

Report
9th and final 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)

26 October 2021
9.00 a.m. – 1.00 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, and of the Rapporteur, Mr. Ole S  e ERIKSEN (Norway).

The **Chairperson** briefly recalled outcomes of the 8th meeting of the Working Group, held on 4 October 2021, during which the group finished the drafting of almost all provisions of the text and examined proposals related to the addition of a new point iv. to Section I "Core Principles". He recalled that point iv and paragraph 16 remained to be finalized. In this regard, he indicated that he had conducted fruitful consultations with the States Parties concerned that resulted in a consensual proposal between stakeholders and hoped that the Working Group would welcome it at this present meeting. He also recalled that the Working Group agreed to further reflect on the three proposals made for paragraph 10 during the last meeting and that the title of the text had yet to be defined. He then gave the floor to the Rapporteur to present the outcomes of the last meeting.

The **Rapporteur** explained that the approved parts of the text had been "cleaned up" and consolidated into a near-final version, duly taking into account all amendments and arrangements agreed during the last meeting. He recalled that while there was a consensus to add a new point iv on the "Respect for cultural diversity", it had still to be finalized with the concerned stakeholders. He presented the refined proposition for this new "Core principle" following the consultations conducted by the Chairperson with the States Parties concerned and the Advisory Bodies' contribution. He further recalled that the Working Group extensively discussed paragraph 10 but had yet to further reflect on it to reach consensus on one of the three options, that is: to delete the entire paragraph, or to rephrase it according to option 2 or option 3. As a general comment, he also indicated that what was now left was to insert the title, once agreed upon, throughout the text. Finally, he mentioned that issues raised throughout the meetings that have not been retained in the Draft text, such as remarks by the Delegation of Czechia on the role and mandate of the Chairperson of the World Heritage Committee, would be integrated into the Report of the Working Group to be submitted to the 23rd session of the General Assembly.

The **Working Group** examined the draft proposition regarding point iv on the “Respect for cultural diversity” based on the outcomes of the consultations held between stakeholders concerned. The Working Group amended the proposal to stress the universal nature of the Convention and further to reflect a proposed addition by the Delegation of Egypt regarding the *Diversity of expertise views*.

The **Working Group** moved to the examination of paragraph 10 with Option 2 as a basis for discussion and adopted the paragraph as amended. In this framework, the Delegation of **Egypt** proposed to add a new paragraph 15 in the part of the text concerning the Advisory Bodies in order to balance engagements between stakeholders. Such a proposal was accepted, and the paragraph proposed was adopted as amended.

The Delegation of the **Russian Federation** proposed an editorial amendment to paragraph 14, which aimed at adding verbs to make grammatical sense and to be consistent with the rest of the section of the text. It was reviewed and adopted by the Working Group. The Delegation of **Poland** proposed an amendment to paragraph 16 to clarify and further reflect the need to ensure objective and equal procedures, which was agreed upon by the Working Group.

The **Working Group** discussed at length the definition of a title for the Draft text. Several proposals were made bearing in mind existing relevant titles within UNESCO and other Conventions or international organizations and reflecting the nature of the text following the conclusion of the drafting process. Among the many propositions, the following were more particularly discussed:

Values and ethical principles/guidelines/good practices for the safeguarding of cultural and natural heritage of the World Heritage Convention

Guidelines and statement of good practice and commitments

Values Framework of the World Heritage Convention

Declaration of deontological principles and values to promote international solidarity and cooperation to preserve World Heritage

Several Delegations raised concerns over the use of terms such as “ethical”, “deontological” or “code” as they are too much related to a moral character and may imply that States Parties do not behave in an ethical manner. They also considered that “code” could be misleading as the text would not be legally binding and suggested to keep the title neutral and general. **Several other Delegations** reiterated that “Code of Conduct” would be appropriate as it would signal that the text includes both ethical principles and expected behaviour based on the rules set out in existing documents of the Convention. They considered it preferable to not use the term “guidelines” to avoid confusion with the Operational Guidelines, and also considered that the title should be further clarified and specified.

In the spirit of consensus, the **Working Group** agreed upon the following title: “Declaration of principles to promote international solidarity and cooperation to preserve World Heritage”.

Closing of the meeting

The **Chairperson** thanked all Delegates for their constructive spirit and committed efforts in the pursuit of fulfilling the mandate of the Working Group for drafting a consensual text, and stressed that despite a difficult task, the Working Group had succeeded in achieving a crucial and

significant end result. He informed that the Declaration as adopted by the group during the present meeting would be “cleaned up” as per the practice of the Bureau, and be made available as soon as possible on the dedicated webpage of the Open-ended Working group together with the Report of the Group which will be submitted to the 23rd session of the General Assembly.

The meeting ended at 12.25 pm.