

Outcomes of the fifth meeting of the Open-ended working group see pages 9-13

Outcomes of the fourth meeting of the Open-ended working group see pages 10-14

Outcomes of the third meeting of the Open-ended working group see pages 7-8

Contributions received from States Parties in advance of the third meeting of the Open-ended working group (27 April 2021)

Following the second meeting of the Open-ended Working Group held on 30 March, a number of written contributions was received from States Parties in view of the 3rd meeting of the Group (full contributions are available at <https://whc.unesco.org/en/standards/p=code2021>). As all contributions made references/amendments to the Non-Paper document developed by the Ad-Hoc Working Group (2018-2019) and to facilitate the work of the Open-Ended Working Group, the following document presents the comments and/or proposed amendments received from States Parties in relation with the paragraph of the Non Paper they are referring to.

Key:

In **blue bold** : additions

In ~~red striketrough~~ : deletions

General recommendations:

Some general recommendations have been made in the framework of the contributions by States Parties and are reflected below (in alphabetical order of submitting States Parties).

Australia notes that “the draft document [Non-Paper document developed by the Ad-Hoc Working Group] is a strong basis and a useful starting point for codifying our agreed principles. We note the importance of the Code’s development to uphold the credibility of the World Heritage Convention.”

Austria “supports the Non-Paper dated 1 June 2019 and elaborated in the framework of the Ad-Hoc Working Group established by the World Heritage Committee and the written contribution by Sweden. We believe that a Code of Conduct, as proposed in the Non-Paper, can serve as a helpful tool to uphold the credibility and integrity of the World Heritage Convention, the World Heritage Committee, and its decisions. A Code of Conduct would not entail additional obligations for State Parties but serve as a valuable summary and reminder of the already existing obligations and rules derived from the Convention and the Operational Guidelines.”

Belgium considers that “the notion of heritage has broadened considerably since the World Heritage Convention was adopted. The credibility of the World Heritage List requires that the Committee and the international community continue to reflect on what exactly constitutes heritage in a 21st century that strives to be respectful of human rights, gender equality, cultural and natural diversity, sustainable development, and that looks to the future. The 50th anniversary should be an opportunity to be both mindful of the past and forward-looking in that reflection.” Belgium further considers that “the measures

will only be implemented if the States agree to them, which is why the Committee might consider revising its working methods. Too much time is wasted on unnecessary speeches. There is no need for all or almost all members of the Committee to congratulate the State whose nomination has just been inscribed on the World Heritage List or is about to be. This practice is to the detriment of actual work in sessions with an ever-growing agenda.” Furthermore, Belgium raises the issue of “the status of the document and its adoption. As the envisaged Code of Conduct does not only concern the members of the Committee and the work of the Committee, [it questions whether] its adoption [should] be submitted to the General Assembly. This approach is all the more conceivable if the objective is widespread adherence to the Code of Conduct. It will be all the more legitimate if it has been endorsed by the plenary of the States Parties.”

The **Czech Republic** “recalls the long-term and recurring need to respect the highest standards of integrity and transparency of working methods within the process of decision-making of the Governing bodies of the Convention. The Czech Republic appreciates the Sweden submission shared in advance of the 2nd open-ended working group meeting. We consider it a good, clearly formulated contribution to the discussion.”

Sweden “notes with appreciation from the second working group meeting that it was agreed to use the Non-paper on Code of Conduct developed by the previous Ad-Hoc Working Group as a basis for the current Open-Ended Working Group on developing a Code of Conduct for decision-making concerning the World Heritage Convention. In our previous submission, we argued that the Non-paper is a useful starting point for three principal reasons. Firstly, it implies efficient use of resources already invested into this matter. Secondly, it is well-structured and organized around the principal actors concerned. Thirdly, the Proposed Draft Code of Conduct makes clear cross-references to the key documents concerned.”

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.”

Non-Paper document developed by the 2018-2019 Ad-Hoc Working Group established by the World Heritage Committee	Comments and proposed amendments by States Parties
Title	
<p style="text-align: center;">Code of Conduct The Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</p>	<p>Sweden considers that “the name “Code of Conduct” is appropriate. The term signals that the document includes both ethical principles and expected behaviour based on the rules set out in the documents concerned.”</p>
“Introduction/Preamble”	
<p>The Convention concerning the Protection of the World Cultural and Natural Heritage (1972) (hereinafter: the Convention) establishes an international</p>	

<p>community who work together to recognise and protect the world's universally significant and outstanding examples of cultural diversity and natural wealth. The States Parties to the Convention have a shared commitment to preserving our legacy for future generations. The Convention is also one of the most successful of the UNESCO programmes and plays a vital role in promoting peace through mutual understanding and dialogue and celebrating cultural diversity. As such, the Convention is an important instrument contributing to international peace and the advancement of humanity.</p>	
<p>Purpose and scope</p>	<p>Belgium notes that “the work should be focused more on the obligation of results, rather than resources. Requests issued to States must be evaluated in terms of the cost-benefit ratio for the heritage property.”</p> <p>Regarding the draft Code of Conduct prepared by the Ad Hoc Committee, we would like to make some remarks and suggestions. However, before moving on to those, there are two important issues to be addressed.</p> <p>The first is the status to be given to the Code of Conduct. It is certainly important and should be a reference document for all parties involved in World Heritage processes. However, it restates a number of provisions that exist elsewhere in the Rules of Procedure and in the Operational Guidelines, but puts them in dialogue with each other. The compilation is certainly interesting, useful, and easy for users, but it poses several problems: the provisions have different statuses: Convention, Rules of Procedure, Operational Guidelines, new provision. As a result, the status varies from paragraph to paragraph, as do the amendment procedures. This constitutes a level of complexity that must be brought under control [...]”.</p> <p>Sweden believes “appropriate that the Code of Conduct should make further reference to “representation” with appropriate cross-references, e.g. Operational Guidelines and any pre-existing codes of conduct of each respective organizations. As concerns differing perceptions and understandings of science the term “traditional” is frequently mentioned in the Operational Guidelines to emphasize that scientific research and modern</p>

	<p>regulatory means can be complemented with traditional knowledge and management practices.”</p> <p>Switzerland remarks that “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.” <i>This comment by Switzerland could also be applied to paragraph 4 of this section.</i></p>
<p>This Code of Conduct is a means to safeguard the international solidarity, cooperation and concern for universally significant natural and cultural properties, the shared commitment to preserve our legacy and to uphold the integrity of the Convention and the outstanding universal values of the World Heritage properties.</p>	<p>Belgium considers that the Convention is “a mechanism that combines the sovereignty of States by recognising their primary responsibility for heritage and the importance of international solidarity, both financial and technical, when that heritage comes under threat.” <i>This comment by Belgium could also be applied to paragraph II.14.</i></p> <p>It also considers that “By conducting studies and sharing best practices, we not only strengthen the conservation of World Heritage sites but also advance the cause of heritage as a whole. World Heritage should not only be seen as representative of the history of the Earth and humanity, but also as a unique, irreplaceable resource and as a source of inspiration and innovation. It merits the greatest attention not only because of its fragility but also because of its symbolic value for the whole of heritage and humanity.” <i>This comment by Belgium could also be applied to paragraph II.1.</i></p>
<p>The World Heritage Committee, the World Heritage Centre (hereinafter: the Secretariat), the Advisory Bodies and the States Parties to the Convention have a shared obligation to uphold the credibility, integrity and high professional standards of the Convention and its implementation. As such, the Code of Conduct applies to all the above-mentioned stakeholders, although certain provisions are specifically linked to certain roles. The Code expresses</p>	<p>Belgium considers that “the primary objective of the Convention is to ensure the conservation of World Heritage properties. The convention also asserts the importance of giving heritage a role in the life of the community. These two aspects must be strengthened: the role assigned to heritage properties must support their conservation and their conservation must enable their use. This is a delicate balance and sometimes the relationship is reversed when use,</p>

<p>a commitment to impartial decision making by qualified experts in the fields of natural and cultural heritage based on objective and scientific considerations.</p>	<p>particularly when it relates to tourism, becomes the primary objective. The credibility of the List should make us very careful to avoid that inappropriate approach.”</p> <p>It also considers that “the Convention is in the hands of the States that have ratified it. The Committee is the operational mechanism, and serving on the Committee means serving the interests of all and not promoting those of one’s own State.” <i>This comment by Belgium could also be applied to I.iii.</i></p> <p>The Czech Republic “supports the common aim of the collective responsibility of all stakeholders – States Parties, World Heritage Centre, World Heritage Committee and its Advisory Bodies – to uphold the integrity and the credibility of the Convention and, as such, to conduct themselves according to the highest ethical standards of professionalism, equity and transparency”.</p> <p>Sweden “believes in a World Heritage system in which decisions throughout the World Heritage process are transparent, inclusive, well informed and based on the advice of the Advisory Bodies.</p> <p>Sweden recognizes the necessity to address any underlying factors that may have contributed to deviations from the recommendations of the Advisory Bodies in the past, such as issues of representation and differing perceptions of science, as suggested by the distinguished representative of Kenya at the second working group meeting.”</p> <p>Switzerland considers that “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.” <i>This comment by Switzerland could also be applied to paragraphs II.2 and</i></p>
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	<p><i>II.4.</i></p> <p>Switzerland also notes that “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.” <i>This comment by Switzerland could also be applied to paragraph II.15.</i></p>
<p>The provisions of the World Heritage Convention, its Operational Guidelines and Rules of Procedure govern the work of the World Heritage Committee, States Parties, Advisory Bodies and the Secretariat. The Code of Conduct complements these documents and provides an ethical guideline and external statement of principles and commitments that the Committee considers important to emphasise in the implementation of the Convention. Importantly, the Code of Conduct does not impact the terms of the World Heritage Convention, its Operational Guidelines or Rules of Procedure. In addition, the Chair of the World Heritage Committee and the Secretariat have existing requirements under the Rules of Procedure but should also act in accordance with the principles of the Code of Conduct.</p>	<p>Sweden considers that “the introductory text describing “purpose and scope” is suitable overall. We propose to further clarify that the Code of Conduct makes more visible principles that are already enshrined in the documents concerned.” And therefore proposes the following amendment:</p> <p>Importantly, the Code of Conduct does not impact the terms of the World Heritage Convention, its Operational Guidelines or Rules of Procedure. Rather, it makes more visible principles that are already enshrined in these documents. In addition, the Chair of the World Heritage Committee and the Secretariat have existing requirements under the Rules of Procedure but should also act in accordance with the principles of the Code of Conduct.</p>
<p>The Code of Conduct is enacted when agreed and adopted by the World Heritage Committee. New States Members of the World Heritage Committee commit to the Code of Conduct when elected at the General Assembly of States Parties to the Convention.</p>	<p>See also comments by Switzerland in the “chapeau” of this section.</p>

Code of Conduct	See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group.
<p><i>Text as examined by the Open-ended working group during its 3rd meeting</i></p> <p>The Members of the Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, called the World Heritage Committee and hereinafter referred to as the "Committee",</p> <p><u>Being mindful</u>, that the Committee is responsible for the implementation of the World Heritage Convention,</p> <p><u>Recognizing</u>, that its work should always be governed by the provisions of the World Heritage Convention, its Operational Guidelines and Rules of Procedure,</p> <p><u>Taking responsibility</u> for its decisions,</p> <p><u>Pursuing</u> the highest standards of integrity and conduct,</p> <p><u>Commit</u> to abide and follow the Code of Conduct during their tenure on the Committee:</p>	See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraphs 1,2,3 and 5).

Clean text after integration of amendments made by the Open-ended working group during its 3rd meeting

The States Parties to the World Heritage Convention meeting in General Assembly,

Emphasizing the collective responsibility of all stakeholders – States Parties, World Heritage Centre and the Advisory Bodies – to uphold the integrity and the credibility of the Convention and, as such, expecting all stakeholders to conduct themselves according to the highest ethical standards of professionalism, equity and transparency (Resolution 22 GA 10), **[pending the issue of the addressees of the text: applies to following 3 paras]**

Being mindful that the States Parties are responsible for the implementation of the Convention,

Recognizing that the States Parties' decisions and actions should always be governed by the provisions of the Convention, its Operational Guidelines and Rules of Procedure,

Agreeing that a [Code of Conduct] is needed to highlight obligations under the Convention and to set out ethical principles and good behaviour,

Recalling that this [Code of Conduct] is not legally binding,

Approve to the following [Code of Conduct], and call upon all stakeholders to honour its contents,

Text as amended and approved by the Open-ended working group during its 4th meeting <i>[Amended during its 5th meeting]</i>	<i>[Comments/proposals made in view of and during the 5th meeting]</i>
I. Core principles	Sweden considers that “the text is sufficient with description of core principles of integrity, objectivity and impartiality.”
All parties will be guided by the core principles of integrity, objectivity and impartiality.	<p>The Czech Republic “considers the proposed “core principles” of integrity, objectivity and impartiality of all parties highly topical and needful. Many of the principles presented in the <i>Non paper on Code of Conduct</i> are already set out in <i>Operational Guidelines of the 1972 Convention</i> and for all stakeholders – States Parties, World Heritage Centre, World Heritage Committee and the Advisory Bodies – it does not introduce new rules. Nevertheless, along with the Swedish position we acknowledge that the Proposed Draft Code of Conduct makes clear cross-references to the key documents concerned: the World Heritage Convention, its Operational Guidelines and the Rules of Procedure of the World Heritage Committee which brings the ethical principles to the fore.”</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 4).</p>
i. ‘Integrity’ is upholding the highest standards of [Saudi Arabia] moral professional principles, ethics and fairness in the implementation of the Convention.	<p>Saudi Arabia questions “what does the text mean by ‘the highest standards of moral principles’? We recommend using the same text used in the preamble. And therefore proposes the following amendment:</p> <p style="padding-left: 40px;">‘Integrity’ is upholding the highest standards of moral professional principles, ethics and fairness in the implementation of the Convention.</p>
ii. ‘Objectivity’ is basing recommendations and decisions on scientific facts and rigorous analysis of the documentation presented to the Committee.	

iii. ‘Impartiality’ is acting in accordance with the Convention, its Operational Guidelines and Rules of Procedure [Russian Fed] of the World Heritage Committee and the General Assembly of States Parties, and the documents guiding the ethical principles of all respective stakeholders such as the UNESCO Constitution, UNESCO Staff Regulations and Rules, the Standards of Conduct for International Civil Service, ICOMOS Ethical Principles, Code of Conduct and Professional Ethics for the Secretariat of IUCN and Terms of reference for the IUCN World Heritage panel; and to benefit the credibility of the World Heritage List [Bureau, Kuwait] and ensure the ethical integrity of their decisions [Kuwait: delete] ~~behaviours, attitudes~~ [Bangladesh, Kuwait, Russian Fed, Saudi Arabia, China, Morocco: delete] [Sweden: keep] ~~and not taking side in the service of political or~~ [Russian Fed: delete “lobbying”] ~~lobbying persuasions~~ [Switzerland, Belgium] and not submitting to/taking part in exerting political pressure.

[Ongoing 5th meeting 29 June AM in the Room]

Belgium considers that “the incentive not to submit new nominations for inscription on the List during the term of office is crucial. It is the mark of a wish to work for the common good. At the very least, Committee members who have such a nomination under consideration during their term of office should refrain from taking part in the debates and strictly adhere to the rules imposed on non-Committee members: not to argue their case, to speak only when invited to do so, and to limit themselves to answering questions put to them by other Committee members.” *This comment by Belgium could also be applied to paragraphs II.6, II.8, II.20.*

See also comments by **Belgium** in paragraph 2 of section “Purpose and scope”.

Sweden notes that “it is evident that deviations are mainly due to political lobbying as stated by the distinguished representative of Palestine at the previous working group meeting. Sweden considers that the credibility of the Convention is at stake when nominated properties that have been deemed appropriate for “deferral” and “non-inscription” are inscribed on the World Heritage List at the same meeting. We anticipate that a Code of Conduct will help address this problem in order to defend the universality of World Heritage.” *This comment by Sweden could also be applied to paragraph II.11.*

Comment by **Switzerland** made via Chat during the 5th meeting: “the point 6 of document WHC/19/22.GA/10 is clear about our mandate and it defines the ‘political interests and pressure’ as an important point to discuss within the Working Group”.

II. [Code] provisions	<p>Switzerland considers that “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.”</p>
<p>I.The Committee commits to:</p>	
<p>1. Recognize that “Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. The Committee defines the criteria for the inscription of properties on the World Heritage List” (<i>Operational Guidelines</i>, paragraph 49).</p>	<p>See comment by Belgium in paragraph 1 of section “Purpose and scope”.</p>
<p>2. Mindful that the World Heritage Committee is [Palestine] an expert an intergovernmental committee, and that the States members of the Committee shall choose as their representatives persons [Suggestion for consistency] highly qualified in the field of cultural or natural heritage (<i>Convention</i>, Article 9.3; <i>Rules of Procedure</i>, Rule 5.2).</p>	<p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>See also comments by Switzerland in paragraph 2 of section “Purpose and scope”.</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 6).</p>
<p>3. Voluntarily limit their term of office to four years instead of six years in order to give other States Parties an opportunity to serve on the</p>	<p>Belgium suggest to “reflect all the provisions of Article 21 of the Operational Guidelines and add a reference to Article 13.2 of the General Assembly’s Rules</p>

<p>Committee (<i>Operational Guidelines</i>, Paragraph 21), and strictly observe the six years gap between two mandates as per Rule 13.2 of the Rules of Procedure of the General Assembly.</p>	<p>of Procedure (minimum of 6 years between two mandates).”</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 8).</p>
<p>4. Remain impartial and base their decisions on objective and scientific considerations (<i>Operational Guidelines</i>, Paragraph 23), and endeavour to appreciate different competencies and opinions, encourage mutual respect, promote humble and respectful dialogue, and in case of disagreement, seek to reach agreement by consensus through cooperation.</p>	<p>See comment by Belgium in paragraph 2 of the section “Purpose and scope”.</p> <p>The Czech Republic suggests “to fuse points 4 and 5.”</p> <p>See also comments by Switzerland in paragraph 2 of section “Purpose and scope”.</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 7).</p>
<p><i>Original text as examined by the Open-ended working group during its 4th meeting</i></p> <p>6 . Refrain from presenting nominations during their tenure on the Committee in order to ensure impartial and objective decision making, and to avoid conflict of interest.</p>	<p>See comment by Belgium in point I.iii.</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 9).</p>
<p><i>Text with amendments made by the Open-ended working group during its 4th meeting and still pending</i></p> <p>[New paragraph 5] 5. Refrain from Ensure that credibility, balance and representativity is guaranteed, and consider avoiding presenting nominations during their tenure on the Committee, keeping in mind paragraph 61(c) of the Operational Guidelines which states that a priority of examination will be applied to “nominations of States Parties, former Members of the Committee, who accepted on a voluntary basis not to have a nomination reviewed by the Committee</p>	<p>Amendment proposed by the Russian Federation:</p> <p>Refrain from Ensure that credibility, balance and representativity [Russian Federation] of the World Heritage List is guaranteed, and consider avoiding presenting nominations for the examination of the Committee during their tenure on the Committee, keeping in mind paragraph 61(c) of the Operational Guidelines which states that a priority of examination will be applied to “nominations of States Parties, former Members of the Committee, who accepted on a voluntary basis not to have a nomination reviewed by the Committee</p>

<p><i>during their mandate. This priority will be applied for 4 years after the end of their mandate on the Committee”.</i></p> <p>The States parties Members of the Committee presenting nominations shall refrain from taking part in the debate in conformity with the Rules of Procedure (art. 22.7).</p> <p>to ensure impartial and objective decision making, and to avoid conflict of interest.</p> <p>[End of 4th meeting 25/05 AM]</p>	<p><i>during their mandate. This priority will be applied for 4 years after the end of their mandate on the Committee”.</i></p> <p>The States parties Members of the Committee presenting nominations shall refrain from taking part in the debate in conformity with the Rules of Procedure (art. 22.7).</p> <p>to ensure impartial and objective decision making, and to avoid conflict of interest.</p> <p>Saudi Arabia considers that “on more practical terms, it is unclear how the secretariat is planning to meet the objective of prioritizing the withheld nominations. There will be approximately more than 50 – 60 files to be prioritized per year in addition to the existing backlog and given the long list waiting to be evaluated by relatively limited Advisory Bodies in terms of resources, expertise, and manpower, how can such priority be applied?”.</p> <p>China considers that “in accordance with Articles 11.1 and 11.2 of the World Heritage Convention, each State Party has the right to submit nomination. As per the rules of procedure of GA 14.1 d) the State Parties which has never served as a member of the world heritage Committee can only choose between presentation of nomination and presentation of candidature to elections to the World Heritage Committee. And therefore proposes to delete paragraph 5.</p>
<p>6. [Chair] Not accept invitations to Consider avoiding visiting sites proposed for inscription to the World Heritage List, neither to sites on the World Heritage List currently in the process of Reactive Monitoring (<i>Operational Guidelines</i>, Paragraph 169) in order to ensure impartial and objective decision making and the equal treatment of all World Heritage properties.</p>	<p>Belgium wishes to “revise the wording to reconcile the rejection of lobbying and legitimate interest in the issues on which Committee members are called upon to decide or to shed light on a matter under discussion by the Committee.”</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>Amendment proposed by the Russian Federation:</p>

	<p>Avoid to Not accept invitations of the States Parties to visit sites on their territory proposed for inscription to the World Heritage List during their tenure on the Committee, neither to sites on the World Heritage List currently in the process of Reactive Monitoring (<i>Operational Guidelines</i>, Paragraph 169) in order to ensure impartial and objective decision making and the equal treatment of all World Heritage properties.</p>
<p>7. Contribute with truthful, credible and timely information for any case on their territory to be considered by the Committee in line with the provisions of the Operational Guidelines, and refrain from lobbying for any decision that may threaten the Outstanding Universal Value or that is in violation of the Operational Guidelines and Rules of Procedure.</p>	<p>Belgium notes that “these provisions concern all States Parties. As such, they should be moved to the relevant chapter or the wording should be revised to reiterate that, for cases concerning them, Committee members must also comply with the provisions applying to all States Parties.”</p> <p>See also comments by Belgium in paragraph 2 of the section “Purpose and scope” and in point I.iii and in point II.20.</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>Amendment proposed by the Russian Federation:</p> <p>Provide Contribute with truthful, credible and timely information for any case on their territory to be considered by the Committee in line with the provisions of the Operational Guidelines, and refrain from lobbying contributing for any decision that many may threaten the Outstanding Universal Value or that is in violation of the Operational Guidelines and Rules of Procedure.</p> <p>Amendment proposed by Saudi Arabia:</p> <p>Contribute with accurate truthful, credible and timely information for any case on their territory to be considered by the Committee in line with the provisions of the Operational Guidelines, and apply integrity of the process at all times for any decision that many threaten the Outstanding</p>

	Universal Value or that is in violation of the Operational Guidelines and Rules of Procedure.
8. Strictly observe that any new draft decisions, proposals or amendments should be submitted at least 24 hours before the discussion of the agenda item concerned (<i>Rules of Procedure</i> , Rule 23.3).	<p>Belgium notes that “this provision is not of the same nature as the others and should not impede the quality of debates.”</p> <p>The Czech Republic supports “the spirit of [this] point; nevertheless it would be welcomed clearer wording for better understanding. [The Czech Republic notes that] the original wording of the Rule 23.3 <i>Rules of Procedure</i> is sufficient in its principal: “<i>New draft decisions/proposals and amendments thereto should, whenever possible, be submitted to the Secretariat at least 24 hours before the discussion of the agenda item concerned.</i>” Nevertheless the rule of “submission 24 hours before the discussion of the agenda item concerned” should rather be related to the “new draft decisions and <u>fundamental</u> proposals or amendments”. During the session, the Committee should still be able to make further amendments in order to openly discuss and transparently react just during the session in the spirit of <i>Rules of Procedure</i> and <i>Code of Conduct</i> when working on the consensual final wording of a draft decision.” And therefore proposes the following amendment:</p> <p style="padding-left: 40px;">Strictly observe that any new draft decisions, fundamental proposals or amendments should be submitted at least 24 hours before the discussion of the agenda item concerned¹. (<i>Rules of Procedure</i>, Rule 23.3).</p> <p>Amendment proposed by the Russian Federation:</p> <p style="padding-left: 40px;">Strictly observe the Rule 23.3 of Rules of Procedure, that any new draft decisions, proposals or amendments should whenever possible be submitted at least 24 hours before the discussion of the agenda item concerned (<i>Rules of Procedure</i>, Rule 23.3).</p>
9. In the interest of recognising global cultural diversity and equitable representation, encourage interventions from observers including local communities’ and indigenous peoples’ representatives in items	The Czech Republic supports “without further amendments the wording of this principle.”

<p>concerning such groups or interests before decisions are made by the Committee (<i>Rules of Procedure</i>, Rules 6, 7, 22.4).</p>	<p>Amendment proposed by the Russian Federation:</p> <p>In the interest of recognising global cultural diversity and equitable representation, encourage interventions from observers including local communities’ and indigenous peoples’ representatives in items concerning such groups or interests with the prior consent of the Chairperson before decisions are made by the Committee (<i>Rules of Procedure</i>, Rules 6, 7, 22.4).</p> <p>Amendment proposed by Saudi Arabia:</p> <p>In the interest of recognising global cultural diversity and equitable representation, encourage interventions from observers including local communities’ and indigenous peoples’ representatives in items concerning such groups or interests before decisions are made by the Committee (<i>Rules of Procedure</i>, Rules 6, 7, 8, 22.4).</p> <p>Amendment proposed by China:</p> <p>In the interest of recognising global cultural diversity and equitable representation, while fully respecting the sovereignty and laws and regulations of the countries where the cultural and natural property is located, encourage interventions from observers including local communities’ and indigenous peoples’ representatives in items concerning such groups or interests before decisions are made by the Committee (<i>Rules of Procedure</i>, Rules 6, 7, 22.4).</p>
<p>10. In its decision making concerning new nominations, avoid making a decision that is moving more than one step from the draft decision as recommended in the Advisory Body technical evaluation. This should only be done where there is clear technical and objective evidence in support of such a decision. For example, this may include decisions that move from a recommendation ‘not to inscribe’ to a deferral, or a recommendation for a referral to inscription. To uphold the integrity</p>	<p>Australia notes “that the non-paper as currently drafted requires each point under Section II to begin with a verb to make grammatical sense. The amendment to the first sentence below is made to reflect this. The second and third sentences are suggested as removed, as the principle of this paragraph is focused on deterring “more than one step from draft decisions” and therefore its focus should remain on this.” And therefore proposes the following amendment:</p>

and credibility of the nomination process and the World Heritage List, decisions that move from a recommendation ‘not to inscribe’ or ‘defer’ to refer/inscribe must be avoided.

~~In its decision making concerning new nominations, a~~ Avoid making a decision that is moving more than one step from the draft decision as recommended in the Advisory Body technical evaluation **when making decisions on new nominations**. ~~This should only be done where there is clear technical and objective evidence in support of such a decision. For example, this may include decisions that move from a recommendation of ‘not to inscribe’ to a deferral, or a recommendation for a referral to inscription.~~ To uphold the integrity and credibility of the nomination process and the World Heritage List, decisions that move ~~from~~ **between** a recommendation **of** ‘not to inscribe’ **to refer/ inscribe**, or ‘defer’ to ~~refer/inscribe~~ must be avoided.

Belgium suggests to “delete the last sentence which limits the Committee’s working and decision-making capacity. The work must be based on dialogue, mutual respect, as well as respect for each other’s prerogatives.”

~~To uphold the integrity and credibility of the nomination process and the World Heritage List, decisions that move from a recommendation ‘not to inscribe’ or ‘defer’ to refer/inscribe must be avoided.~~

The **Czech Republic** “particularly supports the key recommendation **point 11** concerning the Committee decision making process of new nomination for inscription on the World Heritage List. The Committee Members should avoid making a decision that is moving more than one step from the draft decision as recommended in the Advisory Body technical evaluation. The Czech Republic considers it essential that Committee decisions do not deviate from Advisory Bodies advice and overlooking provisions of the Operational Guidelines.”

See also comments by **Sweden** in paragraph I.iii.

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.”

	<p>Proposal by the Russian Federation:</p> <p>[Paragraph as proposed by Australia] In its decision-making concerning new nominations, avoid making a decision that is moving more than one step from the draft decision as recommended in the Advisory Body technical evaluation when making decisions on new nominations. This should only be done where there is clear technical and objective evidence in support of such a decision. For example, this may include decisions that move from a recommendation of ‘not to inscribe’ to a deferral, or a recommendation for a referral to inscription. To uphold the integrity and credibility of the nomination process and the World Heritage List, decisions that move from between a recommendation of ‘not to inscribe’ to refer/ inscribe, or ‘defer’ to refer/inscribe [Russian Federation] must shall be avoided.</p>
<p>11. Recognise Outstanding Universal Value <u>only</u> when deciding to inscribe a property on the World Heritage List (<i>Operational Guidelines</i>, Paragraph 154), noting that a property does not have Outstanding Universal Value if it is not inscribed on the World Heritage List.</p>	<p>Austria “suggests moving article 12, that addresses the recognition of OUV only at time of inscription, further up, considering its importance and ramifications for the Committee’s decisions and States Parties’ inscription policies and strategies.”</p> <p>Belgium notes that “it should be clarified that it is the statement of universal value that is adopted at the time of inscription on the World Heritage List. The World Heritage List identifies properties of outstanding universal value. The Committee recognises that value, but that value exists independently of the inscription (see Article 12 of the Convention).”</p> <p>China considers that “this article is contrary to Article 12 of the World Heritage Convention” and therefore proposes to remove paragraph 11.</p>
<p>12. Promote and adhere to the goal of the Global Strategy for a more credible, balanced and representative World Heritage List.</p>	
<p>13. Ensure the full and timely payment of their assessed contribution to the World Heritage Fund.</p>	<p>Belgium questions whether “this provision belong in a Code of Conduct. Its inclusion is all the more surprising given that the payment of voluntary</p>

	<p>contributions and any arrears is a condition of eligibility for the World Heritage Committee. If so, it should apply to all States Parties and should therefore be moved to the relevant chapter.”</p> <p>See also comment by Belgium in paragraph 1 of the section “Purpose and scope”.</p>
	<p>The Czech Republic proposes to consider the following additional Code provisions:</p> <p>The Chairperson of the Committee</p> <ul style="list-style-type: none"> - his/her role and mandate should be more precisely defined, particularly in leading and moderating discussions, following the <i>Code of Conduct</i> during the Committee meeting and especially in the case of the possible conflict of interest of any Committee member, in line with the provision 22.5., 22.6 and 22.7 of the <i>Rules of Procedure</i>.
<p>The Committee strongly encourages the World Heritage Centre, the Advisory Bodies as well as the States Parties to the Convention to observe the Code of Conduct and abide by the following provisions:</p>	<p>Australia remarks that “the non-paper notes at the beginning that the World Heritage Centre is “hereinafter: the Secretariat” and the edit below reflects this. The change in the order of the stakeholders is also made to reflect the order in which they are listed in the following paragraphs.” And therefore proposes the following amendment:</p> <p>The Committee strongly encourages the Advisory Bodies, the Secretariat World Heritage Centre, the Advisory Bodies as well as the States Parties to the Convention to observe the Code of Conduct and abide by the following provisions</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>Sweden considers that “this section is structured around the key actors concerned which is suitable. The [...] text marked in bold is unnecessary and should be removed” and therefore proposes to following amendment:</p>

	<p>The Committee strongly encourages the World Heritage Centre, the Advisory Bodies as well as the States Parties to the Convention to observe the Code of Conduct and abide by the following provisions:</p>
The Advisory Bodies shall:	
<p>14. Act in a manner consistent with this Code of Conduct, particularly in their capacity to advise the Committee in its deliberations. This includes transparent, equal and open processes, publishing of principles and criteria for selection of experts to missions, evaluations and panels, strengthened efforts to enhance dialogue and provision of early advice.</p>	<p>Australia notes that “this section needs the inclusion of active verbs to make clearer sense.” And therefore proposes the following amendment:</p> <p>Act in a manner consistent with the^{his} Code of Conduct, particularly in their capacity to advise the Committee in its deliberations. This includes maintaining transparent, equal and open processes, publishing of principles and criteria for selection of experts to missions, evaluations and panels, strengthening^{ed} efforts to enhance dialogue and ensuring the provision of early advice.</p> <p>Belgium regrets that “the state of conservation reports on sites included on the List of World Heritage in Danger are not always presented to the Committee for discussion. When these are approved without being presented and debated, those sites remain “under the radar” and out of the spotlight.”</p> <p>Belgium further notes that “the Nomination files process is increasingly complex and represents a significant financial investment. Undertaking that process is usually a long-term endeavour carried out in an inclusive manner. Serial transnational nominations are particularly time-consuming and require investment from both national authorities and local communities. The assistance of the Advisory Bodies and the implementation of the process at an early stage is particularly important in this type of nomination in order to avoid misleading impressions, misunderstandings, and the rise of tensions between the national authorities and the Advisory Bodies. Dialogue is essential and the earlier it is initiated, the better the outcome. Whether technical assistance is provided or not, all States Parties should be provided with general access”. <i>This comment by Belgium could also be applied to paragraph II.16.</i></p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p>

	<p>Sweden considers that “In the sub-section on Advisory Bodies, the word “representation” would be fitting, either in paragraph 15 or in a new separate paragraph. Appropriate cross-references should be made to the Operational Guidelines and to any other relevant documents. The following sentence may be added to paragraph 15” and therefore proposes the following amendment:</p> <p style="padding-left: 40px;">Act in a manner consistent with this Code of Conduct, particularly in their capacity to advise the Committee in its deliberations. This includes transparent, equal and open processes, publishing of principles and criteria for selection of experts to missions, evaluations and panels, strengthened efforts to enhance dialogue and provision of early advice and demonstrating efforts to achieve regional representation.</p> <p>See also comments by Switzerland in paragraph 2 of section “Purpose and scope”.</p>
	<p>The Czech Republic proposes to consider the following additional Code provisions:</p> <ul style="list-style-type: none"> - should make publicly available more comprehensive description of their methodology for assessing criteria, for selection of the field mission experts and for the panel experts and advisors - at each stage of the nomination process, they should publish and more clearly refer to their existing policies of evaluation of the nominations, with a view of their possible amendments so as to increase the transparency and better understanding by the State Parties of reasoning behind their conclusions and recommendations
The Secretariat to the Convention shall:	
15. Act in a manner consistent with the Code of Conduct. This includes transparent, equal and open processes and strengthened efforts to enhance dialogue and provision early advice.	<p>Australia notes that “this section needs the inclusion of active verbs to make clearer sense.” And therefore proposes the following amendment:</p> <p style="padding-left: 40px;">Act in a manner consistent with the Code of Conduct. This includes</p>

	<p>maintaining transparent, equal and strengthening efforts to enhance dialogue and ensuring the provision of early advice.</p> <p>See also comment by Belgium in point II.15.</p>
-	<p>The Czech Republic proposes to consider the following additional Code provisions:</p> <ul style="list-style-type: none"> - its role should be more precisely defined, so as to act as a facilitator in process of more intensive dialog among Advisory bodies and States Parties during the nomination process - in line with Rules of Procedure (the Rule 45) “<i>the documents relating to the items on the Provisional Agenda of each session of the Committee shall be distributed at the latest six weeks before the beginning of the session</i>”, and in order to increase the transparent, better understanding and preparedness of the Committee and the State Parties to the Committee session, the Secretariat should distribute (even if successively in several sets) working documents such as reports, progress reports, follow-up documents, general policy statements or scientific and/or thematic studies that follow some requirement of previous decision or resolution, etc. for Committee session as soon as they are available and not wait with their distribution to the latest date.

The States Parties to the Convention shall:	See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 10).
	<p>Palestine proposes as a new paragraph 17 the following amendment :</p> <p>Abide by the provisions of the convention including the full and timely payment of their assessed contribution to the World Heritage Fund.</p> <p>See also the contribution submitted by the Russian Federation in advance of the third meeting of the Open-ended working group (paragraph 11).</p>
16. Act in a manner consistent with the Code of Conduct to uphold the integrity and credibility of the World Heritage Convention for the benefit of all States Parties.	See comment by Belgium in paragraph 2 of the section “Purpose and scope”.
17. Support the Committee in meeting its responsibility to make impartial decisions based on objective and scientific considerations (<i>Operational Guidelines</i> , Paragraph 23) through open and equal dialogue and information sharing with the Committee and the Secretariat.	
18. Respond to all requests for information in a timely manner, facilitate missions requested by the Committee, provide credible and reliable information and ensure consultation with relevant stakeholders including local communities and indigenous peoples.	<p>Belgium considers that “consideration should also be given to implementing Article 172 and the questioning of the Committee by third parties. The participation and involvement of communities ensures the successful implementation of the Convention, but it is important to avoid using the Convention as a means to apply pressure and interfere in the States’ management”.</p> <p>The Czech Republic supports “without further amendments the wording of this principle.”</p> <p>Amendment proposed by China:</p> <p>Respond to all requests for information in a timely manner, facilitate</p>

	missions requested by the Committee, provide credible and reliable information and, while fully respecting the sovereignty and laws and regulations of the countries where the cultural and natural property is located , ensure consultation with relevant stakeholders including local communities and indigenous peoples.
19. Refrain from influencing the Committee’s deliberations and decision making through lobbying before and during the World Heritage Committee sessions (<i>Rules of Procedure</i> , Rules 22.5, 22.6 and 22.7). In particular, the States Parties shall observe the requirement concerning conduct during voting stipulating that “ <i>After the Chairman has announced the beginning of voting, no one shall interrupt the voting</i> ” (<i>Rules of Procedure</i> , Rule 36).	See comment by Belgium in paragraph 2 of the section “Purpose and scope” and in points I.iii, II.4, II.6 and II.8. The Czech Republic supports “without further amendments the wording of this principle.”
20. Voluntarily be restrictive with new nominations to ensure a more representative and balanced World Heritage List where the State Party is already well represented on the World Heritage List.	See comment by Belgium in paragraph 2 of the section “Purpose and scope” and in points I.iii, II.4, II.8 and II.20. The Czech Republic supports “the spirit of this point; nevertheless it would be welcomed clearer wording for better understanding. The Czech Republic proposes to delete the second part of the recommendation, as a number of already inscribed properties of the State Party is not a proper criterion, variety of heritage typology differs; the representative and balanced World Heritage List should be achieved through different tools e.g. thematic studies and filling the gaps.” And therefore proposes the following amendment: Voluntarily be restrictive with new nominations to ensure a more representative and balanced World Heritage List where the State Party is already well represented on the World Heritage List.