

COMPARATIVE TABLE OF THE PROVISIONS OF THE REVISED DRAFT CONVENTION CONCERNING THE PROTECTION OF MONUMENTS, GROUPS OF BUILDINGS AND SITES OF UNIVERSAL VALUE, SUBMITTED BY THE DIRECTOR-GENERAL OF UNESCO, AND THE PROVISIONS OF THE WORLD HERITAGE TRUST DRAFT CONVENTION CONCERNING THE PRESERVATION AND PROTECTION OF NATURAL AREAS AND CULTURAL SITES OF UNIVERSAL VALUE, SUBMITTED BY THE UNITED STATES OF AMERICA.

PROVISIONS	DIRECTOR-GENERAL'S CONVENTION	CONVENTION OF THE UNITED STATES OF AMERICA
Preamble	<p><u>Paragraph 1</u> Threats to the universal heritage</p> <p><u>Paragraph 2</u> The deterioration or disappearance of any item of cultural property or any natural environment constitutes a harmful impoverishment of the world heritage</p> <p><u>Paragraph 3</u> Inadequacy of protection measures at national level</p> <p><u>Paragraph 4</u> Reiteration of Unesco's constitutional responsibilities for the conservation and protection of the world's cultural heritage</p>	<p><u>Paragraph 3</u> Similar provision</p> <p><u>Paragraph 4</u> Similar provision</p> <p><u>Paragraph 6</u> Similar provision</p> <p><u>Paragraph 8</u> Same provision</p>

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Paragraph 5

Reference to the Hague Convention for Protection of Cultural Property in the event of Armed Conflict

Paragraph 6

Some monuments, groups of buildings and cultural or natural sites including some national parks and ecological areas, are of exceptional interest and therefore need to be preserved as part of the world heritage

Paragraph 7

The duty incumbent on the international community to grant collective aid as a complement to action by the State on whose territory the threatened property is situated

Paragraph 8

The need to adopt for this purpose new provisions in the form of a convention establishing an effective system of protection for cultural or natural property of universal value

Paragraphs 1 and 2

Contain similar provisions

Paragraphs 5 and 7

Similar provision

Paragraph 9

Similar provision

I - <u>Definitions</u>	<u>Article 1</u>	<u>Article 1</u>
(1) of the heritage to be protected	(a) <u>monuments,</u> (b) <u>groups of buildings,</u> (c) <u>sites, archaeological, scientific or natural sites: national parks and nature reserves</u>	(a) <u>natural areas,</u> (b) <u>cultural sites</u>
(2) of inter- national preserva- tion and protec- tion	<u>Article 2</u> (1) International protection means the establishment of a permanent system of protection <u>enabling States Parties to the Convention to obtain help from the international community in their efforts to protect features of their cultural or natural heritage which are of universal value</u> (2) Criteria for the affording of international protection	<u>Article 2</u> International preservation and protection means the establishment of a permanent system of international co-operative efforts to <u>identify, protect and preserve these natural areas and cultural sites</u>
II - <u>National protection and international protection</u>	<u>Article 3</u> The States Parties recognize that the duty of ensuring the protection of the property in question is primarily theirs. They will do all they can to this end, to the utmost of their own resources and with international assistance	<u>Article 11</u> Recognition by the Parties that they have the duty to preserve natural areas and cultural sites of universal value. To fulfil that duty they undertake to devote an appropriate measure of their own resources as well as international assistance which they may be able to obtain

Article 4

The Parties will make every effort to ensure that the most efficient and active measures possible are taken for the protection and effective presentation of all monuments, groups of buildings and sites on their territory, as appropriate for each country and in conformity with the relevant provisions of existing international instruments through:

- (a) the adoption of a general policy which aims to give this property a function in the life of the community and to integrate the protection of such property into development programmes;
- (b) the setting up within their territories of one or more protection services;
- (c) the development of studies and research and the working out of operating methods and
- (d) the taking of all measures necessary for these purposes.

Article 5

1. Recognition by the States Parties that the property referred to in Article 2 constitutes a universal heritage which it is the duty of the international community as a whole to protect

Article 7

4. The Parties undertake to manage, protect and preserve, in accordance with standards established by the Board, each area or site inscribed in the Register in their own territory

1. (f) The Board is to ensure that these standards are being met. It conducts periodic surveys and gives notification of the need for corrective action when warranted

Article 12

3. Each State Party shall take positive action to mitigate the effects of disturbances to areas or sites inscribed in the Register

Article 12

1. Recognition by the Parties that the areas and sites in question constitute a universal heritage which the international community as a whole has a duty to preserve

2. Their undertaking, in conformity with the following provisions, to give their scientific, technical, artistic and financial help in the international protection of such property, whilst fully respecting the sovereignty of the States on whose territory such property is situated

III - Official  
bodies

(1) General  
Assembly  
(Unesco  
draft); Inter-  
governmental  
World Heri-  
tage Commit-  
tee (U.S.A.  
draft)

Articles 6 and 13

The States Parties to the Convention meet in General Assembly during the ordinary sessions of Unesco's General Conference. They elect the Members of the Committee and determine the amount of the compulsory contributions

2. Their undertaking, in conformity with the Convention, to contribute scientific, technical, artistic and financial assistance to international programmes for the preservation of this property, while fully respecting the sovereignty of the States within the jurisdiction of which such property is situated

4. Each Party undertakes to respect all areas and sites inscribed in the Register by refraining so far as possible from acts which might damage them

Article 3

- (a) Committee within Unesco composed of one representative of each State Party
- (b) Meetings of the Committee
- (c) Rules of procedure, election of chairman and other officers, and four-year term of office
- (d) Decisions of the Committee
- (e) Headquarters of the Committee
- (g) The Committee reports regularly on its activities to the General Conference of Unesco

(2) Intergovernmental Committee (Unesco draft);  
World Heritage Board (U.S.A. draft)

Article 6

Establishment within Unesco of a Committee composed of 15 members elected by the States Parties to the Convention meeting in General Assembly

Article 7

- (1) Term of office of Committee members
- (2) Shortened term of office of 7 members
- (3) Qualification of members

- (h) The expense of participation in meetings of the Committee to be borne by the States represented

Article 3(f) and Article 4

- (a) The Committee elects the members of the Board, composed of 15 States Parties, being guided by three criteria,
  - (1) balance between areas and sites,
  - (2) representation from States having highly developed programmes,
  - (3) equitable geographical distribution.

Article 4

- (b) Term of office of Board members
- (c) Shortened term of office of 7 members
- (d) Qualification of members
- (e) Expense of participation in the work of the Board to be borne by the States represented.

Powers and functions of the Committee (Unesco) of the Board (U.S.A.)

Article 8

- (1) Adoption by the Committee of its Rules of Procedure, which shall lay down the conditions under which intergovernmental and non-governmental organizations and private individuals may participate
- (2) Establishment of the consultative bodies required for performance of the Committee's functions.

Article 9

- (1) Reception and study of requests for assistance, determination of the nature and scale of assistance to be granted and conclusion of arrangements with the governments concerned
- (2) Criteria for determining an order of priorities for the Committee's operations
- (3) Establishment and bringing up to date every two years of a short list of monuments, groups of buildings and sites of universal value to be safeguarded by international co-operation. This list shall include indications as to the importance of the property and an estimate of the cost of operations.

Article 5

Adoption by the Board of Rules of Procedure permitting observers from intergovernmental and non-governmental organizations and private individuals to participate in its work.

Article 6

Programmes involving natural areas shall be carried out by IUCN, those involving cultural sites by ICOMOS, those in mixed areas and sites by both organizations

Article 7

- 1.(e) Decide on action to be taken in regard to requests for assistance in respect of property inscribed in the Register
- (b) Establishing criteria for recognition of specific sites or areas of outstanding significance for mankind and for their inscription in the Register
- (a) Establishing the World Heritage Register (see also Article 1.(c)) which shall constitute the list of natural areas and cultural sites

- (4) Establishment and keeping up to date of a list of the property saved as a result of the Committee's activity

- (c) Compiling, on the basis of national inventories, an international inventory of areas and sites which might qualify for inclusion in the Register
- (f) Setting standards for the management and preservation of areas and sites inscribed in the Register, conducting periodic surveys of them and notifying the representatives of the States of any corrective measures which might be warranted
- (g) Removing from the Register areas and sites receiving inadequate management, protection or preservation
- (h) Co-operating with other governmental and non-governmental organizations and promoting private endeavours
- (i) Submitting reports to the Committee on the implementation of the Convention
- 2. Procedures for inscribing an area or a site in the Register
- 3. Submission to the Board by each Party of an inventory of natural areas and cultural sites which might qualify for inclusion in the Register



- (5) The resources of the International Fund to be at the disposal of the Committee; adoption of an annual budget for its expenditure
- (6) The Committee to seek ways of increasing the resources of the Fund
- (7) Specific decisions to be made by a two-thirds majority of Committee members present and voting

Article 10

Appointment by the Director-General of Unesco of a Secretariat to be placed at the disposal of the Committee

Article 11

- (1) Setting up of an International Fund to be administered by the Committee
- (2) Its constitution as a trust fund in accordance with Unesco's Financial Regulations

Article 12

The resources of the Fund shall consist of:

- (a) compulsory and voluntary contributions made by States Parties
- (b) contributions, gifts or bequests which may be made by:

- 1.(d) Administration of the Fund by the Board

Article 9

The Board shall solicit financial support

Article 10

Similar provision

Article 8

1. Establishment of a World Fund
2. It shall be administered by the Board and shall constitute a trust fund in conformity with the relevant provisions of the Financial Regulations of Unesco

Article 9

1. The Board may accept contributions, gifts or bequests from any source

IV.- Resources:

Inter-  
national  
or World  
Fund

- (i) other States
- (ii) Unesco and other organizations of the United Nations system
- (iii) industrial and commercial firms
- (iv) public or private bodies or individuals
- (c) interest of sums lent by the Fund
- (d) funds raised by collections and
- (e) all such other resources as shall be determined in the Rules [of Procedure] of the Fund

Article 13

Amount of the compulsory contribution to be fixed by the General Assembly of States Parties; not to exceed 2 per cent of a State's contribution to Unesco's budget

Article 14

The Secretariat of the Committee shall regularly inform the governments, international organizations and persons concerned of the progress of work and the order of priorities. It shall invite them to give financial assistance to the work to be undertaken

2. Interest earned from sums loaned

3. The Board may accept any other voluntary contributions, whether or not in cash

Article 15

Governments shall encourage gifts and bequests for the properties to be protected by taking appropriate fiscal measures.

Article 16

1 and 2. The States Parties to promote the establishment of national foundations or associations designed to encourage financial contributions to the work of protection

Article 17

Assistance from States for periodic international fund-raising campaigns

Article 18

1 and 2. Object of the international campaigns and distribution of the funds raised

Article 13

The States Parties to encourage the establishment of national foundations or associations for the purpose of encouraging financial contributions in aid of the property inscribed in the Register

Article 14

The Parties to assist international fund-raising campaigns by appropriate organizations

V - Conditions  
and arrange-  
ments for  
the granting  
of interna-  
tional pro-  
tection or  
interna-  
tional aid

Article 19

1. Requests for the granting of international protec-  
tion shall be made by the States concerned
2. However, the Committee may offer its services to  
a State

Article 20

Conditions for inclusion of property of universal  
value in the short list

Article 21

1. Procedure for consideration of requests and men-  
tion of the nature of the danger threatening the  
property and the work which is necessary
2. Situations giving rise to priorities
3. Studies and expert opinions required

Article 22

Forms of aid to be granted by the Committee:

- (a) studies of the problems
- (b) provision of experts and skilled labour
- (c) granting of low-interest or interest-free loans
- (d) non-repayable subsidies

Article 16

1. Same provision
2. The Board or IUCN or ICOMOS may offer  
assistance

Article 17

1. Procedure for consideration of requests  
and description of the nature of the  
problem and the work necessary
2. Situations entailing priorities
3. Studies and consultations required

Article 18

Similar provision

Article 23

Details on the studies required for the preparation of large-scale projects

Article 24

International aid to be accompanied by substantial financial participation on the part of the beneficiary State

Article 25

In return for the assistance granted, the beneficiary State shall undertake to act upon the project and maintain the protected property in good condition

Article 19

Similar provision

Article 20

Similar provision

Article 21

In return for the assistance granted, the beneficiary State shall undertake to act upon the project and continue to manage and preserve the property concerned according to the standards set by the Board

Article 22

1. Commitment to strengthen the attachment of the people to areas and sites belonging to the world heritage, in particular by means of educational and information programmes
2. Publicizing both threats to these areas and sites and also the preservation and restoration activities undertaken as a result of international co-operation

VI - Educational programmes

Article 26

1. Undertaking to strengthen the attachment of the people to the immovable cultural treasures of all countries, in particular by educational and information programmes
2. Measures required to inform the public of the dangers threatening some of this property and of the rescue operations carried out through international co-operation

VII - Reports

Article 27

Adoption of national and international programmes of educational and cultural tourism by beneficiary States

Article 28

The States Parties shall make periodic reports to the General Conference of Unesco on their application of the Convention

VIII - Final  
clauses

Article 29

No reservations to the present Convention

Article 30

Languages of the text of the Convention

Article 31

1. Instruments of ratification or acceptance
2. Deposit of these instruments

Article 32

1. The Convention to be open to the accession of any non-Member State invited to accede to it by the Executive Board of Unesco

Article 23

Adoption of programmes directed at making these areas and sites available for public enlightenment and enjoyment

Article 15

The States Parties shall make periodic reports to the Board on the action taken by them pursuant to the Convention

Article 24

Similar provision

Article 25

Similar provision

Article 26

Similar provision

Article 27

1. The Convention to be open for accession by any non-Member States invited to accede to it by the General Conference of Unesco

2. Deposit of instruments of accession by such States

Article 33

Entry into force of the Convention three months after the deposit of the ... instrument of ratification, acceptance or accession. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, etc...

Article 34

Extension of applicability of the Convention not only to the home territories of the States Parties but also to the territories for whose international relations they are responsible

Article 35

1., 2. and 3. Denunciation of the Convention, which shall take effect twelve months after notification by an instrument in writing

2. Deposit of instruments of accession by these States

Article 28

Entry into force of the Convention three months after at least 15 States have deposited their instrument of ratification, etc... With respect to any other State it shall enter into force three months after the deposit of its instrument of ratification, etc...

Article 29

Extension of the applicability of the Convention to the territories for whose international relations a State Party is responsible unless that State enters a specific exception

Article 30

1., 2. and 3. Denunciation of the Convention to take effect six months after receipt of the instrument of denunciation

Article 36

Notification to Member States and the United Nations by the Director-General of Unesco of the deposit of all instruments of ratification, acceptance or accession

Article 37

Revision of the Convention

Article 38

Registration of the Convention with the Secretariat of the United Nations

Article 31

Similar provision

Article 32

Similar provision

Article 33

Similar provision

Article 34

Nothing in this Convention shall alter the rights or obligations of States under International Law as codified in the two 1958 Geneva Conventions on maritime law and the 1954 Hague Convention