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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

Extended forty-fourth session

**Fuzhou (China) / Online meeting
16 – 31 July 2021**

**Item 9 of the Provisional Agenda: Global Strategy for a representative,
balanced and credible World Heritage List**

9A. Upstream Process

SUMMARY

Further to Decision **43 COM 9A**, this document presents a report on the implementation of the Upstream Process requests, including the Pilot Projects, since the 43rd session of the World Heritage Committee (Baku, 2019). It also includes the list of Upstream Process requests received by the 17 April 2020, 31 October 2020 and 31 March 2021 deadlines.

Draft Decision: 44 COM 9A, see Point V.

I. BACKGROUND

1. At its 32nd session (Quebec City, 2008), the World Heritage Committee launched a process of reflection on the future of the *World Heritage Convention*. In this framework, the Committee, aware of the challenges that exist in the process for nominating a site to the World Heritage List, proposed an initiative entitled Upstream Processes. The aim was to find options for improving and strengthening the nomination process.
2. In 2010, by Decision **34 COM 12**, the World Heritage Committee requested the World Heritage Centre “in cooperation with the Advisory Bodies and other relevant organizations, to invite one or two States Parties from each of the UNESCO regional groups to undertake, on an experimental basis, voluntary pilot projects related to identifying options and preparing dossiers for nomination”. The following year, by Decision **35 COM 12C**, the Committee took note of the 10 pilot projects that had been chosen to implement this experimental approach.
3. Following Decision **40 COM 9A**, the experimental phase of this process could be considered concluded. Out of the 10 pilot projects originally selected, 4 are not yet finalised and were reported as advancing at a different pace. This document details the progress made concerning these projects since the 43rd session of the World Heritage Committee (Baku, 2019).
4. In 2015, at its 39th session, the World Heritage Committee included the Upstream Process in the text of the *Operational Guidelines*, thereby recognizing that the Upstream Process has extended far beyond the pilot projects and has become a mainstream process considered beneficial to many States Parties.
5. At its 41st session (Krakow, 2017), the Committee adopted Decision **41 COM 9A** which could be considered as a turning point in the establishment of the Upstream Process as a statutory procedure. Through this decision, the Committee addressed several fundamental issues from a procedural point of view, including the adoption of the Upstream Process request format and a timeline for submission of requests for upstream advice, with two deadlines per year. In the same decision the Committee decided to give priority to requests for the preparation or revision of Tentative Lists, to Least Developed Countries, Low-Income and Lower-Middle Income Countries and Small Island Developing States, followed by the mechanism of Paragraph 61.c) of the *Operational Guidelines*.
6. The Committee, in its Decision **42 COM 9A**, approved a revised definition of the Upstream Process proposed by the Ad-Hoc Working Group, and, at its 43rd session (Baku, 2019), replaced the previous definition of the Upstream Process in the footnote of Paragraph 122 of the *Operational Guidelines* by the revised one approved in 2018. At the same session, the Upstream Process request format was included in the *Operational Guidelines*, becoming their new Annex 15 (Decision **43 COM 11A**).
7. It is important to emphasize that the application of the Upstream Process approach does not imply that a site would ultimately be inscribed on the World Heritage List. The main aim of the Upstream Process is to reduce the number of sites that experience significant problems during the nomination process, and to avoid significant investment in financial and human resources where the proposed sites do not demonstrate potential for justifying Outstanding Universal Value, and, where appropriate, to guide such sites to alternative means of international recognition.
8. Moreover, the Upstream Process should also be used as a longer-term opportunity for States Parties to build capacity and provide on-the-job training for heritage experts, site

managers and professionals in the field of conservation. In this regard, the work of the programme on nominations in Africa, implemented by the African World Heritage Fund (AWHF) in partnership with the Advisory Bodies and World Heritage Centre, should be noted, in particular the courses on the preparation of nominations, gathering professionals of the region.

II. OPTIMIZING THE UPSTREAM PROCESS

9. Six years after the inclusion of the Upstream Process in the *Operational Guidelines*, and four years since Decision **41 COM 9A**, the World Heritage Centre and the Advisory Bodies consider that it would be useful to draw lessons and conclusions from the experience made thus far, with a view to enhancing and strengthening the Upstream Process.
10. In Decision **41 COM 9A**, the Committee established two deadlines per year for submission of Upstream Process requests: 31 March and 31 October. However, in 2018 and 2019, the number of requests received on 31 March had already exceeded the cap of 10 requests initially foreseen to be addressed every year. Therefore, the Committee, at its 42nd and 43rd sessions, decided to skip the 31 October deadline in the respective years. Based on this experience and in order to ensure a more streamlined follow-up to incoming requests, the World Heritage Centre and the Advisory Bodies suggest abrogating the deadline of 31 October permanently, and thus retaining only one annual deadline, on 31 March, for the submission of Upstream Process requests.
11. Concerning the cap of 10 new Upstream Process requests per year, which was established by the Committee in its Decision **41 COM 9A** on a trial basis, the World Heritage Centre and the Advisory Bodies recognize that, given the current limited capacities, it is indeed not feasible to process more than this number of requests annually and recommend that this cap is maintained.
12. Moreover, the large number of requests received every year suggests that only one site per State Party should benefit from the Upstream Process each year, in order to ensure a fairer and more equitable use of the resources available.
13. As defined by the *Operational Guidelines*, the Upstream Process “occurs prior to the preparation of a nomination”. In compliance with this definition, logically, a site is no longer eligible for upstream advice after its related draft nomination dossier is submitted to the Secretariat for review in accordance to Paragraph 127 of the *Operational Guidelines*, or, in the cases where the States Parties decide not to submit a draft, the official submission of the nomination dossier to the World Heritage Centre for completeness check.
14. It was also observed that States Parties needed further guidance to correctly fill the Upstream Process format request (Annex 15 of the *Operational Guidelines*) and thus be more precise in their requests. While recalling that the Advisory Bodies must not be involved in the drafting of the text for any nomination, it is important to clarify, regarding item 2 of the format (*Object of the advice requested from the World Heritage Centre or the Advisory Bodies*), that each request must concern only one of the two possible types of upstream advice:
 - a) concerning Tentative List: in this case the request is to support the development, revision or harmonization of the whole Tentative List of the State Party. This kind of request cannot deal with specific sites.
 - b) concerning a potential future nomination: in this case the request will concern one specific site (it can be a serial site) and will assess its strength to justify a potential Outstanding Universal Value and whether a sound nomination can be developed.

Among other advice, the Advisory Bodies can focus on the significance of the site and the potential nomination strategy. It is not required that the site for which upstream support is requested is already included on the State Party's Tentative List.

15. Furthermore, it should be noted that ICOMOS, in cooperation with the World Heritage Centre, IUCN and ICCROM, prepared a guidance for States Parties on the development and revision of Tentative Lists to address the Upstream Process requests concerning Tentative Lists. This document is an initial response to the increased need to provide basic guidance to States Parties on Tentative Lists. It suggests the basic steps to be followed in the Tentative List process, identifies the stages where assistance from the Advisory Bodies could be helpful to States Parties, and in which ways the Advisory Bodies might be requested to provide that assistance. It also provides examples of good practices and practical advice on how to make a first selection of potential sites and on the main steps when proceeding with the preparation or revision of a Tentative List. The guidance document can be found at: <https://whc.unesco.org/en/documents/184566> .
16. Finally, in 2019, by Decision **43 COM 12**, the Committee decided to endorse the principle of a two-phase nomination process, with the "Preliminary Assessment" (PA) as a first phase of the nomination process, and requested the World Heritage Centre, in consultation with the Advisory Bodies, to convene a small expert drafting group to discuss the operationalization of the nomination process reform. This expert group held meetings in 2019 and 2020 (see Document WHC/21/44.COM/8) and, among other recommendations, it was noted that a clear explanation on the differences between the Upstream Process and the PA and clarifications on the timeline (before/after PA) should be included in the *Operational Guidelines* (see proposed new Paragraph 122.i in Document WHC/21/44.COM/12). Moreover, the experts indicated that, after the entry into force of the Preliminary Assessment, a revision of the Upstream Process may be necessary, in order to provide better advice to States Parties and avoid duplications and redundancies, ensuring compatibility of the Upstream Process with the Preliminary Assessment.

III. PROGRESS MADE ON THE UPSTREAM PROCESS REQUESTS

A. Selected Pilot Projects

17. Pilot Project on **Ancient Kano City Walls and Associated Sites**, Nigeria
Because of the persisting situation of insecurity in the region and the lack of response, no progress has been reported since the 41st session of the World Heritage Committee. Therefore, the World Heritage Centre proposes the phasing out of this Pilot Project, which will no longer be followed directly by the World Heritage Centre and the Advisory Bodies. However, the State Party has the possibility to continue the nomination project on its own initiative.
18. Pilot Project on the **Batanes Protected Landscapes and Seascapes**, Philippines
No further progress has been reported for this project since the last three sessions of the Committee. Consequently, the World Heritage Centre proposes the phasing out of this Pilot Project, which will no longer be followed directly by the World Heritage Centre and the Advisory Bodies. However, the State Party has the possibility to continue the nomination project on its own initiative.
19. Pilot Project on **Coral Stone Mosques of the Maldives**, Maldives
The International Assistance Panel of 6 February 2019 recommended that the request of 3rd phase of this Pilot Project on Coral Stone Mosques of the Maldives (submitted on 27 November 2018) be revised and resubmitted for a future cycle. Up to today, the State Party

has not submitted the revised 3rd phase request. During the 40th UNESCO General Conference in Paris, H.E. Minister of Arts, Culture and Heritage of Maldives, in a meeting with the World Heritage Centre on 20 November 2019, informed that with the newly restructured Ministry, the State Party is committed and is continuously working on the preparation of the nomination dossier for the coral mosques in Maldives, with the national allocated budget and with some international potential funding. On 25 November 2019, a working meeting was organized with the Director General of the Maldives National Centre for Cultural Heritage for providing some technical guidance to the State Party from WHC/NOM and WHC/APA. The Maldives National Centre for Cultural Heritage informed the WHC that a national team has been formally established within the new Ministry for the preparation of the nomination dossier for the coral mosques in Maldives.

20. Pilot Project on the **Grenadines Islands Group**, Grenada, Saint Vincent and the Grenadines

As reported in 2019, the final international experts' report on the activities carried out under the Upstream Process was provided in November 2017 and the two States Parties have been since working on the implementation of the recommendations contained in the report, in the framework of their own joint activities in the field of heritage. The World Heritage Centre considers that this Pilot Project has fulfilled its objectives and that it can therefore be phased out. It will therefore no longer be followed directly by the World Heritage Centre and the Advisory Bodies.

B. Requests received by the 31 March 2018 deadline

21. From the 16 requests received by the annual deadline in 2018, five are still not finalised and progressing in different ways. The World Heritage Centre and the Advisory Bodies are making all possible efforts to complete these requests in the best viable time. It should be noted that the exceptional sanitary situation delayed the process of completion of some Upstream Process requests as it was not possible to carry out missions to the sites. Moreover, for some other requests, the State Party has been contacted by the concerned Advisory Body in order to start its implementation, but, after some months, no reply has been received, preventing the launch of the process and somehow impacting the treatment of other pending requests.

C. Requests received by the 31 March 2019 deadline

22. By the 31 March 2019 deadline, 25 Upstream Process requests were received by the World Heritage Centre. After a screening of the requests, it was considered that six of them could not be addressed in the 2019 cycle. Out of the six requests, five fall into cases explained in Point II of this Document: three were related to nomination dossiers previously submitted to the World Heritage Centre for completeness check, and two were requests from States Parties having submitted multiple requests for the same cycle. In this case, the States Parties were asked to select one request to be addressed in the cycle. In addition, one request was equivalent to an International Assistance request submitted by the same State Party, so in order to avoid redundancies, the Upstream Process request was no longer considered and the International Assistance was approved and is in the process of implementation.

23. From the 19 remaining requests, 11 concerned the revision of the Tentative List of the State Party. As a first step to address these requests, the States Parties were provided with the guidance document prepared by ICOMOS, in cooperation with the World Heritage Centre, IUCN and ICCROM, on the development or revision of their Tentative Lists (see Paragraph 15 of this Document). The States Parties are currently undertaking the activities necessary from their side before the Advisory Bodies can be involved.

24. For the other 8 requests concerning the potential future nomination of a site, all States Parties were informed by the World Heritage Centre that their requests were going to be addressed. Subsequently, with a view to start the implementation of the Upstream Process request, the concerned Advisory Body contacted, or is going to contact, the States Parties following the order of priority presented in Annex I of Document WHC/19/43.COM/9A. The majority of these requests are currently under implementation and progressing in different ways. One request was phased out after the submission, by the 1 February 2021 deadline, of the nomination dossier of the site that was supposed to undergo the Upstream Process.

IV. NEW UPSTREAM PROCESS REQUESTS RECEIVED

25. As the number of requests received by the 31 March 2019 deadline had exceeded the cap of 10 new Upstream Process requests per year set in Decision **41 COM 9A** and due to the limited available capacity of the World Heritage Centre and Advisory Bodies, the Committee, at its 43rd session (Baku, 2019), decided to only retain the 31 March 2020 deadline for receiving upstream requests (Decision **43 COM 9A**). Given the unexpected circumstances related to the Coronavirus (COVID-19) pandemic, the period for submission of Upstream Process requests was exceptionally extended until 17 April 2020.

26. By the 17 April 2020 deadline, the World Heritage Centre received 15 Upstream Process requests. In terms of regional breakdown, 5 of these requests are from Europe and North America, 4 from Latin America and the Caribbean, 3 from Africa, 2 from the Arab States region and 1 from Asia-Pacific. As to the criteria of eligibility for receiving financial support, 2 requests are from Least Developed Countries, 3 from Lower Middle Income Countries, 5 from Upper Middle Income Countries and 5 from High Income Countries. Furthermore, regarding the object of the advice demanded, 5 requests concern revision of Tentative Lists and 10 concern the potential future nomination of specific sites.

27. Since the World Heritage Committee session did not take place in 2020 due to the exceptional sanitary situation, the 31 October deadline was maintained in 2020, despite the high number of Upstream Process requests received by the previous deadline. By the 31 October 2020 deadline, the World Heritage Centre received 2 Upstream Process requests, both from Asia and the Pacific. One concerns the development of a Tentative List and comes from a Least Developed Country that is also a Small Island Developing State (SIDS). The other relates to the potential future nomination of a specific site and is from an Upper Middle Income Country.

28. On the basis of the combination of all criteria outlined in Decision **41 COM 9A**, the World Heritage Centre established a list of requests received in 2020, in order of priority (see Annex I of this Document). While the cap of 10 new Upstream Process requests per year set in the same Decision was exceeded again, and noting that requests from previous years are still pending, the World Heritage Centre and the Advisory Bodies are fully committed to accommodating as many requests as possible within the limits of time and resources. As a first step to address the requests concerning development or revision of a Tentative List, all concerned States Parties were provided with the Guidance on Developing and Revising World Heritage Tentative Lists (see Paragraph 15 of this Document). The States Parties are currently undertaking the activities necessary from their side before the Advisory Bodies can be involved.

29. By the 31 March 2021 deadline, the World Heritage Centre received 2 Upstream Process requests: one from Latin America and the Caribbean and one from Europe and North America. The first one concerns revision of a Tentative List and comes from a Lower Middle Income Country. The other relates to the potential future nomination of a specific site and

is from a High Income Country. The World Heritage Centre established a list of requests received by the 2021 deadline, in order of priority, on the basis of the criteria established in Decision **41 COM 9A** (see Annex II of this Document).

30. Based on the first experiences with the formalised Upstream Process, it has to be noted that the timeline to deal with Upstream Process requests depends on various factors, such as the number of requests received, their scope and expectations, the prioritization system as well as the fact that, in accordance with the established standard procedure of the Advisory Bodies, the advice to be provided in the framework of each Upstream Process request is reviewed and endorsed by the respective Advisory Bodies' Panels. Furthermore, it is noteworthy the imbalance regarding the number of requests related to natural heritage and to cultural heritage, with a vast preponderance of the latter. Therefore, while some requests may be dealt with swiftly, others require more time to ensure quality outcomes. Accordingly, it is advisable not to expect receiving the outcome of an Upstream Process request within less than, on average, 18 months after the deadline at which it is submitted.

V. DRAFT DECISION

Draft Decision: 44 COM 9A

The World Heritage Committee,

1. *Having examined Document WHC/21/44.COM/9A,*
2. *Recalling Decision **43 COM 9A**, adopted at its 43rd session (Baku, 2019), and its previous decisions concerning the Upstream Process,*
3. *Welcomes the advice, consultation and analysis undertaken to improve processes and practices prior to the development of nominations for consideration by the World Heritage Committee and reiterates that, in order to be most effective, upstream support should take place at an early stage, preferably at the moment of preparation or revision of States Parties' Tentative Lists;*
4. *Commends ICOMOS, which, in cooperation with the World Heritage Centre, IUCN and ICCROM, prepared a guidance document for States Parties on the development and revision of Tentative Lists to address related Upstream Process requests, as an initial response to the increased need to provide basic guidance on this matter and notes that the use of this guidance could contribute to improve quality of Tentative Lists and the consistency of related Upstream Process requests;*
5. *Recognizes the efforts undertaken by the States Parties involved, the Advisory Bodies and the World Heritage Centre and decides to phase out the Pilot Projects of the Ancient Kano City Walls and Associated Sites (Nigeria), the Batanes Protected Landscapes and Seascapes (Philippines) and the Grenadines Islands Group (Grenada, Saint Vincent and the Grenadines);*
6. *Takes note of the progress made regarding the Pilot Projects and the 2018 and 2019 Upstream Process requests;*
7. *Also welcomes the submission of the Upstream Process requests received by the 17 April 2020, 31 October 2020 and 31 March 2021 deadlines, and the efforts by the World Heritage Centre and Advisory Bodies to process all requests received in the best timely manner possible and within the resources available;*
8. *Also recognizes that maintaining the second yearly deadline for submission of requests for Upstream Process, 31 October, is not needed as the yearly limit of requests that can be dealt with is largely exceeded by the first deadline, and therefore, in order to ensure*

a more streamlined follow-up to incoming requests, also decides to only retain the 31 March annual deadline from now on;

9. Further decides to limit to one the number of requests per State Party that can be addressed in each cycle and to confirm the limit of ten as the total of new Upstream Process requests that can be processed in each cycle;
10. Bearing in mind that the Upstream Process is an activity which is not sufficiently budgeted, invites States Parties to consider financially contributing to the implementation of requests received from Least Developed Countries, Low-Income and Lower-Middle Income Countries and Small Island Developing States;
11. Requests the World Heritage Centre, in collaboration with the Advisory Bodies, to present a progress report on the remaining Pilot Project as well as on the support offered to Upstream Process requests received, for consideration at its 45th session.

List of Upstream Process requests received in 2020

17 Upstream Process requests were received following the requested format and are presented here in the order of priority. The prioritization was made on the basis of Decision **41 COM 9A**, paragraphs 11 and 12:

11. Also decides that the Upstream Process requests will be reviewed and prioritized twice a year with deadlines for submission to the World Heritage Centre on 31 March and 31 October through giving priority for preparation or revision of Tentative Lists, to Least Developed Countries, Low-Income and Lower-Middle Income Countries and Small Island Developing States, followed by the mechanism of Paragraph 61.c) of the *Operational Guidelines*;
12. In order to ensure a fairer and more equitable use of the resources available, whether in terms of funding or in terms of staff, further decides to apply the prioritization system established by the mechanism of Paragraph 61.c) of the *Operational Guidelines* in conjunction with the criteria of eligibility for receiving financial support for the provision of upstream advice;

Region	State Party	Type of economy	C/N	TL / NOM	Request complete	Considered deadline	Type of activity / site
AFR	Ethiopia	LDC	C/N	TL	YES	17/04/2020	Revision
LAC	Nicaragua	LMIC	C/N	TL	YES	17/04/2020	Revision
ARB	Egypt	LMIC	C/N	TL	YES	17/04/2020	Revision
LAC	Ecuador	UMIC	C/N	TL	YES	17/04/2020	Revision
ARB	Saudi Arabia	HIC	C/N	TL	YES	17/04/2020	Revision
APA	Kiribati	LDC + SIDS	C/N	TL	YES	31/10/2020	Development
AFR	Madagascar	LDC	C + C + N	NOM	YES	17/04/2020	Eglise catholique d'Ambodifotatra de Sainte Marie (<i>on TL since 2018</i>), La haute ville d'Antananarivo (<i>on TL since 2016</i>) and Nosy Naka (<i>on TL since 2018</i>)
AFR	Zimbabwe	LMIC	C	NOM	YES	17/04/2020	Naletale Cluster of Dzimbabwes (<i>on TL since 2018</i>)
EUR	Serbia	UMIC	C	NOM	YES	17/04/2020	Archeological site Belo brdo in Vinča (<i>not on TL</i>)
EUR	Belarus	UMIC	C	NOM	YES	17/04/2020	Kalozha Church of Sts. Boris and Gleb in Grodno (<i>on TL since 2004</i>)

Region	State Party	Type of economy	C/N	TL / NOM	Request complete	Considered deadline	Type of activity / site
EUR	Russian Federation	UMIC	C	NOM	YES	17/04/2020	Astronomical observatories of Kazan University (<i>not on TL</i>)
LAC	Brazil	UMIC	C	NOM	YES	17/04/2020	Brazilian Fortresses Ensemble (<i>on TL since 2015</i>)
EUR/NA	Germany / United States of America	HIC	C	NOM	YES	17/04/2020	Moravian Church Settlements [as an extension to Christiansfeld, a Moravian Church Settlement (Denmark)] (<i>on the TL of the USA since 2017, not on the TL of Germany</i>)
LAC	Panama	HIC	C	NOM	YES	17/04/2020	The Royal Roads of Panamá: Camino de Cruces and Camino Real (<i>on TL since 2017</i>)
EUR	Belgium	HIC	C	NOM	YES	17/04/2020	Public zoological gardens in the 19th century - a new typology in a rapidly changing world (<i>not on TL</i>)
APA	Japan	HIC	C	NOM	YES	17/04/2020	Asuka-Fujiwara: Archaeological sites of Japan's Ancient Capital and Related Properties (<i>on TL since 2007</i>)
APA	China	UMIC	C	NOM	YES	31/10/2020	Beijing Central Axis (<i>on TL since 2013</i>)

C = cultural heritage N = natural heritage TL = Tentative List NOM = nomination	AFR = Africa APA = Asia-Pacific ARB = Arab States EUR/NA = Europe & North America LAC = Latin America & the Caribbean	LDC = Least Developed Country LIE = Low Income Economy LMIC = Lower Middle Income Country SIDS = Small Island Developing State UMIC = Upper Middle Income Country HIC = High Income Country
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List of Upstream Process requests received by 31 March 2021

2 Upstream Process requests were received following the requested format and are presented here in the order of priority. The prioritization was made on the basis of Decision **41 COM 9A**, paragraphs 11 and 12:

11. Also decides that the Upstream Process requests will be reviewed and prioritized twice a year with deadlines for submission to the World Heritage Centre on 31 March and 31 October through giving priority for preparation or revision of Tentative Lists, to Least Developed Countries, Low-Income and Lower-Middle Income Countries and Small Island Developing States, followed by the mechanism of Paragraph 61.c) of the *Operational Guidelines*;
12. In order to ensure a fairer and more equitable use of the resources available, whether in terms of funding or in terms of staff, further decides to apply the prioritization system established by the mechanism of Paragraph 61.c) of the *Operational Guidelines* in conjunction with the criteria of eligibility for receiving financial support for the provision of upstream advice;

Region	State Party	Type of economy	C / N	TL / NOM	Request complete as of 31/03/2021	Type of activity / site
LAC	El Salvador	LMIC	C/N	TL	YES	Revision
EUR/NA	Finland	HIC	N	NOM	YES	The Ringed Seal Archipelagos of Lake Saimaa (on TL since 2021)

C = cultural heritage N = natural heritage TL = Tentative List NOM = nomination	AFR = Africa APA = Asia-Pacific ARB = Arab States EUR/NA = Europe & North America LAC = Latin America & the Caribbean	LDC = Least Developed Country LIE = Low Income Economy LMIC = Lower Middle Income Country SIDS = Small Island Developing State UMIC = Upper Middle Income Country HIC = High Income Country
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