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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

Twenty-fourth session

Cairns, Australia
27 November - 2 December 2000

Item 6.3 of the Provisional Agenda : Report of the Working Group on Equitable Representation in the World Heritage Committee

BACKGROUND

At its twenty-third session held in Marrakesh, Morocco 29 November – 4 December 1999, the World Heritage Committee established the following groups:

Task Force on the Implementation of the World Heritage Convention	WHC-2000/CONF.204/INF.7
Working Group on the Representativity of the World Heritage List	WHC-2000/CONF.204/INF.8
Working Group on Equitable Representation in the World Heritage Committee	**This document (WHC-2000/CONF.204/INF.9)**
International Expert Meeting on the Revision of the *Operational Guidelines for the Implementation of the World Heritage Convention* (Canterbury, UK, 10-14 April 2000)	WHC-2000/CONF.204/INF.10

This document should also be read in conjunction with:

Report of the Special Session of the Bureau, 2-4 October, Budapest, Hungary	WHC-2000/CONF.204/3
Collated recommendations of the Task Force, Working Groups and Expert Meeting (Revised following the Special Session of the Bureau, 2-4 October, Budapest, Hungary)	WHC-2000/CONF.204/5
Proposals concerning equitable representation in the World Heritage Committee	WHC-2000/CONF.204/6

1. The Working Group on Equitable Representation within the World Heritage Committee was established during a meeting of States Parties, 21 January 2000. The meeting was convened by the Director of the World Heritage Center on the basis of a resolution adopted by consensus by the 12th General Assembly, and the discussion that followed on this subject during the 23rd session of the World Heritage Committee in Marakesh (29 November - 4 December 1999). The resolution requested the Committee to set up a working group to study the questions of "*an equitable representation of the World Heritage Committee and of the need to increase the number of its members*."

2. The meeting of 21 January 2000 decided to create the Working Group according to the following principles: the group should be opened to all States Parties, it should be composed of twelve members, two from each electoral group. At the same meeting, it was decided that the Working Group would be chaired by H.E. Mr. Jean Musitelli, Ambassador, Permanent Delegate of France, and the rapporteur would be Mr. David Mašek, Deputy Permanent Delegate of the Czech Republic. Other members of the Group were the following States Parties: Albania, Argentina, Bangladesh, Israel, Jamaica, Jordan, Lebanon, Madagascar, Philippines and Zimbabwe. According to the principle of openness, the participation of observers was encouraged.

3. The goals and working methods were to be set by the Group itself, according to the mandate it was given. The Group held four meetings:

3 February 2000
28 February 2000
20 March 2000
17 April 2000

at which it formulated its recommendations spelled out later in this document.

4. The Secretariat of UNESCO provided valuable support to the Group´s work including interpretation, translation of documents and a web site. This web site contains a number of documents: reports, discussion and position papers prepared by members and observers alike on topics under discussion, and also background and information papers prepared by the Secretariat. The information collected at this web site was of great importance to the Group and should continue to be utilized during the ensuing discussion by the Bureau and the World Heritage Committee. A list of the available documents is in the Annex. The address of the Working Group´s web site is *http://www.unesco.org/whc/wg-repcom/* .

5. The Group adopted the following three recommendations to ensure an equitable representation in the World Heritage Committee:

- to reduce to four years the current term of office of the Members of the World Heritage Committee,

- and at the same time to increase to twenty-eight the current number of Members of the World Heritage Committee,

- to distribute a fixed number of seats to groups of States Parties, while leaving a number of seats open for elections on a free basis.

6. The reduction of the term of office did not raise any substantial controversy. It was recognized, in fact, that this measure would enable a more frequent rotation within the Committee, thus contributing to its equitable representation. Shortening the term of office would, however, require amending Article 9 of the 1972 Convention. Difficulties related to such a revision were highlighted in a paper prepared by the Secretariat, which is included in the web site.

7. Discussion of an increase in the number of Members of the Committee was specifically mentioned in the mandate of the Working Group. The Group agreed on a moderate increase of such number to twenty-eight (28). Some observers did not take this view and expressed different opinions. Such moderation as to the desired increase was largely motivated by the concern that the Committee does not loose effectiveness by becoming too large. Again, it was noted that this proposal required an amendment to Art. 8(1) of the Convention, which led to the difficulties referred to in paragraph 6., above.

8. Some members of the Group considered that it was legally possible to envisage that a meeting of the States Parties, acting in the framework of an ordinary or extraordinary session of the UNESCO General Conference, adopt by consensus a Protocol amending exclusively Articles 8(1) and 9 of the 1972 Convention, for the specific purposes of implementing the pertinent proposals of the Group. To avoid unreasonable delays in its implementation, such meeting could also decide that the Protocol would enter into force in a fixed period of time, unless a predetermined number of States Parties oppose such entry into force. Due mainly to the lack of available time, the Group suggested that this possibility is explored in depth by the Bureau and/or the Committee.

9. One of the observers introduced a proposal based on a special category of Members-Elect. The proposal itself was based on a discussion of special observer status that appeared before the General Assembly in 1989 and introduced some important modifications. The Group embraced this proposal as a possible alternative to increasing the number of members, in case this increase proves impracticable. The Members Elect would be guided by the following principle:
- The General Assembly would choose at the next available meeting seven Members of the World Heritage Committee and seven Members Elect.
- The following General Assembly would confirm the seven Members Elect as Members of the Committee, and at the same time elect a new group of seven Members Elect.
- Members-Elect will posses the same rights and privileges as Members of the Committee, except the right to vote.

It has to be noted that some members and observers expressed their reservations on introducing such a category and would rather prefer a simple increase in the number of members. The advantage of this proposal is that it does not necessitate revising the Convention. It could be implemented by changes to the Rules of Procedure (creation of a new category Member Elect), a modification of Operational Guidelines (to guarantee rights of M.E.), and a declaration to ensure confirmation of M.E. as full fledged Members after the two years.

10. Introducing the Geographical distribution of seats is a measure the implementation of which does not require revising the 1972 Convention. The principle is already there in Article 8(2). It only requires to be put into practice. Attention should be paid to the Resolution of the 7th General Assembly contained in the Article 12 of its Report. A modification of the Rules of Procedure and/or Operational Guidelines would codify the procedure.

11. The principle on which the Group agreed, is to assign a fixed number of seats to a group of States Parties, and leave a certain number of seats unassigned and opened to free competition. The division of States Parties into groups gave rise to a diversified discussion. The implementation of this principle should be flexible, and in conformity with the terms of the 1972 Convention. Its Article 8(2) calls for an equitable representation of regions and cultures of the world. It was said that simply copying the current system of Electoral Groups in UNESCO is not a preferable solution.

12. Due to a mutual interdependence, the recommendations proposed by this Working Group form a coherent entity, and should be treated as a whole. They form a package of solutions that, when implemented together, should lead to a more equitable representation of States Parties within the World Heritage Committee.

Working Group on Equitable Representation in the World Heritage Committee

The Working Group on Equitable Representation in the World Heritage Committee was decided by the 23rd Session of the World Heritage Committee as a followup to the Twelfth General Assembly of States Parties of the World Heritage Convention.

At a meeting held on 21 January 2000 the following twelve States Parties were elected to the Working Group: Albania, Argentina, Bangladesh, France, Czech Republic, Israel, Jamaica, Jordan, Lebanon, Madagascar, Philippines and Zimbabwe. France was elected as Chair of the Working Group; the Czech Republic agreed to act as rapporteur.

The group will define its terms of reference, its working methods, and calendar. Its recommendations will be submitted to the 24th session of the Bureau, 26 June to 1 July 2000.

Meetings of the Working Group will be open to all States Parties.

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Some of the documents listed here are only available in "Portable Document Format" ("PDF") which can be read with Acrobat Reader software. Acrobat Reader can be downloaded free of charge from the Adobe server. Click on the 'Get Acrobat' logo to visit the Adobe Acrobat site and download the software.

Reports and Papers

- NEW Final Report of the Working Group / *Rapport final du Groupe de travail*
- Summary Record of the Third Meeting of Working Group III, 20 March 2000 / *En français*
- Draft Proposal for Discussion, United States of America, submitted 16/03/2000 / *En français*
- Résumé analytique de la seconde réunion du Groupe de travail II, 28 février 2000 / Summary Record of the Second Meeting of Working Group II, 28 February 2000
- Some comments by the Secretariat on the Possible Revision of the World Heritage Convention 1972 / Quelques commentaires du Secrétariat sur la révision possible de la Convention du patrimoine mondial de 1972
- Invitation to, and Agenda for, the Second Meeting of the Working Group
- 2nd Discussion Paper, presented by Argentina
- Summary Record of the First Meeting of Working Group II, 3 February 2000
- Compte-rendu de la première réunion du groupe II, le 3 février 2000
- Position Paper, Argentina, tabled at the 1st Meeting of the Working Group, 3/02/2000

- Invitation de 27 janvier 2000 de la Délégation permanente de la France
- Rapporteur's Report of the Meeting of 21 January 2000 and Transmittal Letter
- Followup Invitation to a meeting of States Parties 21 January 2000

- Summary Record of the 12th General Assembly of States Parties, 28-29 October 1999. (WHC-99/CONF.206/7)
- Compte-rendu des travaux, 12ème Assemblée Générale des Etats parties, 28-29 octobre 1999.