

**Report**  
**Sixth meeting of the Open-ended working group of States Parties established  
with the mandate to develop a Code of Conduct, or a Statement of  
Ethical Principles or equivalent text  
(in conformity with Resolution 22 GA 10)**

**20 September 2021  
3.00 p.m. – 6.00 p.m. (Paris time, UTC+2)  
Online meeting**

**Chairperson: His Excellency Ghazi GHERAIRI, Ambassador,  
Permanent Delegate of Tunisia to UNESCO**

**Opening of the meeting by the Chairperson**

The **Chairperson** welcomed all participants to the meeting of the Open-ended working group of States Parties (hereinafter referred to as the Working Group) and announced the online participation of the Vice-Chairperson, H.E. Mr. Christian TER STEPANIAN, Ambassador, Permanent Delegate of Armenia. He informed that the Rapporteur, Mr. Ole Søre ERIKSEN (Norway) could not attend the meeting for reasons beyond his control.

The **Chairperson** briefly recapped the 5th meeting of the Working Group, held on 29 June 2021, in which the group refined the drafting of a text related to ethical principles. In this regard, he recalled that the Working Group has been flexible and has gone back to paragraphs adopted at previous meetings to ensure that the final text achieves the broadest possible consensus. He drew attention to the fact that at this advanced stage of the work of the Working Group, it would be preferable to concentrate efforts on the continuation of the drafting of the text and avoid, to the best extent possible going back substantially on previously approved provisions. He recalled that towards the end of the meeting the Working Group discussed at length point iii. of Section I "Core Principles" concerning *impartiality*, for which a consensus was emerging but could not be subject to final adoption due to time constraints. He further recalled that the Working Group agreed to devote today's meeting to the introductory part of the text in order to fully examine this major part of the future text. In this regard, he reminded that the Bureau of the Working Group had prepared a draft which was transmitted on 18 June 2021. He thanked again the States Parties that had submitted proposals, which had been made available on the webpage dedicated to the work of the Working Group together with the report of the 5th meeting and the "clean" text integrating amendments/proposals made during the meeting.

The **Chairperson** also informed that the Delegations of **Saudi Arabia**, of the **Russian Federation** and of **Egypt** had submitted a few hours before the present meeting contributions to add a point iv. to Section I "Core Principles". He indicated that these contributions have been immediately reflected on the dedicated webpage of the Working Group. He extended his thanks to the submitting States Parties for their contributions dealing with important aspects of the text and suggested to consider these proposals at the following meeting of the Working Group on 27 September, in order to allow all Delegations to fully study them. He then gave the floor to the **Director of the World Heritage Centre (DIR/WHC), Ms. Mechtild Rössler**, to provide with background information on the proposals made.

**DIR/WHC** presented the proposals and clarified that the contribution of the Delegation of Saudi Arabia refers to Annex 4 of the Operational Guidelines related to a very specific framework, namely the Nara Conference, expert meeting convened in 1994 to reflect on the concept of authenticity, a complex notion which could relate to specific sites but also to conservation methodology. She indicated that the outcomes of the Nara Conference were integrated into the Operational Guidelines following a decade of further reflection within the World Heritage Committee and explained that a wider debate is still ongoing behind the concept of Authenticity. She drew the Working Group's attention to the question of whether the extracts from Nara Document (as annexed in the Operational Guidelines) could be extracted and taken from its original context and integrated in a text related to ethical principles.

The **Chairperson** thanked again the Delegations that have submitted these contributions and invited all other Delegations to carefully study them for the next meeting of the Working Group.

The **Chairperson** gave the floor to DIR/WHC to present the outcomes of the last meeting of the Working Group on behalf of the Rapporteur. .

**DIR/WHC** recalled that several Delegations asked during the last meeting to come back at already agreed parts of the text in order to further refine it. In this framework, the Working Group agreed with the proposal by the Delegation of Saudi Arabia to replace the term "moral" by "professional" in Section I "Core principles" regarding *integrity*. She indicated that regarding the principle of *impartiality*, the Delegation of the Russian Federation proposed to refer to all relevant texts of the stakeholders of the Convention and delete the term "lobbying". She recalled that due to time constraints, this particular provision could not be adopted but a consensus was emerging with propositions to replace the term lobbying with more suitable wording to the framework of the 1972 Convention. She explained that the Delegation of Palestine suggested a modification to paragraph 2 of Section II regarding provisions of the text, in order for the final text to be further in line with the wording of existing texts of the Convention. She indicated that while Article 9.3 Convention had been fully quoted, the Rapporteur would suggest removing the last part of the amendment to be grammatically consistent with the rest of the section. Another suggestion by the Rapporteur for consistency in the English version would be to delete the word "highly", which does not appear in the original article of the Convention. Finally, she recalled that the Chairperson made a proposal to paragraph 6 based on formulations expressed by the Working Group in previous meetings.

The **Chairperson** thanked DIR/WHC and the Rapporteur for the synopsis of the last discussions. He then suggested to move to the examination of the pending point iii. of section I "Core principles".

**Several Delegations** raised concerns over the use of "political pressure" as a language that they deemed too strong and not customary within UNESCO nor between States Parties. They explained that it would imply that the World Heritage Committee is not an expert body driven by scientific considerations, while on the contrary they are of the view that issues discussed by States Parties are more of a technical nature than political. They believed that the definition of "impartiality" was clear enough without the last part of the sentence referring to political pressures. **Several other Delegations** recalled that the General Assembly had clearly acknowledged the necessity of a text related to ethical principles in view of the problematic decision-making process of the World Heritage Committee, and noted that such terminology was often used within UNESCO, including by the General Assembly. They remarked that the last session of the World Heritage Committee evidenced how political pressure negatively impacts the overall quality of the decision-making process and stressed that much substance would be lost if political pressures

are not mentioned. They underlined as essential to promote heritage expertise and ensure the integrity of decisions in the interest of the World Heritage Convention.

At the beginning of his intervention, the Delegation of **Ethiopia** strongly regretted to not have been able to access the meeting and asked that this to be reflected in the minutes of the meeting. The Delegation indicated that it believed everything was political. It denounced a situation where African countries were victims of a so-called “technicality” preventing them from a just recognition of their heritage. In this regard, the Delegation requested the same requirements for the States Parties be applied to the Advisory Bodies, and concluded that if a balance was not found, it would not approve the text as it stands. The **Chairperson** assured that the Bureau of the Working Group does not prevent any voice to be heard nor does it favour any State Party to the detriment of another. He clarified that he would condemn such attempt, should it be proven, and not related to a connection problem.

The **Chairperson** thanked the delegates for their constructive spirit and remarked that the formulation “ensuring the ethical integrity of their decisions” bridged the different views expressed as it encompasses all kind of pressures. He declared the pending point iii. on *impartiality* approved and moved to the examination of the draft introductory part of the text.

**DIR/WHC** on behalf of the Rapporteur briefly presented the draft introductory part. She explained that the Delegations of the Russian Federation and of Saudi Arabia made proposals on this draft, which had been reflected in a consolidated text.

The Delegation of the **Russian Federation** stated that its contribution to the introductory part was intended to align it with existing texts of the Convention and to reinforce the global and inclusive character of a text related to ethical principles, thus including all stakeholders.

The Delegation of **Saudi Arabia** emphasized the importance of the topic discussed by the Working Group and explained that its amendments aimed at reaching the best balance possible. Therefore, the Delegation wished to include all constituents of the Convention and ensure that all different cultures of the world are respected.

The **Working Group** examined and proposed several amendments to the draft introductory part of the text to further recall the non-binding nature of the text which derives from existing texts of the Convention and all relevant ethical texts from all stakeholders. It was decided that the last paragraph regarding the enactment of the text would integrate into the report of the Working Group in order not to prejudge the decision by the General Assembly.

The **Chairperson** indicated that the report to be presented to the General Assembly would be prepared by the Bureau.

Regarding the title of the text, the **Working Group** agreed that it was premature to decide upon it at this stage, as the title would depend on the content of the remaining parts of the text to be drafted at the next meeting of the Working Group.

### **Closing of the meeting**

The Chairperson thanked all Delegates for their constructive exchanges. He informed that a “clean” text integrating amendments/proposals made during the meeting will be available before the next meeting to be held on 27 September 2021. He also recalled that the Working Group at

its next meeting would resume the drafting of the rest of the text and consider the proposed additions of a point iv. to Section I "Core Principles".

The meeting ended at 5.25 pm.