

Text as adopted by the Open-ended working group during its 8th meeting

4 October 2021

Introduction to [Text]

The Convention concerning the Protection of the World Cultural and Natural Heritage (1972)

The Convention concerning the Protection of the World Cultural and Natural Heritage (1972) (hereinafter: the *Convention*) establishes a solid framework for all States Parties for working together to recognise, sustain and protect the world's universally significant and outstanding value of cultural diversity and natural wealth. The States Parties to the *Convention*, the Advisory Bodies, and the World Heritage Centre (hereinafter: the Secretariat) have a shared commitment to preserving and safeguarding the world's shared legacy of all the nations of the world for future generations. The *Convention* plays a vital role in generating fruitful dialogue between its constituents and different communities, promoting respect for common heritage and cultural diversity, and is recognised as an important instrument contributing to international peace, sustainable development and the advancement of humanity.

Purpose and scope

This [TEXT] is a means to promote the international solidarity and cooperation to preserve the world's natural and cultural heritage of all the nations of the world, the shared commitment of all stakeholders of the 1972 Convention, the Outstanding Universal Value of the World Heritage properties and to uphold the integrity and credibility of the *Convention* and the World Heritage List.

The States Parties to the *Convention*, the World Heritage Committee, the Secretariat and the Advisory Bodies have a collective responsibility to uphold credibility, integrity and the implementation of the *Convention*. The [TEXT] expresses a commitment to impartial decision making based on objective and scientific considerations, verifiable technical evidence and elaborated by qualified experts in the fields of natural and cultural heritage, conducting themselves according to the highest ethical standards of professionalism, equity and transparency.

The UNESCO Constitution, the provisions of the World Heritage Convention, its Operational Guidelines and Rules of Procedure of the General Assembly of States Parties and of the World Heritage Committee, the Standards of Conduct for International Civil Service, UNESCO Staff Regulations and Rules, ICCROM Staff Regulations and Rules, ICOMOS Ethical Principles, Code of Conduct and Professional Ethics for the Secretariat of IUCN and Terms of reference for the IUCN World Heritage panel, govern the work of all respective stakeholders. The [TEXT]

draws on these documents providing a legally non-binding ethical guideline and statement of good practice principles and commitments for pursuing the highest standards of integrity and conduct. This [TEXT] cannot undermine the aforementioned texts and documents in any way nor be a basis for limiting their implementation.

[Title of the document]

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**),

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 [Text] is needed to highlight obligations under the Convention and to set out ethical principles and good behaviour,

Recalling that this [Text] is not legally binding,

Approve to the following [Text], and call upon all stakeholders to honour its contents,

I. Core principles

All parties will be guided by the core principles of integrity, objectivity, impartiality and respect for cultural diversity.

- i. 'Integrity' is upholding the highest standards of professional principles, ethics and fairness in the implementation of the Convention.
- 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 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, the Standards of Conduct for International Civil Service, UNESCO Staff Regulations and Rules, ICCROM Staff Regulations and Rules, 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 and ensure the ethical integrity of their decisions.

[new point iv to be finalized and verified with Saudi Arabia, Egypt and the Advisory Bodies]

- iv. [Saudi Arabia] Respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties which requires conscious efforts to avoid imposing mechanistic formulae or standardized procedures in attempting to define or determine authenticity of particular monuments and sites and further requires assessment approaches that may involve multidisciplinary collaboration and the appropriate utilization of all available expertise and knowledge in addition to analytical processes and tools specific to the nature and needs of those cultures.

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[Advisory Bodies] ‘Respect for cultural diversity’ means acting in accordance with the Nara Document on Authenticity and its appendices (Appendix 4 of the Operational Guidelines) when considering issues relating to Outstanding Universal Value.

[Egypt] ‘Diversity of expertise views’ is a recognition that judgments about values attributed to cultural properties may differ from culture to culture, and even within the same culture. Experts’ recommendations could diverge based on varying professional, geographical and cultural perspectives; and decisions.

II. [Text] provisions

The Committee commits to:

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” (*Operational Guidelines*, paragraph 49).
2. Mindful that the World Heritage Committee is an intergovernmental committee, choose as their representatives persons qualified in the field of cultural or natural heritage (*Convention*, Article 9.3; *Rules of Procedure*, Rule 5.2).
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 Committee (*Operational Guidelines*, 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.
4. Remain impartial and base their decisions on objective and scientific considerations (*Operational Guidelines*, 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.
5. Ensure that the credibility, balance and representativity of the World Heritage List are guaranteed, keeping in mind the *Operational Guidelines* and the priorities which they

define, including those that apply to nominations of States Parties former members of the Committee and which consist of avoiding examining their nominations during their mandate on the Committee in the spirit of contributing to the impartiality and objectivity of decision making. They would benefit from a 4-year priority after the end of their mandate on the Committee.

6. After having carefully examined the invitations from States Parties to visit sites on their territory and proposed for inscriptions to the World Heritage List, States Parties might consider avoiding accepting those that might breach the spirit and the letter of the 1972 Convention and all the texts governing its implementation, during their tenure on the Committee, or to sites on the World Heritage List currently in the process of Reactive Monitoring (*Operational Guidelines*, Paragraph 169) in order to ensure the equal treatment of all World Heritage properties and nominated sites.
7. Provide accurate, 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 contributing to any decision that may threaten the Outstanding Universal Value or that is in violation of the *Operational Guidelines* and *Rules of Procedure*.
8. Strictly observe the Rule 23.3 of the *Rules of Procedure*, that new draft decisions, fundamental proposals or amendments whenever possible should be submitted at least 24 hours before the discussion of the agenda item concerned.
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 concerning such groups with the prior consent of the Chairperson, and in full respect of Article 6 of the 1972 Convention before decisions are made by the Committee (*Rules of Procedure*, Rules 6, 7, 8, 22.4).
10. **[Paragraph under finalization according to the following 3 options]**
 - Option 1:
[Egypt, Kenya, Saudi Arabia, Venezuela, Russian Federation, China] Delete entire paragraph.
 - Option 2:
[Chairperson, Colombia, Switzerland, Sweden, Portugal, Norway, Estonia, Czech Republic] While recalling the sovereign power of States Members of the Committee in taking decisions, an effort to consider to take decisions considering recommendations of the Advisory Bodies must be made and this particularly through a constructive dialogue between the Committee, the Advisory Bodies and the Secretariat.
 - Option 3:
[Norway, Estonia] In its decision making concerning nominations, take due note of the recommendations of the Advisory Bodies.
11. Recognize Outstanding Universal Value only when deciding to inscribe a property on the World Heritage List (*Operational Guidelines*, Paragraph 154), noting that a property

does not have Outstanding Universal Value if it is not inscribed on the World Heritage List. The Statement of Outstanding Universal Value arises only from inscribing a property on the World Heritage List (*Convention*, Article 12; *Operational Guidelines*, Paragraph 154).

12. Promote and adhere to the goal of the Global Strategy for a more credible, balanced and representative World Heritage List.

The Advisory Bodies shall:

13. Act in a manner consistent with this [Text], 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 to States Parties and demonstrating efforts to achieve better regional representation.
14. Transparency of the evaluation process is considering all information regarding a nomination in consultation and constant dialogue with nominating States Parties with the respect of the principle of fair geographical representation involving regional experts familiar with the subject. Make public the methodology and existing policies of evaluation of the nominations; the list of panel members and criteria of selection of the field mission experts, the panel members and advisors.

The Secretariat to the Convention shall:

15. Act in a manner consistent with the [Text]. This includes transparent, equal and open processes and strengthened efforts to enhance dialogue and provision early of advice. Encourage and facilitate direct dialogue between the representatives of States Parties and the Secretariat.

The States Parties to the Convention shall:

16. [To be verified with Poland] Act in a manner consistent with the [Text] to uphold the integrity and credibility of the World Heritage Convention for the benefit of all States Parties.
17. Ensure the full and timely payment of their assessed contribution to the World Heritage Fund.
18. Support the Committee in meeting its responsibility to make impartial decisions based on objective and scientific considerations (*Operational Guidelines*, Paragraph 23) through open and equal dialogue and information sharing with the Secretariat and the Advisory Bodies.
19. Respond to all relevant requests for information in a timely manner, facilitate missions requested by the Committee, providing credible and reliable information and ensuring consultation with relevant stakeholders including local communities and indigenous peoples, while fully respecting Article 6 of the Convention.

20. Refrain from influencing the Committee's deliberations and decision making through lobbying before and during the World Heritage Committee sessions (*Rules of Procedure*, Rules 22.5, 22.6 and 22.7). In particular, the States Parties shall observe the requirement concerning conduct during voting stipulating that "*After the Chairman has announced the beginning of voting, no one shall interrupt the voting*" (*Rules of Procedure*, Rule 36).
21. 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.