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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

Forty-second session

Manama, Bahrain
24 June –4 July 2018

Item 12 of the Provisional Agenda: Follow-up to Recommendations of Evaluations and Audits on Working Methods and outcomes of the ad-hoc working group

12A. Follow-up to Recommendations of Evaluations and Audits on Working Methods: outcomes of the ad-hoc working group

SUMMARY

By Decision **41 COM 12A**, the World Heritage Committee at its 41st session extended the mandate of the ad-hoc working group. The group was requested to examine several measures included in the Road map for the sustainability of the World Heritage Fund, as well the definition of the upstream process and the recommendations of the Internal Oversight Service (IOS) Comparative Mapping Study.

This document presents the report of the ad-hoc working group, including a list of recommendations and a draft decision. It also comprises 5 annexes.

Draft Decision: ***42 COM 12A****,* see Point V.

I. MANDATE

1. Through its Decisions **41 COM 9A** and **41 COM 12A**, the World Heritage Committee extended the mandate of the Ad Hoc Working Group, composed of the members of the Committee and up to two non-members per Electoral Group, to review the definition of the Upstream Process, in view of improving the effectiveness of the Global Strategy, as well as to discuss, in consultation with the World Heritage Centre, Advisory Bodies and, as appropriate, relevant stakeholders, the sustainability of the World Heritage Fund, and to report to the 42nd session of the World Heritage Committee including recommendations on the following issues, inter alia:

   - ***Elaboration of a comprehensive resource mobilization and communication strategy;***
   - ***Further examination of the proposal to establish an informal Core Group on Resource Mobilization, including its mandate and modalities;***
   - ***Study on how to maximize the impact and scope of the Forum of Partners;***
   - ***Analysis of the recommendations of the Internal Oversight Service (IOS) Comparative Mapping Study and the development of proposals in view of optimizing the use of the resources of the World Heritage Fund; and***
   - ***Discussion of the definition of the upstream process and the effectiveness of the Global Strategy for a balanced and representative World Heritage List.***

2. The Ad Hoc Working Group commenced its work on 15 January 2018 where it was agreed to divide the mandate of the Working Group into two sub-Groups: on the review of the definition of the Upstream Process, chaired by H.E. Sheikha Haya al Khalifa, Chair of the 42nd session of the World Heritage Committee and in her absence by Mr Khalifa al Khalifa, Director of Antiquities and Museums, Bahrain Authority for Culture and Antiquities, and the other on sustainability of the World Heritage Fund, chaired by Mr Rashad Baratli, Second Secretary, Permanent Delegation of the Republic of Azerbaijan to UNESCO.

3. Subsequent meetings took place on 5 February, 5 March, 28 March, 23 April, 16 May and 4 June. An open-ended meeting for all States Parties was held on 18 May 2018. Representatives of the World Heritage Centre, and the Advisory Bodies participated in the meetings. Summaries were distributed after each meeting. The composition of the Ad Hoc Working Group is contained in Annex A to this document.

II. REVIEW OF THE DEFINITION OF THE UPSTREAM PROCESS, IN VIEW OF IMPROVING THE EFFECTIVENESS OF THE GLOBAL STRATEGY

4. The Ad Hoc Working Group took note of the background information and online survey results which were presented in document *WHC/17/41.COM/9A: Progress Report on the reflection concerning the Upstream Processes.*

5. The Group recalled the Upstream Process pilot projects. Three of the pilot cases resulted with inscription on the World Heritage List (South Namib Erg Namibia, Rock Drawings in the Hail region, Saudi Arabia and Cultural and Industrial Landscape of Fray Bentos, Uruguay). Two others were phased out (Dinaric Karst Serial Nomination, Albania, Bosnia and Herzegovina, Croatia, Italy, Montenegro, Serbia and Slovenia and Gadara [Modern Um Qeis or Qays], Jordan); and remaining five are advancing at a different pace. Regardless of the result, all pilot projects improved the dialogue.

6. The Group highlighted that even though the Global Strategy had reached the mature age of 24 years, almost nothing had changed in terms of statistics of the regional distribution of the World Heritage sites and preponderance of the cultural sites over the

natural or mixed ones. The only tangible change, although not-increasing the credibility of the World Heritage List, was the elaboration of new types of heritage categories. Nevertheless, Upstream Process can be an effective tool to support the Global Strategy. If the number of Upstream Process requests exceeds the capacity of the institutions involved to implement them, the prioritization system as set out in paragraph 61c of the Operational Guidelines should apply.

7. The Group considered that Upstream Process would be most beneficial if it started at the earliest stage of the nomination process possible. Any consultancy after the submission of the nomination file should not be regarded as upstream, but rather as "midstream". It is a voluntary and advisory process. For the credibility of the World Heritage Convention, States Parties are strongly encouraged to respect the advice resulting from the Upstream Process. The advice provided during Upstream Process should be an institutional opinion rather than an individual expert opinion. The Group aimed at having a general definition adopted, increasing the efficiency of the Upstream Process.

8. A drafting group was created to work on the definition taking into consideration all above discussions. The Group proposes the below definition of Upstream Process to be included in the footnote of Paragraph 122 of the Operational Guidelines. Wording change as proposed by the IUCN during the meeting on the 4th of June 2018 is highlighted in yellow.

> Upstream Process: In relation to the nomination of sites for inscription on the World Heritage List, the "Upstream Process" comprises advice, consultation and analysis that occurs prior to the preparation of a nomination and is aimed at reducing the number of nominations that experience significant problems during the evaluation process. The basic principle of the Upstream Process is to enable the Advisory Bodies and the World Heritage Centre to provide guidance and capacity building directly to States Parties, throughout the whole process leading up to the preparation of a possible World Heritage nomination. For the upstream support to be effective, it should ~~ideally~~ be undertaken from the earliest stage in the nomination process, at the moment of the preparation or revision of the States Parties' Tentative Lists.
>
> ~~As for the advice itself, in the case it is given in the context of a nomination, it is understood that this should be limited to providing~~ The purpose of the advice, given in the context of a nomination, is limited to providing guidance on the technical merit of the nomination and the technical framework needed, in order to offer the State(s) Party(ies) the essential tools that enable it(them) to assess the feasibility ~~to start the assessment of feasibility~~ and/or actions necessary to prepare a possible nomination.
>
> ~~In order to be acknowledged as Upstream Process, a request for advice, consultation and analysis shall be submitted through the official format (Annex 15 of the Operational Guidelines). In case the number of requests exceeds the capacity of the Organizations involved to deal with them, the same prioritization system as of Paragraph 61.c) will be applied.~~ Requests for the Upstream Process shall be submitted through the official format (annex 15 of the Operational Guidelines). Should the number of requests exceed the capacity, then the prioritization system as per paragraph 61.c will be applied.

9. The Group wishes to express its desire of improving the quality of nominations. The Upstream Process can become an effective tool to decrease the amount of Committee decisions deviating from Advisory Bodies advice. In order to achieve this objective, the

potential of reevaluating the nomination process should be explored. Contributing to the improved quality of nominations, Upstream Process could be integrated in the multiple stage nomination process and could be considered as the first stage. The scope of the upstream process can be further extended to be a capacity building tool. The Advisory Bodies and the World Heritage Centre may involve UNESCO Field Offices and Category 2 Centres when needed.

10. The Ad hoc Group advises that the mandate of the Ad hoc Working Group is extended to the evaluation of the nomination cycle, the results of which would be presented to the Committee during its 43rd Session. Furthermore, the Group would like to highlight the importance of the Global Strategy for a balanced and representative World Heritage List, and the Committee may wish to extend the mandate of the Ad hoc Group further to re-evaluate the Global Strategy in overall with its successes and failures.

III. SUSTAINABILITY OF THE WORLD HERITAGE FUND

11. During the discussions of the Sustainability of the World Heritage Fund and related fund-raising activities, the Working Group referred to the “Roadmap for Sustainability of the World Heritage Fund” that had been approved by the 41st session of the World Heritage Committee (Krakow, 2017), and other UNESCO-related documents as a basis for future decisions.

A. Elaboration of the comprehensive resource mobilization and communication strategy

12. The idea of elaborating a comprehensive resource mobilization and communication strategy was discussed by the 2016-2017 Ad Hoc Working Group and, as there was still a need for further discussion on this, it was decided to include it in the mandate of the current Ad Hoc Working Group. The aim of the strategy is to enable the mobilization of additional funds for and raise awareness of the World Heritage Convention, as well as to diversify sources of funding for World Heritage through engaging a wider scope of partners such as multilateral institutions and funds and civil society and local stakeholders.

13. The Working Group had discussions on this and from the outset decided that the elaboration of the strategy should consist of two phases. The first would be to prepare a framework document to define the core principles and guidelines for the strategy. The second, based on the framework document, would be to prepare a more detailed strategy. Given time constraints, the Working Group agreed that it would limit its work to the preparation of the framework document and not undertake the second phase. After discussion and review, the final draft of this document is contained in Annex B to this document.

14. The document covers a number of key issues such as scope, goal, targets, priorities, timeline, ethical principles, diversification of donors and methodology. It was also understood that the strategy would include the existing PACT Strategy and that it would be in line with other relevant UNESCO documents. The development of a full-fledged strategy, as well as its implementation, required substantial funding and human resources. The group therefore agreed that this should not be funded by the World Heritage Fund, but through extra-budgetary funding, currently not available.

15. After further discussion, the group agreed that the most efficient way at this stage would be for the Secretariat to develop and implement a Resource Mobilization and Communication (RMC) Plan based on the Strategy Framework Document. This could be done with the voluntary support of States Parties, both for the development of the Plan (e.g. in-kind/pro-bono consultancy, communication advice, etc.), as well as for the

implementation (e.g. prospecting potential donors, advocating for UNESCO, etc.). During the discussions the Advisory Bodies expressed their interest to participate in this process.

16. After the approval of the Strategy Framework Document, the Committee could request the World Heritage Centre to develop and start implementation of a Resource Mobilization and Communication Plan for an initial 2-year period, and to provide a progress report to the next Committee session.

17. Another problem identified by the group for attracting donations was that States or private sector do not regard heritage as a priority area to support. As such, the importance of involving and ensuring that the private sector felt responsible for protecting and promoting heritage was noted by the group. Ways of establishing cooperation through selective targeting, for example the tourism sector, needed to be explored.

18. As the Secretariat had highlighted that it did not have sufficient capacity/personnel to carry out extensive fund-raising work with private donors, it was felt that States Parties should assist as much as possible in the fund-raising exercise including proposing ideas and projects.

19. The group agreed that the entire UNESCO network, including category 2 centres, should be involved in the fundraising activities. There were also a number of organisations, such as the World Monuments Fund and the World Bank that worked towards raising awareness and funds with some of their work focused on World Heritage sites. The group agreed that it was important to preserve the purpose of the fundraising and prevent it from becoming too business-oriented, in line with the financial rules and regulations, as well as ethical principles of UNESCO.

B. Further examination of the proposal to establish an informal Core Group on Resource Mobilization, including its mandate and modalities

20. The Group supported the idea of keeping the Core Group flexible, without defining a structure. It felt that it was important to encourage all States Parties to support the World Heritage Centre in its fundraising activities.

21. What emerged from this discussion was that the majority of the group was not in favour of creating a formal group while at the same time wishing to ensure State Party lead support on this. That said, many expressed concerns that the idea might simply disappear and suggested having a State Party “focal point” from each electoral group which could liaise and coordinate between the Secretariat and the States Parties from their respective groups, in assisting the Secretariat in its fund-raising efforts (including development and implementation of Resource Mobilization and Communication Plan (RMC)).

C. Study on how to maximize the impact and scope of the Forum of Partners

22. The challenges, obstacles and opportunities of attracting donors, including from private sector have been discussed under this item. It was noted that donors should have incentives for their contributions and that there were certain limitations blocking the investments in the funds or sponsoring projects.

23. A general scheme for engagement could be worked on with the support from various organizations at the regional/global level.

24. The Group pointed out that it was too early to organize a large-scale fundraising event to which possible donors could be invited to. The resource mobilization strategy needed to be in place before such a Forum of Partners or Donors could be organized in order to be successful.

25. The Group referred to the ‘Market Place’ innovation. It was a great tool with a different scale of projects but it needed donors. The World Heritage Centre advised that it did not have the capacity to carry out the necessary work for such a scope of fundraising. Professional skills to identify potential businesses and companies were required. While a full-fledged forum of donors was not possible to organize at this stage, a modest event could be envisaged.

26. The Group also though that Committee members, SPs nor NGOs was not the only audience that to target; and that the Committee session might not be the right time and place for such an event. Many agreed that it required a professional approach and creative thinking outside of the box to profile which possible donors to target and timing for an event. The ABs stated that the fundraising should also take into account the needs of all the partners, such as site managers and ABs’ conservation scope.

27. The Group also discussed the idea to cooperate with other UN agencies, such as the World Tourism Organization or other inter-governmental agencies. While such cooperation could be possible, each organization had its own fundraising demands.

28. The Group therefore concluded that that it was too early to organize a Forum of Donors. We needed to have a strategy in place with clear objectives and actors. Forum of Donors idea could be realized at a later stage.

D. Analysis of the recommendations of the IOS Comparative Mapping Study and development of proposals in view of optimizing the use of the resources of the World Heritage Fund

29. In its Decision **40 COM 15**, the World Heritage Committee emphasized “the importance of securing the value for money in the commissioning of advisory services” and requested “the Secretariat to prepare, if funding available, a comparative mapping of forms and models for use of advisory services (such as evaluation, technical services, etc.) by other international instruments and programmes as a means of benchmarking the price of services, including but not limited to UNESCO site-based conventions and programmes, for consideration by the ad-hoc Working Group at the earliest opportunity and examination by the Committee at its 41st session”.

30. At the request of the World Heritage Centre UNESCO’s Internal Oversight Service (IOS) prepared “A Comparative Mapping of Forms and Models for Use of Advisory Services by International Instruments and Programmes”. In its study, the IOS came up with four recommendations.

31. In its recommendations, the 2016-2017 Ad Hoc Working Group took note of the IOS mapping study and noted that “the question of whether other partners/institutions could play a role in evaluation of nomination required in-depth reflection and had to be carefully studied. Implications of the study and potential revisions of working methods needed ample consideration by the Committee.”

32. The IOS mapping study was therefore included in the mandate of the current Ad Hoc Working Group. The Group devoted a large portion of its time to extensive discussions and analysis of this study. It was agreed that, given the complexity of the issue and for the sake of greater efficiency, the Group should address each recommendation separately.

Recommendation 1: World Heritage Committee to review the overhead costs (project administration and contingency fund costs) charged by the Advisory Bodies with the view to eliminate them from the budget, since these charges are not supported by direct costs associated with the work performed by the Advisory Bodies.

33. During the discussions, the Advisory Bodies presented their comments. The Advisory Bodies presented a number of arguments in favour of the current level of overhead costs. The Working Group therefore concluded that, firstly, the overhead costs were a part of the normal financial work cycle. Secondly, the amount in question would not result in a meaningful savings in the World Heritage Fund.

Recommendation 2: WHC Secretariat to obtain legal advice on sourcing advisory services, i.e., definitive legal opinion on whether the Committee is compelled to use only ICCROM, IUCN and ICOMOS to provide advisory services.

34. As requested, the Secretariat obtained a legal opinion a summary of which is contained in Annex C to this document. The opinion concluded that "… neither the Convention, nor the Operational Guidelines compel the Committee to use only ICCROM, IUCN and ICOMOS to provide advisory services".

35. Acknowledging the summary of the legal advice provided, a majority of members of the group considered that the central role of ICCROM, ICOMOS and IUCN was to be preserved and that the use of other entities should come in addition to the current system, rather than a replacement of the current practices. The main argument was that the current system had been functioning well for the past 40 years with a high quality of service.

36. According to them, therefore what needed to be considered was how to decide on the supplementary bodies for additional advisory services. It was proposed that the World Heritage Committee could decide on a case-by-case basis on entities with suitable experience and subject knowledge in line with the procurement rules of UNESCO. The World Heritage Site of Kakadu National Park was cited as an example when Committee had in 2001 requested to use the services of the International Council for Science.

37. Few members of the group, however, expressed their view that there was a need for further discussion on the selection of other bodies.

Recommendation 3: World Heritage Committee to identify the root cause(s) for Committee decisions deviating from Advisory Bodies advice, procured at a significant cost to the World Heritage Fund, and take action to address them.

38. The main root causes identified by the Working Group were:

    a) Political interests and pressure given the huge financial and human investment in the preparation of nominations;

    b) A complicated nomination preparation process; and

    c) Differences in scientific opinion.

39. Based on the above-mentioned root causes, the Working Group discussed and identified possible ways and solutions to avoid such deviations. These proposals included: the introduction of a two-phase evaluation process; introduction of a greater dialogue phase in the current nomination cycle; prolongation of the current nomination cycle; introduction of a "code of conduct for Committee Members" where they refrained

from submitting nominations while serving on the Committee; introduction of the concept of “periodicity of nominations”; and more focus on capacity-building activities.

40. Following a request from the Working Group, the World Heritage Centre in consultation with the Advisory Bodies came up with an outline of some potential “reforms” or “alternative” models for the nomination process which could be used in future discussions on the topic. It was also noted that this was tightly linked with the results of the discussion on the Upstream Process. The Committee may wish to further discuss and elaborate these ideas.

41. The Group pointed out that it was also important to fully understand the recommendations of the ABs. A platform could be created to extend the dialogue between the ABs and SPs. This is also related to the Committee’s work as the rationale of AB evaluation reports were not always fully understood by the Committee Member.

42. ICOMOS stated that it would be ready to dedicate one work-day and present all the recommendations briefly to Committee members, possibly in June. IUCN stated that it was important to improve dialogue with respect to the AB Interim Reports. ICCROM recalled that until 2002, in order to facilitate the work of the Committee, all the nominations were first examined by the Bureau (at its June meeting) and whose recommendations were presented to the Committee (which met towards the end of the year).

Recommendation 4: World Heritage Committee to take the opportunity to envisage changing working methods and incorporate practices of other international instruments/programmes to generate efficiencies.

43. The Working Group studied the recommendations presented in the IOS mapping study, namely on Nomination Evaluation (Table 2), Reactive Monitoring Missions (Table 3) and International Assistance (Table 4). The Group concluded that the proposals on Nomination Evaluation were part of a complex structure and had tight links to the discussion on Recommendation 3 of the Study as well as the Upstream Process. It therefore decided to recommend that this recommendation be studied further in future Committee sessions.

44. With respect to the other two proposals, the Working Group came up with a certain number of proposals, some of which would not necessitate a change in the Operational Guidelines, while others would.

45. The Working Group concluded that, while the outcome on Recommendation 1 was clear, more time was needed for further discussion and in-depth analysis of Recommendations 2, 3 and 4. As such, the Committee may wish to continue the discussion during its forthcoming sessions.

46. Furthermore, the Group discussed a model for sharing costs presented by the Delegation of Norway which it thought was worth exploring (Annex E). The idea was that SPs paid upfront the average cost of evaluations, estimated at USD 22,000 per nomination. Though LDCs, SIDS and other low-income SPs could be exempted from payment. The amount would increase for mixed sites and serial nominations, etc. Such an arrangement would allow the World Heritage Fund to be reoriented to conservation of sites or International Assistance as well as for capacity-building. The UNESCO Global Geoparks model was cited whereby members’ contributions covered costs.

47. There was, however, concern that this concept could be perceived as ‘buying one’s nomination’ or wealthier States Parties ‘jumping the queue’. It was replied to by stating that these concerns are as far as possible taken care of given the fact that the payments are paid upfront, that it is an average sum and the same for all State Parties and that the payments are made to the World Heritage Fund and not directly to the

Advisory Bodies. It will not be possible to 'jump the queue' as the order of priorities in which the nominations will be reviewed remains the same as stated in Operational Guidelines paragraph 61 c).

48. Therefore the Group has agreed to endorse this model with a view that the first contributions could be paid for the new nominations, with the submission deadline of February 2019, to be presented to the Committee in 2020. This model can be approved on an experimental basis for 4 years. The possibility of payment should be subject to the elaboration of modalities, possibly to be discussed by the Budget group, during the Committee Meeting in Manama.

IV. RECOMMENDATIONS

49. The following recommendations to promote sustainability of the World Heritage Fund are submitted to the Committee:

50. **Recommendation 1.**
Endorse the "Resource mobilization and communication strategy" Framework document and request the Secretariat with the support of Advisory Bodies, as appropriate, and of those State Parties wishing to assist in this regard, to develop a two-year Resource Mobilization and Communication (RMC) Plan, and to provide a report thereof to the 43rd session of the World Heritage Committee in 2019.

51. **Recommendation 2.**
After examination of the proposal for an Informal Core Group on Resource Mobilization and bearing in mind the need for more informal and flexible modalities, recommends that instead of establishing such a Group**,** State Parties be encouraged to assist World Heritage Centre in fund-raising activities.

52. **Recommendation 3.**
Upon finalization of the Resource mobilization and communication plan, and as an integral part of the Strategy, continue to explore the possibilities and modalities of the organization of a Forum of Partners event for fund-raising. In the meantime consider organizing modest (smaller scale) fund-raising events during the Committee sessions based on "MarketPlace" platform.

53. **Recommendation 4.**
(IOS 1.) To keep the current practice of overhead costs in the contracts of the Advisory Bodies, as their elimination or modification will not result in meaningful savings while it may harm the quality of current work.

54. **Recommendation 5.**
(IOS 2.) Taking note of the summary of the legal opinion contained in Annex C, continue to use the services of the current three Advisory Bodies while further discussing the modalities for use of the services of other entities with suitable experience and knowledge, in line with the procurement rules of UNESCO.

55. **Recommendation 6.**
(IOS 3.) To consider the root causes identified by the Working Group (i.e. political interests and pressure given the substantial financial and human investment in the preparation of nominations; a complicated nomination preparation process; and differences in scientific opinion) and further discuss possible improvements with regards to the nomination process, tentative lists, upstream process, bearing in mind the Global Strategy, and other modalities, such as Code of conduct.

56. **Recommendation 7.**
Starting from 2019, consider possibilities for exchange, through meetings or otherwise, between Members of the Committee and the Advisory Bodies, for an in-depth explanation of the AB recommendations on nominations.

57. **Recommendation 8.**
To refer to regional experts on reactive Monitoring Missions if it would substantially reduce the travel costs and not decrease the quality of the expertise.

58. **Recommendation 9.**
(IOS 4) Taking note of IOS recommendation n°4 about the International Assistance process, to implement on an experimental basis for one cycle (2019 cycle starting on 31 October 2018) a "live-test" phase where the comments by the Advisory Bodies will be mandatory only for requests over 30 000 $ (75 000 $ in the case of Emergency assistance). For requests under the amounts above, the Secretariat may request comments by the Advisory Bodies depending on the content of the requests. The Secretariat will continue to comment all requests irrespective of their amount. The Secretariat should present a report analyzing the outcomes of the live-test phase, to the World Heritage Committee at its 43rd session (2019) and propose a draft revision of the International Assistance process, for examination in the framework of the revision of the Operational Guidelines.

59. **Recommendation 10.**
To approve, on experimental basis, a cost-sharing modality for evaluation of nominations, for a period of four years, subject to definition of modalities and starting with nominations submitted in 2020. Cost-sharing will consist in payment of an upfront fixed fee (basis of 22.000 USD for a simple nomination and respectively higher for mixed sites and serial/transnational sites) to the World Heritage Fund by all States Parties submitting new nominations with an exemption for Least Developed Countries or Low Income Economies (as defined by the United Nations Economic and Social Council's Committee for Development Policy), Lower Middle Income Countries as defined by the World Bank, Small Island Developing States and States Parties in a post-conflict situation.

V. DRAFT DECISION

***Draft Decision:* 42 COM 12A**

The World Heritage Committee,

1. *Having examined document WHC/18/42.COM/12A,*

2. *Expresses its appreciation to the Ad Hoc Working Group for its work and recommendations;*

3. *Recalling its Decisions **41 COM 9A** and **41 COM 14** on Upstream Process and sustainability of the World Heritage Fund respectively,*

4. *Also recalling the "Roadmap for Sustainability of the World Heritage Fund" which was approved by the World Heritage Committee at its 41st session (Krakow, 2017),*

Resource mobilization

5. Endorses the "Resource mobilization and communication strategy" Framework document and requests Secretariat, with the support of the Advisory Bodies as appropriate and of those States Parties wishing to assist in this regard, to develop a two-year Resource Mobilization and Communication (RMC) Plan and to provide a report thereof to the 43rd session of the World Heritage Committee in 2019;

6. Encourages States Parties to assist the World Heritage Centre in fund-raising activities;

Recommendations of the Internal Oversight Service (IOS) Comparative Mapping Study

7. In relation to Recommendation n°1 of IOS study, decides to keep the current practice of the overhead costs in the contracts of the Advisory Bodies;

8. In relation to Recommendation n°2 of IOS study, takes note of the summary of the legal opinion contained in Annex C of document WHC/18/42.COM/12A, decides to continue to use the services of the current three Advisory Bodies and to further discuss the modalities for the use of services of other entities with suitable experience and knowledge, in line with the procurement rules of UNESCO;

9. In relation to Recommendation n°3 of IOS study, notes with concern the number of deviations of the decisions of World Heritage Committee from the recommendations of the Advisory Bodies and considers that, in order to address them, it is necessary to review the nomination process, tentative lists, upstream process, bearing in mind the Global Strategy, and to consider other possible measure, such as a Code of conduct of the World Heritage Committee;

10. In relation to Recommendation n°4 of IOS study, encourages the States Parties Secretariat and the Advisory Bodies to continue exploring the recommended options, taking into consideration potential cost savings, increase in efficiency and maintaining the current benchmark of quality;

11. In relation to Recommendation n°4 of IOS study with regard to reactive monitoring, encourages the use of regional experts on reactive monitoring missions if it would substantially reduce the travel costs and not decrease the quality of the expertise;

12. In relation to Recommendation n°4 of IOS study with regard to International Assistance, decides to implement on an experimental basis for one cycle (2019 cycle starting on 31 October 2018) a "live-test" phase where the comments by the Advisory Bodies will be mandatory only for requests over US$ 30,000 (US$ 75,000 in the case of Emergency assistance). For requests under the amounts above, the Secretariat may request comments by the Advisory Bodies depending on the content of the requests. The Secretariat will continue to comment all requests irrespective of their amount. The Secretariat should present a report analyzing the outcomes of the live-test phase, to the World Heritage Committee at its 43rd session (2019) and propose a draft revision of the International Assistance process, for examination in the framework of the revision of the Operational Guidelines,

Definition of the upstream process

13. Approves a revised definition of the Upstream Process to be included in the footnote of Paragraph 122 of the Operational Guidelines and requests the World Heritage Centre *to integrate it in the Operational Guidelines, in the framework of Operational Guidelines revision at the 43rd session of the World Heritage Committee in 2019;*

Extension of the mandate of the Ad Hoc Working Group

14. Decides to extend the mandate of the Ad Hoc Working Group, to be composed of members of the Committee and up to two non-members per Electoral Group, to:

- *Examine different possibilities of reforming the nomination process and propose recommendations in view of increasing the balance and credibility of the World Heritage List.*

15. Further decides that the Ad Hoc Working Group shall work in consultation with the World Heritage Centre, and Advisory Bodies and other relevant stakeholders, as appropriate, and submit its report and recommendations to the 43rd session of the Committee in 2019.

ANNEXES

Annex A - The composition of the Ad Hoc Working Group

Annex B – Strategy framework document

Annex C – Summary of Legal Opinion

Annex D – Contribution on Recommendations 3 and 4 of IOS Study with regard to the Nomination Process by the World Heritage Centre, in consultation with the Advisory Bodies

Annex E - Proposal of Norway (non-paper)

ANNEX A

COMPOSITION OF THE AD HOC WORKING GROUP

1. Committee Members

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The Secretariat and the Advisory Bodies were also invited to attend the meetings of the Group.

ANNEX B

STRATEGY FRAMEWORK DOCUMENT

Resource Mobilization and communication strategy: an Outline

Fund-raising is FRIEND raising

Background

This Strategy is developed further to the Roadmap for the sustainability of the World Heritage Fund adopted by the World Heritage Committee at its 41st session in 2017 and the Committee's Decision **41 COM 14** paragraph 23 which recommended the development of a "long-term vision and strategy for effective resource mobilization and communication, taking into account all streams of funding". The Strategy was developed by the Ad-hoc group 2017-2018, for examination by the World Heritage Committee at its 42nd session (Bahrain, 2018). The Strategy is established for the period 2018-2025 (8 years). It sets a target and timeline for the first 4-year period. After review of the results in 4 years, targets may be adjusted for the second quadrennial period. The Secretariat will provide a synthetic progress report to the Committee at its 44th session in 2020.

Situational analysis

Sustainability of the World Heritage Fund: this is a constant concern of the World Heritage Committee for the past 7 years, due to the increasing gap between the resources available through assessed contributions, which are stable, and the growing number of sites inscribed on the World Heritage List, which represent an average of 23 new sites inscribed per year.

New and increased threats for World Heritage: the impact of large-scale development projects and of conflicts and natural disasters at World Heritage sites generate new demands for support from States Parties and for engagement with partners.

Context of substantially reduced regular budget combined with a general trend of constrained Official Development Assistance (ODA) and diminishing extrabudgetary mobilisation: while some new donors have emerged in the recent past, especially from the private sector, the Convention still depends on a limited number of donors, mostly bilateral government funding partners, which exposes to financial vulnerability.

Trend of strongly earmarked contributions for specific operational projects: often tied to thematic or geographic priorities and bringing immediate results and visibility to the donors, they are more appealing than the core statutory functions or reinforcement of the World Heritage Centre's staff. Resource mobilization for statutory Funds, financed by Member States' assessed and non-earmarked contributions, is a very challenging task, as the interest expressed by external donors in such mechanisms varies between very little to none (as proven by experience of other conventions and funds).

Focus of the Strategy: ensuring the **necessary critical mass of resources** to sustain the implementation of the World Heritage Convention, both at the **statutory and operational levels.**

Vision statement

Protect and transmit World Heritage to future generations

Goals:

- Conservation and maintaining the OUV of World Heritage properties, with a particular focus on LCDs, developing countries, SIDS and Africa
- Help rehabilitate and reconstruct heritage affected by conflicts
- Provide assistance to States Parties in the implementation of the Convention, through enhanced support regarding normative and policy-related activities and statutory processes and operational activities
- Train heritage professionals in the sustainable management of World Heritage and work towards mainstreaming of sustainable development goals in heritage-related conservation and management activities
- Promote the involvement of local communities in the conservation and management of World Heritage.

Timeline: 2018-2021 (two biennia)

The proposed timeline corresponds to the medium term period set in the Roadmap for the Sustainability of the World Heritage Fund. This should allow a reasonable timeframe for implementation and achieving more tangible results.

Resource mobilization targets

As indicated in the situational analysis, there is a very low probability that fund-raising for the World Heritage Fund itself, from external donors, can bring spectacular results. It is therefore considered that if efforts, staff time and financial means are invested in resource mobilization, the target should be dual, in line with the vision statement and objectives above:

> Target 1: World Heritage Fund (with a resource mobilization focus on Parties to the Convention as it is more reasonable to expect an increase from this group of stakeholders).
>
> Target 2: extrabudgetary funding for statutory activities and operational activities (with a resource mobilization focus on all groups of stakeholders)

Target 1 (World Heritage Fund):

Overall: **US$ 1,000,000 (US$ 250,000 per calendar year**)

> *Rationale*: The long-term target for the Fund, set by the Roadmap, is US$ 6,900 per site inscribed and per year, as it was in 1996. In mathematical terms, this would mean that the Fund should amount to US$ 7,403,700 per calendar year (2018 being taken as a basis for calculation). However, the actual approved Expenditure plan for 2018 amounts to US$ 2,658,438. This leaves a gap of US$ **4,745,000** per calendar year, between the current situation and the target set by the Roadmap. Keeping in mind the considerations in the situational analysis, and the fact that the amount of additional voluntary contributions by States Parties to the Fund has been an average of US$ 70, 000 per calendar year, it is considered that a more modest, realistic and achievable target should be set for 2018-2021. The amount per calendar year proposed as target for the Fund by this Strategy will represent an increase of more than 250% of the current level of additional voluntary contributions.

Target 2 (extrabudgetary funding, including additional appropriation to Regular Programme):

Overall: **US$ 10,000,000 (US$ 2,500,000 per calendar year**)

Rationale: This proposed target is in line with the "funding gap" identified for World Heritage-related Expected Result in the 39 C/5 (US$ 5,000,000 for the biennium 2018-2019).

Coherence with relevant UNESCO strategies, frameworks, documents and principles
The Strategy builds on the new UNESCO Resource Mobilization strategy adopted by the 204th session of the Executive Board of UNESCO, the Structured Financing Dialogue (SFD) principles as well the Culture Sector overall resource mobilization approach. To ensure efficiency and avoid repetition, it is understood that the implementation of the Strategy will be fully aligned with the priorities, principles and methodology outlined in the above documents, without integrating them specifically in this strategy. It is also understood that the Partnership for conservation (PACT) strategy adopted by the World Heritage Committee in 2013, which concerns resource mobilization with the private sector, will remain fully valid and will continue to be implemented accordingly, in conjunction with this Strategy and the above mentioned UNESCO strategy and frameworks.

Achieving the 5Cs (of World Heritage) through applying the 3Cs (for fund-raising)
For a prospective stakeholder to become a (good) donor, there must be:

- ✓ **Connection**: identify which person is best placed to approach the prospective stakeholder;
- ✓ **Capability**: make sure the prospective stakeholder can afford to donate or support otherwise;
- ✓ **Concern**: make sure the prospective stakeholder is genuinely interested in the cause, what are his/her favourite causes, whom has he/she supported in the past.

Identifying and broadening the stakeholder group to ensure sustainability and continuity

- ***Looking beyond the usual resources***: broaden the base of support beyond the usual sources of funding; in addition to the traditional stakeholders groups such as bilateral ones, other sectors should be further explored, such as private sector, high-net-worth individuals, not-for-profit, NGOs, philanthropy and charity sectors, global and regional bank institutions, development fund, UN funding programmes, media outlets.
- ***Scoping what stakeholders can provide***: e.g. money, volunteer time, secondments, assets, equipment, technical assistance, sponsorships, joint promotions /marketing;
- ***Developing a stakeholder map:*** visualize the environment and setting, identify if a right mix of supporters is achieved, identify the stakeholders that should be targeted and brought closer, as well as supporters for which the level of involvement can be deepened.

Prospecting potential donors and building relationship

- ***Identifying the right potential donor to approach, and matching the appropriate resource mobilization approach to him/her:*** key element for the implementation of the Strategy;
- ***Financial support comes as a result of relationship***, related to a cause, rather than as a result of the cause in itself.
- ***Fund-raising is FRIEND-raising***: remember that people do not give money to causes, they give to PEOPLE with causes.

Engaging stakeholders support for Resource mobilization / Shared responsibilities

- ***Forging further partnerships with various sectors****:* apply a multi-stakeholder approach where suitable and feasible, so that some stakeholders can assist in attracting resources from other stakeholders groups, e.g. government services, NGOs, private sector etc.

- ***Sharing responsibilities****:* there is much States Parties can do to support the resource mobilization, beyond the provision of financial resources: e.g. advocating for UNESCO and the World Heritage Centre as a privileged implementation partner to potential donors, assisting in building multi-stakeholder partnerships, working on visibility etc. Very importantly, under article 17 of the World Heritage Convention, “The States Parties […] shall consider or encourage the establishment of national public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of this Convention.”

Communicating

- ***Make the cause known by developing a set of strategic key communication messages***: these should focus on the target right audience and media channels.

- ***Anchor the overall communication around the key message/s***: make sure these are present, in appropriate forms, in the internal and external communications materials, such as brochures, newsletters, websites etc.

- ***Use the most suitable channels to target donors***: depending on their profile.

- ***Make sure the key messages have an IMPACT***:

  - **I**nspiring,
  - **M**emorable,
  - **P**ositive,
  - **A**ttention-grabbing,
  - **C**lear,
  - **T**aken from experience

Selecting the right mix of Resource Mobilization vehicles

- Funding proposals/Extrabudgetary projects (e.g. Market place)
- Special events (e.g. galas and other fund-raising events)
- Earned income (e.g. proceeds, royalties, licensing, merchandising, membership schemes)
- Major gifts (e.g. legacy fundraising)

Gearing up for Resource mobilization

- ***Ensuring people and systems are in place:*** this is the most serious challenge given the limited human resources of the Secretariat and the heavy workload which do not allow absorbing much additional work. Therefore, the Secretariat can be asked to organize the implementation of the Strategy, by applying its best efforts, to the extent possible, by assigning roles and responsibilities. Keeping in mind these constraints, the States Parties should, to the extent possible, strongly support the Secretariat in its Resource Mobilization efforts, including through providing financial resources or suitable expertise in the form of loan or secondment.

Monitoring Resource Mobilization activities

- ***Keeping the Focus on the Goals***: regular monitoring of financial-and non-financial indicators; number of donors, type and structure of donor base, expenditure related to implementation of strategy etc. would alert to problems or other issue and allow adjusting the focus.

ANNEX C

SUMMARY OF LEGAL OPINION

Ad hoc working group
IOS mapping of advisory services - Recommendation n°2
LA advice (13 April 2018)

I. BACKGROUND INFORMATION

1. At the second meeting of the Ad Hoc Working Group on 5 March 2018, the group members requested the Secretariat to provide Legal Affairs' comments in relation to Recommendation n°2 of the IOS comparative study on advisory services, namely: "…. *obtain legal advice on sourcing advisory services, i.e., definitive legal opinion on whether the Committee is compelled to use only ICCROM, IUCN and ICOMOS to provide advisory services*".

2. The World Heritage Centre consulted the Office of Legal Affairs (LA) in view of obtaining a legal opinion on whether the Committee is compelled to use only ICCROM, IUCN and ICOMOS to provide advisory services. The reply from the Office of Legal Affairs has been received and is provided below.

II. SUMMARY OF LA's ADVICE ON RECOMMENDATION n°2

3. Further to the analysis of the relevant clauses of the World Heritage Convention, the Rules of Procedure of the Committee and the Operational Guidelines that relate to ICCROM, ICOMOS and IUCN, the Office of Legal Affairs has advised that the Convention does not prohibit the use of entities other than ICCROM, IUCN and ICOMOS for the provision of advisory services either in the context of participation in Committee sessions or in the framework of implementation of the Convention's programmes and projects.

4. Although ICCROM, ICOMOS and IUCN have a central role in the provision of Advisory services, neither the Convention, nor the Operational Guidelines compel the Committee to use only ICCROM, IUCN and ICOMOS to provide advisory services.

5. The selection of possible other entities to provide advisory services should be done in compliance with the existing procurement rules and be based on detailed criteria, to ensure objectivity of choice.

ANNEX D

CONTRIBUTION ON RECOMMENDATIONS 3 AND 4 OF IOS STUDY WITH REGARD TO THE NOMINATION PROCESS BY THE WORLD HERITAGE CENTRE, IN CONSULTATION WITH THE ADVISORY BODIES

Ad hoc working group
<u>Nomination process</u>
WHC, in consultation with the ABs
May 2018

I. BACKGROUND AND GENERAL COMMENTS

1. Further to the discussions of the Ad hoc group, the World Heritage Centre (WHC) was requested to provide **comments and costing,** if possible**,** of potential “reformed” or “alternative” models of nomination process, in view of addressing Recommendations 3 and 4 of the IOS study, which concern respectively a) Credibility, and b) efficiency and cost .

2. From the discussions of the Ad hoc group it had emerged that a modified nomination process designed in such a way as to help States Parties to avoid investment of expertise, cost and time in developing nominations on sites which have no potential for Outstanding Universal Value is an approach that is worth exploring. Furthermore, such an approach can be expected to contribute to enhancing the Credibility of the Convention. More specifically, a “two-phased” model and an “extended time for dialogue during evaluation” model have been mentioned by different members of the group, as well as Advisory Bodies and WHC.

3. WHC shares the view of the majority of the members of the group that the nomination process needs to undergo some serious re-shaping, for multiple reasons, the most important of which is the equity of the nomination process for all States Parties, and the need to contribute towards improving the establishment of a balanced, representative and credible World Heritage List, and overall towards achieving the Convention’s objectives. In addition, the increasing costs and complexity of the development of a nomination file have not allowed to establish so far a level playing field for all States Parties alike, as many of them still lack both the funds and the expertise, despite efforts to address these problems.

4. WHC considers therefore that a potential adjustment of the process, through introducing a new/modified procedure, is critical for addressing the Credibility of the List. In addition, regardless of what kind of new or modified model could be decided upon by the Committee, it will be very important that this change is accompanied by an in-depth review of the constitutive elements of the nomination process (such as nomination format, volume of nomination files, evaluation reports etc.), in view of streamlining and making them more “accessible”, efficient and cost-effective (for the Committee, States Parties and Advisory Bodies alike), without compromising the scientific and technical quality of the process.

5. WHC has been able within limited timeframes to consult the Advisory Bodies (ABs) before getting back to the Ad hoc group on the brief received. There is a common agreement between WHC and the ABs that, while a change is highly desirable, the

issues related to the nomination and the evaluation processes are fundamental for the implementation of the Convention and very complex. Before any decision is taken, they require an in-depth analysis, including modalities, practices, costs, potential consequences beyond the ones desired etc., which at this stage, given the short time available, was not possible to undertake.

6. A few potential models are summarized below by WHC. Two of them (mentioned above in paragraph 2) have already been addressed by the Ad hoc group at previous meetings. It is important to note that any models mentioned are to be considered only as examples of potential avenues that the Ad hoc group and respectively the Committee may wish to explore, in order to address, on one side, the recommendations of the IOS study, as well as those of the External auditor and the Governance group with regard to the Credibility of the Convention, and on the other side, the efficiency and cost-effectiveness of the process. The list of potential models is just a summary and is neither exhaustive, nor consolidated between WHC and ABs. Furthermore there are questions regarding the wider operation and prioritisation of the available capacity for evaluations, that go beyond which model could be adopted, but are equally essential to address.

7. Taking into account the above and the lack of time for a meaningful reflection and discussion, it has not been possible to prepare costing of each model at this time.

II. POTENTIAL MODELS

"TWO-PHASE" Model

8. As per discussion during Ad hoc group, this model could include a mandatory preliminary assessment of the potential of Outstanding Universal Value (OUV) of a site or sites on the Tentative Lists (TL) by the relevant ABs, before a full nomination for inscription on the World Heritage List is developed and submitted. While different modalities could be envisaged, the rationale of this approach would be that only sites which have a strong potential of OUV will reach the final phase of the nomination process. More active screening of alternatives to World Heritage listing at the earliest stage could also be envisaged.

9. *Potential outcomes*: strengthened Credibility of the List and avoiding costs and investment both for States Parties, in terms of development of a full-fledged nomination, and for the World Heritage Fund, in terms of evaluation of nominations which are not likely to succeed.

"FAST-TRACK" Model

10. This model could include a voluntary preliminary assessment of the potential of Outstanding Universal Value (OUV) of a site or sites on the TLs by the relevant ABs. A fast track (shortened and simplified process) could be applied for evaluation of nominations of sites which have been positively assessed regarding potential OUV, through the preliminary assessment of TLs. The rationale of this approach would be that, while States Parties will have their sovereign right to choose whether to use the "fast-track" modality, or to develop a full-fledged nomination without a preliminary assessment for processing it through the "standard" nomination and evaluation process, there could be an increasing tendency and incentive of putting forward nominations of sites with a high potential of OUV and thus more likely to succeed in the nomination process. It

should be noted that a fast tracking model would likely also require adjustments to the timeframes for dialogue as referred to below.

11. *Potential outcomes*: partially/progressively strengthened Credibility of the List and, at least for some of the nominations, avoiding costs and investment both for States Parties, in terms of development of a nomination, and for the World Heritage Fund, in terms of evaluation of nominations which are not likely to succeed.

“MORE TIME FOR DIALOGUE” Model

12. The calendar of the current evaluation process being extremely tight, there are only a few weeks for interaction between States Parties and the evaluating Advisory Body between the time States Parties receive the interim report (the end of January) and the deadline by which they may provide additional information or make changes to their dossier (the end of February). Afterwards, there are only a few days left for the ABs to assess what is often substantial additional information before taking a final decision at their last panel in March. More time for dialogue has been requested by States Parties over the last years, but current opportunities are clearly too limited to resolve many issues despite all the efforts made.

13. This model could envisage an additional period of 12 months between the interim report and the second panel, thus allowing for more time for dialogue and proper assessment of the additional information. This might be particularly advantageous for nominations where referral or deferral is the result of the AB evaluation and for complex serial sites.

14. This model could also be accompanied by a preliminary assessment of Tentative Lists.

15. *Potential outcomes*: allowing more time for potentially improving nominations that lack clarity and possibly avoiding negative recommendations and related issues at the Committee sessions, for those files that could have been improved if extra time had been available.

III. CONCLUSION

16. The WHC, as well as the ABs, are of the view that if the Ad hoc group decides to recommend to the Committee to undertake an in-depth review and potential re-shaping of the nominations process, ample time should be allowed for reflection, in order to address potential models with all their aspects, modalities, pros and cons, short-term and long-term consequences etc. This matter could possibly be added to the mandate of the next Ad hoc group (should the Committee wish to extend its mandate), in view of the scheduled revision of the *Operational Guidelines* in 2019, at the 43th session of the Committee.

ANNEX E

PROPOSAL OF NORWAY (NON-PAPER)

Feasibility of sharing costs of the evaluations of World Heritage List nominations as an immediate response to the critical financial situation of the Fund

The economic situation of the international implementation of the World Heritage Convention remains critical. There are immediate financial challenges that must be met, but also more sustainable long-term issues must be solved. This paper focuses on possible short-term solutions.

The mandate of the Ad-Hoc Working Group is, among other issues, to "… ***develop proposals in view of optimizing the use of the resources of the World Heritage Fund***".

- The World Heritage Committee has decided and repeatedly stated that the priority should be on conservation: 1/3 of the Fund should be used for evaluations and 2/3 for conservation. Despite this, the ratio these last eight years between nominations (N) to conservation (C) has been on average 50/50.
- The States Parties' compulsory contributions to the Fund are less likely to increase if we look at the States Parties' answers to the last Ad-Hoc Working Group's proposals. The proposal from the Secretariat to voluntarily double the rate of their compulsory contributions without a specific priority for use, as presented to the General Assembly of States Parties in 2015 and 2017 (**19 GA 8** and **20 GA 8**) has had limited impact so far.
- Establishing a fair cost sharing model for the evaluations of nominations would be an alternative way to ensure more funding for conservation, International Assistance, capacity-building, etc. It could be implemented quickly and be an immediate answer to address the critical financial situation.
- A possible cost sharing model could be along these lines:
    - All States Parties presenting a nomination (includes all States Parties of a transnational or serial nomination) shall pay, when presenting a nomination to the World Heritage Centre, an upfront sum to the Fund which corresponds to an average cost of an evaluation (of the previous year).
    - Exempt for payment are the categories of countries mentioned in Operational Guidelines para 239, namely:
        - a Least Developed Country or Low Income Economy as defined by the United Nations Economic and Social Council's Committee for Development Policy, or
        - a Lower Middle Income Country as defined by the World Bank, or
        - a Small Island Developing State (SIDS), or
        - a State Party in a post-conflict situation
    - This model shall not impact on the ABs objective evaluation of sites nor the priority of handling nominations which will be based on the rules of the Operational Guidelines (ref. para 61c)
- This model will not prevent the Ad-Hoc Working Group to discuss and propose longer term sustainable solutions.

Example of what would have been the savings in 2018:

- Taking into account that the average cost of an evaluation is USD 22 000
- Taking into account the categories of countries mentioned

32 nominations proposed for review. 29 nominations out of 32 are from high- and upper-middle-income countries. If these States Parties had paid for their evaluations, it would allowed a saving of 682 000 USD.