

Contribution of Switzerland to the open-ended working group on the Code of Conduct 3rd meeting of the working group, 27 April 2021

Switzerland thanks the Chairperson of the open-ended working group as well as the Secretariat, the Advisory Bodies and the States Parties for their efforts to draft a Code of Conduct to improve the decision-making processes of the World Heritage Committee and strengthen the credibility of the World Heritage system.

Switzerland supports the elements concerning the rules of conduct of the States Parties contained in the draft Code of Conduct, proposed as a Non-Paper by the ad hoc working group in 2019. This text reflects the main issues to be addressed by the Code of Conduct.

Switzerland makes the following remarks:

1. Status of the Code of Conduct: A code of conduct, by nature, contains rules of behaviour accepted by the parties in order to improve their cooperation and achieve their common goals. On a voluntary basis, the States Parties should have the opportunity to formally commit to the Code of Conduct. Signing the Code of Conduct could also be a prerequisite for candidacy for the World Heritage Committee. Therefore, the Code of Conduct could incorporate and emphasise rules and provisions established in other texts, and also go beyond the existing formally binding framework.
2. Expertise and well-founded decisions: The World Heritage Committee is a committee of experts. They lead discussions on high-level natural and cultural heritage conservation, which requires extremely strong technical expertise. The credibility of the World Heritage system is based to a large extent on the quality and qualification of the Committee's decisions. Switzerland attaches the greatest importance to the rules contained in the 2019 Non-Paper supporting the expertise and the quality of the Committee's discussions: composition of the World Heritage Committee, decision-making based on objective and scientific considerations, impartiality. The politicisation of the Committee's work remains a major issue that must be reined in by the Code of Conduct.
3. Compliance with the recommendations of the advisory bodies: The advisory bodies have a great deal of objective expertise and invest significant resources in their evaluations and considerations. In recent years, the bodies have developed more internal mechanisms and rules to guarantee ethical, professional and scientific principles and standards in their work; they have specific and binding rules, regulations and statutes of conduct. There is therefore no need to address the question of a non-binding code of conduct for these bodies. The process improvements will also enhance the cooperation with the States Parties. Switzerland explicitly supports the proposed rule stipulating that when deciding on inscription on the World Heritage List, the World Heritage Committee may not take a decision that deviates from the draft decision by more than one level (the four levels being not to inscribe, defer, refer, or inscribe).
4. State of Conservation: Decision-making on the monitoring of World Heritage properties in general, and on the state of conservation reports in particular, is in principle as important, if not more important, for achieving the objectives of the Convention than decisions on new inscriptions. However, we note that in discussions on the Code of Conduct, inscriptions and related processes are generally given more consideration than those related to the state of conservation of properties. The Code of Conduct should therefore focus more on decisions pertaining to conservation reports. Without objective arguments, new proven information or new credible scientific facts, it should not be possible, for example, to open decisions for any discussion that would reduce their effectiveness.