribute voluntarily to the Fund for the international conservation and management assistance.

7. Nominations from States Parties which do not pay their compulsory contributions (except LDCs) shall have last priority when applying para 61(c) of the Operational Guidelines.

8. Revision Clause:

The recommendations approved decided by the World Heritage Committee shall be evaluated before the meeting of the World Heritage Committee in 2019.

TENTATIVE PRICING OF CONSIDERED CHANGES IN THE ICOMOS WH NOMINATION PROCEDURES

The purpose of this paper is to present an estimate of the financial implications, for ICOMOS, of the changes considered by the Ad-hoc Working Group in the WH procedures. At this preliminary stage, figures below should only be read as an initial costing that needs further validation.

As many costs are variable- such as travel costs -, this exercise requires an assumption in the number of nominations. Based on the envisaged option to reduce the total number from 45 to 25), the assumption behind our calculation is 20 cultural and mixed evaluations. For information, actual costs per nomination are presented in Annex 1

CHANGE	COST	COMMENTS
A/ Dialogue and consultation		
1/ Early dialogue by face-to-face meetings <i>or Through video conference</i>	35 000€	On average per nomination: <ul style="list-style-type: none"> • 3 more days of work (staff and/or advisor) = 1 500€* • some travel costs
2/ Dialogue should be held at the meetings of the Panel (either face-to-face or through videoconferencing) <i>after !</i>	42 000€	We assume 1,5 more hour of discussion per nomination (Panel lasting 8 days instead of 4): <ul style="list-style-type: none"> • Additional advisors time and travel costs= 10 000€ • Compensation for 12 Panel experts: 12 000€** • Interpretation, videoconference and other logistic costs = 20000€
3/ Interim report submitted in January	NS	If very short. Additional cost if expected to be longer
4/ Additional meetings on the sidelines of WH Committee	NS	If related to inscriptions from the previous year. A
5/ Reports sent to the Committee as soon as possible	NS	

B / Expertise		
1/ Add 2 Increase the number of advisors with different fields of expertise <i>✓</i>	23 000€	We assume 2 more advisors <ul style="list-style-type: none"> • Additional travel costs and fees for the December Panel Cost = 10 000€* • Additional travel costs and fees for the March Panel = 3 000€* • Additional travel costs and fees for the WH Committee Cost = 10 000€*

2/ 2 field evaluators at least for each mission ✓	70 000€	Additional mission fees <ul style="list-style-type: none"> • 20 additional missions • 3 500€/mission • Total = 70 000€
3/ Other institutions mentioned in final report ✓	NS	

C / Transparency		
1/ Names of experts should be published ✓	NS	
2/ Names and qualifications of Panel members should be published ✓	NS	
3/ Terms of office should be fixed ✓	NS	
4/ Experts from SP's not members of the Committee appointed as observers ✓	NS	Additional costs if the size of the panel increases ✓
5/ Expenses incurred for the process of evaluation of each nomination annexed to the report	15 000€ —	We assume 1 reporting assistant part time (30%) needed = 15k€*

TOTAL ADDITIONAL COSTS= 185 000€ = 9 250€ per nomination

lower if No 2) not included

Financial assumptions:

* Fees, staff and travels costs

- Senior staff or experts: 500€/day (to be compared to UNESCO rate of 550\$/day)
- Junior staff: 250€/day
- Travel costs: on average 400€/trip and 180€ per diem ✓

** Financial compensation for Panel Members.

So far, ICOMOS Panel members are not paid at all which is a problem as it does not allow experts to be part of the Panel if they cannot support their own expenses. As this difficulty would only increase with the length of the Panel, we propose here a financial compensation of 1 000€ maximum for each expert participating to the Panel.

should at least get compensated for travel + stay

**Proposals of Ad-hoc working group on WH Evaluation Procedures
IUCN – rough costing**

IUCN estimates are given below regarding the proposals as communicated by the ad-hoc working group. These assume 10 natural or mixed nominations per year, but would need to be scaled according to the actual numbers involved.

The following assumptions are noted:

- Costings are in Swiss Francs, and assumed at 1:1 with the USD.
- Day rates for consultant activity is at appropriate UNESCO rates, and the equivalent of USD550 per day. Staff rates are higher depending on seniority.
- An issue to be considered will be the overall demands in terms of staff capacity, as the below will be likely to take IUCN's work out of the current quantum of professional staff, as much of this work is not appropriately tasked to consultants.
- As rough estimates these will require further refinement, and would need to be revised if assumptions on the quantum of work have not been understood correctly.

N.B. In the view of IUCN in terms of the issues being faced in the evaluation process there is also a need to consider the provision of greatly increased upstream advice, since the below proposals do not tackle the fundamental issues of the need for more support before nomination, and longer timelines in the evaluation process. This needs a separate discussion and past estimates of IUCN and ICOMOS suggested a cost of upwards of EUR500k per year to start a major new level of service in support of upstream work on tentative lists and work on feasibility studies, plus potentially also on EIA and Management Plans (this is low side estimate).

Proposal of Ad-hoc working group	Costing (Swiss Francs)	Assumptions and comments
A/ Dialogue and consultation		
A1/ Early dialogue - face-to-face meetings	25,000	Assumed one meeting per nomination involving two IUCN staff, and if held in Paris probably these could be combined in a block, with 2 meetings per day. But unlikely they could all be held in one week. So costing anticipated at 22 working days travelling, in meetings, and preparation, plus administration and organization costs of 5 days. Plus two round trips (x2) to Paris, plus 8 nights DSA. At present most of these interactions are handled at Director (M2/D2) level in IUCN. Costing : upwards of 20,000. Suggest CHF25,000 to be safe. If a second round of meetings is needed the cost would be double.
A2/ Dialogue should be held as soon as possible after the first Panel.	Costing depends on detailed proposals.	Assumed detail is covered in the below proposals. An earlier proposal regarding extending dialogue directly with the Panel has not been costed as this is considered not feasible within the current timeline, and for a number of reasons of principle. We will be interested in any results and costs of ICOMOS experimentation.
A3/ Interim report submitted in January	0 - 15,000	IUCN currently writes to all States Parties, normally in December, and in the first half of January, with substantive feedback from the Panel. This is via a letter, but the content is technical. Letters are copied to the World Heritage Centre. If this practice meets the request there is no additional cost, however if a more involved report is expected than this will take time to write, check and administrate/translate, possibly up to the higher cost indicated. Long interim reports could also reduce dialogue if they are issued late in January, as considering 28 th February is the deadline for supplementary information. This mechanism would contribute more if there was a longer timeline for evaluations and more dialogue was possible after the interim reports.

Proposal of Ad-hoc working group	Costing (Swiss Francs)	Assumptions and comments
A4/ Additional side meetings at the WH Committee	0 – 10,000	Could require additional senior delegation members at the COM.
A5/ Reports sent to the Committee as soon as possible	0	No cost.
B / Expertise		
B1/ Increase the number of advisors with different fields of expertise	N/A	Recommendation to ICOMOS, not costed by IUCN.
B2/ 2 field evaluators per mission.	50,000	c. CHF5,000 on average per mission x 10..
B3/ Other institutions mentioned in final report	0	Already done.
C / Transparency		
C1/ Publish names of experts	0	No cost, IUCN already do this.
C2/ Publish Panel membership	0	No cost, IUCN already publish the names.
C3/ Fixed Panel Term of Membership	0	No cost
C4/ Include panel members who have past experience in SP delegations (in personal capacity).	0	No cost, unless this requires the Panel to be increased in size. This is not a current criterion we consider explicitly for IUCN Panel membership, but we have Panel members who have that experience already.
5/ Produce expenses report per nomination.	Up to 5,000	Assuming this goes beyond mission costs then this needs a small number of administration days to prepare such a report.

- Total Costs (low estimate) – CHF80,000 based on the above assumptions
- Total Costs (high side estimate) – CHF 105,000 based on the above assumptions

Tim Badman
IUCN
12 March 2015