



**Second meeting of the Open-ended Working Group
in relation to Resolution 23 GA 11
concerning Climate Change and World Heritage**

**16 September 2022
2.30pm-5.30 pm
(in presentia / online meeting)
Room XI
UNESCO Headquarters**

Presentation of the report of the Panel of experts
in relation to Decision **44 COM 7C**
concerning Climate Change and World Heritage
Ms. Abena White
(Rapporteur of the Panel of experts)

General introduction and acknowledgements:

Slide 1: This presentation aims at setting the general context in which the Panel of experts specialised in climate science and heritage, took place. It will provide a summary of the discussions and recommendations on the updating of the *Policy Document on Climate Action for World Heritage*. The Panel of experts wishes to express its gratitude to all the World Heritage Committee members who have contributed to this work since the extended 44th session of the Committee in July last year, as well as the work achieved over the past years to update the Policy Document, such as through the international Technical Advisory Group of experts in 2020.

BACKGROUND

General presentation of the Policy Document:

Slide 2: As you are all aware, the issue of the impacts of climate change on cultural, natural and mixed World Heritage properties was addressed by UNESCO through a Policy Document on the Impacts of Climate Change on World Heritage properties, adopted in 2007. I also would like to recall that, at the request of the Committee, an update of this document was initiated, and an updated version of this Policy Document was endorsed by the Committee at its extended 44th session.

General presentation of the Panel of experts:

Slide 3: On this occasion, the Committee also requested the World Heritage Centre to convene by March 2022 a Panel of experts, with experts drawn from the ad-hoc Working

Group, the World Heritage Centre, the Advisory Bodies and other qualified experts in the field of climate science and heritage.

General presentation of the OEWG and General Assembly's resolution:

Slide 4: At its 23rd session in November 2021, by Resolution **23 GA 11**, the General Assembly of States Parties decided to establish an Open-ended Working Group of States Parties (OEWG) with the mandate to develop the final version of the Policy Document and to present it for consideration by its 24th session in 2023. The General Assembly also recommended that the Panel of experts, requested by the Committee, be convened with the mandate to consider revisions to the Policy Document and its unresolved policy matters and report to the OEWG to inform its consideration of the Policy Document and proposals to implement it.

INTRODUCTION TO THE PANEL OF EXPERTS

Organisation of the meeting:

Slide 5: Therefore, the Panel of experts met online for three days, from 30 March to 1 April 2022. The meeting was organised by the World Heritage Centre, with the assistance of the Advisory Bodies and benefited from the generous financial support of the Governments of Australia, Azerbaijan and the Netherlands.

Internal organisation of the Panel:

Slide 6: In order to ensure diversity and representativity within the Panel of experts, the method of selection of the experts followed a geographically and gender balanced approach. As a result, 26 experts and 13 observers from all regions were identified through a consultation with the six UNESCO Electoral Groups. All Electoral Groups were equally represented in the Panel, with 3 active experts per Group. 61% of the active experts selected by the Electoral Groups were women, and 39% were men. Participants to the Panel also included 2 Observers per Electoral Group (64% of which were women), as well as experts from the Advisory Bodies and the UNESCO Secretariat (with a perfect gender-balance of 50-50). In addition, Her Excellency Mrs. Yvette Sylla, Ambassador and Permanent Delegate of Madagascar to UNESCO and Chairperson of the OEWG, made us the honour to attend the entire meeting as an Observer, and I would like, Ms. Chairperson, to express the Panel' sincere appreciation for your availability and commitment.

The experts were invited to designate, among the participants, a Rapporteur and, thus I had the honour to be elected Rapporteur of the Panel of experts. Moreover, the meeting was moderated by the Deputy Director of the World Heritage Centre, Ms. Jyoti Hosagrahar. I would like to thank her once more for the very able way she directed our discussions, ensuring that everyone had equal opportunities to take the floor and express their ideas in constructive and cooperative environment, and that we could complete our mandate within the allocated time.

METHODOLOGY OF WORK

Precisions on the Panel's mandate:

Slide 7: At the start of the meeting, the Panel participants were reminded that the World Heritage Committee had endorsed the draft Policy Document at its extended 44th session and, therefore, its overall structure. It was also recalled that the General Assembly had recommended that the Panel be convened with the responsibility to consider revisions to the Policy Document, as presented in the Document WHC/21/23.GA/INF.11, and its unresolved policy matters, which I will address later on in my presentation.

Track changes in the Policy Document and working methods:

Slide 8: The latter Document contains amendments proposed by the members of the Committee subsequently to the extended 44th session. These amendments were commented by the World Heritage Centre and the Advisory Bodies in order to provide some indications on their potential implications. For ease of reference, the amendments were arranged into three categories, as you can see on the screen:

- First, the paragraphs in clear text, for which no amendment was proposed by Committee members, and which were therefore considered as fully relevant;
- Second, the amendments with yellow highlights, which were considered relevant as addressing the Committee's request and improving the overall text of the Policy Document;
- Third, the amendments with grey highlights, which were considered to have potentially significant implications, and therefore required further discussion.

Considering the extensive work that had been done leading up to the draft text of the Policy Document, experts were of the view that there was no need to discuss everything from the beginning but only to focus on amendments. The methodology approved by the participants at the beginning of the meeting was therefore to only consider the 30 amendments with grey highlights for discussion over the meeting. Indeed, all the other paragraphs were *de facto* considered by the experts of the Panel as acceptable as proposed, including as amended for those with yellow highlights. In accordance with the mandate of the Panel, the experts reviewed the Policy Document section by section. I also would like to stress that throughout the review of the paragraphs of the Policy Document, the participants have always strived to work on a consensus basis. Indeed, the open discussions took place in a very constructive manner, always in a spirit of consensus and resulted in a rich exchange of differing views and ideas. The experts showed a true interest in the topics discussed during the meeting, and observers were systematically given the opportunity to take the floor to express their views as well.

The text of the revised Policy Document was displayed on the screen of the participants to the online meeting, in both English and French, as they reviewed it and was modified in real time with the great help of two typists from the Secretariat. Interpretation in both English and French was provided throughout the three-day meeting to facilitate equally active participation of all experts. Last but not least, to allow them to thoroughly prepare for the meeting, the draft Policy Document had been shared in advance with all the experts and observers.

DISCUSSION ON UNRESOLVED POLICY MATTERS

Methodology of reviewing unresolved policy matters:

Slide 9: As part of the mandate recommended by the General Assembly, the unresolved policy matters of the Policy Document were discussed by the experts as they were encountered during the sequential review of the Policy Document. It is worth noting that unresolved policy matters were the subject of important deliberations and were again discussed on the last day of the meeting in an open debate covering broader issues arising from the specific questions addressed by these policy matters. The various discussions were open and free flowing as the stated purpose of the work of the Panel on this matter was to share views and inform the deliberations of the OEWG. They resulted in a rich exchange of views and perspectives. I wish to emphasize once more the constructive way in which the discussions on the unresolved policy matters took place. I also want to commend the experts for their active participation in sharing their ideas, and to thank once again the moderator whose coordination of the meeting greatly contributed to its success. The Report of the Panel meeting tries to capture the diversity of the views expressed.

General introduction to the unresolved policy matters:

Slide 10: The main unresolved policy matters identified and addressed during the Panel of experts meeting referred to three questions, which were originally asked in Annex 2 of the 2007 Policy Document. They were reiterated in Paragraph 36 of the updated Policy Document with the intention that the updated Document does not necessarily provide fixed responses but rather calls for a dialogue. I will quickly go through them in order to address their implications and explain some of the main directions proposed by the experts during the Panel. These three main issues concerning climate change and resulting in a discussion were:

- The inscription on the World Heritage List;
- The inscription on the List of World Heritage in Danger and Deletion from the World Heritage List;
- The maintenance of the “original” OUV and the notion of “evolving assessment of OUV”.

Inscription on the World Heritage List:

Slide 11: The first question is: “whether a property should be inscribed on the World Heritage List while knowing that its potential OUV may disappear due to climate change impacts.”

- While addressing this question, the Panel experts identified two different issues: the issue of assessing whether sites are under threat by climate change before they are inscribed on the World Heritage List; and the possible response to such threat.
- Participants agreed that there is uncertainty about future climate change impacts to heritage sites and that some standards for addressing such uncertainties in the Nomination dossiers might be required, such as asking States Parties to provide a list of the threats that the nominated properties are facing due to climate change and responses to them. Indeed, climate change needs to be considered in respect to its potential impact on OUV.
- If the relevant Advisory Bodies assess that, given the extent of the impacts, the effects are irreversible, then experts considered that it is up to the World Heritage Committee to take the final decision to inscribe the site on the World Heritage List or not.
- Experts were of the view that to date, too few States Parties address climate change as a major issue in their Nomination dossiers; most probably because often States Parties do not have adequate advice on how to address that in a satisfactorily manner.
- Experts felt that States Parties are not sufficiently supported for such difficult assessment. Taking into account the urgency of the climate change threat, experts estimated that there was no real need to wait for the updated Policy Document to be adopted in November 2023 to take action on this, and that support could already be provided.
- To conclude with the first question, the majority of the experts agreed that being threatened by climate change should not prevent a property from being inscribed on the World Heritage List. They mentioned that there are already existing tools offered by the Convention to address such threat, one of them being the List of World Heritage in Danger, which is the topic of the second unresolved policy matter.

Inscription on the List of World Heritage in Danger and Deletion:

Slide 12: Indeed, the second question is “whether a property should be inscribed on the List of World Heritage in Danger or deleted from the World Heritage List due to impacts beyond the sole control of the concerned State Party.”

- The experts insisted that the inscription on the List of World Heritage in Danger should not be perceived as something negative, a failure or a punishment, quite the contrary. Danger-listing can be beneficial to properties threatened by climate change, because it

can allow initiatives to strengthen monitoring, find suitable adaptation and mitigation strategies and mobilise all States Parties to safeguard and help recover the full OUV of the properties. It would also put more emphasis on the ideal of solidarity, enshrined in the Convention and in the current draft Policy Document.

- The participants also highlighted that a property is rarely inscribed on the List of World Heritage in Danger for only one unique reason. As threats often interact with each other, their cumulative effects need to be taken into account. More to the point, these same reasons are hardly under the sole control of the States Parties, which is the case of tsunamis or earthquakes for instance.
- Experts pointed out that there have been numerous cases where properties would be simultaneously inscribed on the World Heritage List and on the List of World Heritage in Danger due to such threats: we can for instance take the example of Bam and its Cultural Landscape, in Islamic Republic of Iran (2004).
- Experts added that, regarding the possibility of Danger-listing as a response to climate change, it should be kept in mind that each instance is different, and that the current case-by-case approach should be maintained.
- To conclude, the majority of the experts agreed that, in most cases, climate change will not result in the complete loss of OUV, nor will such loss happen suddenly. A lot can still be done to address climate change without removing the responsibilities of States Parties to address climate change, notably through mitigation actions.

Maintenance of the ‘original’ OUV and notion of ‘evolving’ assessment of OUV:

Slide 13: The third question related to: “The reality that for some natural and cultural properties, it will be impossible to maintain the ‘original’ OUV for which they were originally inscribed on the World Heritage List, even if effective adaptation and mitigation strategies are applied, and this may require an ‘evolving’ assessment of OUV.

- The experts found that this third unresolved policy matter was problematic in many ways, especially regarding the concepts of “original” OUV and of a potentially “evolving OUV”.
- They insisted that the OUV is not frozen in time, but that the goal is to address issues that change site conditions in order to protect the OUV as it was identified at the time of inscription.
- They recognised that there will probably be cases where the OUV will be seriously impacted by climate change but, in such cases, States Parties should turn to the tools I listed earlier, such as Danger-listing and international Assistance.
- Regarding the notion of “evolving OUV”, it was noted that the OUV, as defined at the time of inscription, serves as a baseline for state of conservation monitoring as well as for Periodic Reporting. If the preservation of the OUV of the properties is the main goal of the Convention, the concept of “evolving OUV” would simply not be feasible in the framework of the Convention and would not be in line with its principles.
- Regarding the concept of “original OUV”, experts of the Panel pointed out that if the “original OUV” should be lost, it is possible that, in some cases, important elements or attributes could still demonstrate ‘some’ OUV at the property, that would still need to be reassessed and redefined.
- In response to this issue, experts indicated that the Convention has several instruments to apply when the OUV is lost. In some cases, this could lead to a deletion from the World Heritage List, but a new Nomination of the property could also be considered, with a different OUV based on other values and criteria, which would therefore lead to a new evaluation process.

Other issues mentioned:

Slide 14: During this rich debate, the experts also mentioned other issues, such as the important concept of integrity. Indeed, all properties nominated for inscription on the World Heritage List shall satisfy the conditions of integrity, this aspect being key as regards the existing processes of the Convention. It was suggested that in the future, for the specific cases of natural and mixed properties, it may be necessary to broaden the concept of integrity to ensure that certain elements are included within the boundaries of the site, even if at the time of inscription, they do not necessarily contribute yet to the OUV, but will be important in the future, due to the possible evolution of vegetation and biodiversity in the light of climate change.

On another matter, experts were also of the view that many of the threats impacting World Heritage properties are beyond the sole control of the States Parties concerned. They suggested the need for a more proactive approach to design a global response to protect properties that are inscribed on the List of World Heritage in Danger because of the impact of climate change on their integrity.

Lastly, experts raised the issue of whether the current “World Heritage system” and the UNESCO World Heritage Centre would be in a position, in terms of capacity and resources, to cope with a possible increasing number of properties inscribed on the List of World Heritage in Danger because of climate change. They stressed however that there should not be any confusion between the capacity issues of the system and the objectives of the Convention, the latter being the priority, adding that such a growing number of sites in Danger could also send a strong signal to the international community and national governments to step up climate action.

During the meeting, the experts openly shared their ideas on these challenging topics and no major disagreement occurred. All the experts’ considerations were heard and taken into account to provide some clear directions. The objectives of the Panel of experts were all achieved and the discussions on the unresolved policy matters concluded. The experts are confident that the ideas laid out during this open dialogue will be helpful for the OEWG to navigate through these important and long-standing matters. More details can be found in the Panel of experts’ Report.

RECOMMENDATIONS OF EXPERTS’ REPORT

Appreciation of the proposed amendments and methodology:

Slide 15: As regards the text itself of the draft updated Policy Document, and generally speaking, the experts were in strong support of the text as presented and proposed to the 23rd session of the General Assembly in 2021. They largely supported all 28 amended paragraphs proposed by the Committee members that were highlighted in yellow.

The Panel of experts also recommends that all 69 paragraphs for which no amendment was proposed be kept as they are.

As previously mentioned in my presentation, the Panel of experts carefully reviewed the 30 amended paragraphs with grey highlights during this three-day meeting.

After having shared their views on the basis of their diverse experience and expertise in the fields of climate change and heritage, experts have made specific recommendations for each of these 30 paragraphs.

In a few cases, when they were recommending that the amendments proposed by Committee members should not be kept, the experts tried to capture the essence of the proposed amendments and, on that basis, made alternative proposals.

In order to avoid encroaching on the mandate of the OEWG, the Panel decided to incorporate its recommendations into the Policy Document in a format that would allow them to be easily identified. It was decided to insert them with green highlights in the text of the Policy Document itself, and to include the rationale for each recommendation of the Panel in a textbox, right below the amended paragraph, for ease of reference. If you require any clarification with the colour code, please refer to page 12 of the English version and page 13 of the French version of the Panel's Report, which has been shared with you.

Moreover, for ease of reference, a cleaned-up version of the Policy Document, as recommended by the Panel of experts, is provided in Annex 1 of the same report.

I wish to reiterate once more the active participation of all the experts to the meeting. We particularly appreciated the spirit of cooperation between the experts who took the floor and provided very constructive inputs to the discussions, with a high level of participation from the experts from the Africa and Arab states regions and from SIDS. All the dynamic and important contributions to the debates were crucial for the Panel to reach consensus in a very positive atmosphere.

Main issues addressed by the Panel:

Slide 16: While reviewing the numerous amended paragraphs of the Policy Document, which lead to rich discussions, the experts debated on a number of fundamental and challenging issues and the implications they could have on the implementation of the Policy Document. I will briefly take you through the main issues discussed and invite you read the Panel of experts' report to get more details. Among them, there are:

Issues related to antagonistic interests from the various stakeholders of the World Heritage Convention, which can also be related to the question of deforestation and other forms of land use change, unsustainable use of natural resources.

Slide 17: Other issues relate to the States Parties' responsibilities and the issues beyond the sole control of the States Parties themselves, such as the integration of the concept of "*common but differentiated responsibilities and respective capabilities*", in the light of different national circumstances and in accordance with the nationally determined contributions, and in line with principles established under the UNFCCC and the Paris Agreement. In the same spirit, the issue of the differentiation between developed and developing countries, especially for those who are particularly vulnerable to the adverse effects of climate change, such as SIDS, was debated. With the same idea, the greater implementation-related capacity-building need for developing countries through viable commitments from developed countries in terms of technology transfer and financing, was addressed.

Slide 18: The experts also spent time discussing matters related to the concept of adaptation, such as the need for robust climate adaptation frameworks to be established and developed at the international level and not only at national and local levels; or the crucial contribution of adaptation actions at World Heritage properties to increase the resilience of indigenous peoples and local communities.

Slide 19: Finally, a rich exchange of views related to the implementation of the World Heritage Convention itself, such as the recognition of the impacts of climate change as a serious and specific danger to properties; and the need to ensure that no paragraph of the Policy Document negatively impacts or hampers the effective implementation of the Convention, as action is needed without delays.

CONCLUSION

Slide 20: To conclude, all the outcomes of the rich and constructive discussions held during the Panel of experts were consolidated in a report, which was shared with all the participants to the Panel for their approval. After a few editorial corrections, the report was validated by all

Panel members before being circulated to all the States Parties and members of the OEWG. The report can also be found at the link displayed on your screens.

The experts also wished to highlight that, even though they recommended the deletion of some of the amendments proposed, this should not hide the fact that what was proposed in some instances has to be given careful consideration.

Once all States Parties have finally adopted the updated Policy Document, there will certainly be more work to be done to provide guidance to ensure its future implementation in the countries, to identify the capacity-building needs, and to plan its future updates.

I am glad to see that a number of the experts from the Panel are online with us today. If you have any question, or if you need further clarifications on the report of the Panel of experts, I of course stand ready to provide you with clarifications.

In the name of the Panel of experts, I would like to thank all the members of the OEWG for your attention during this presentation. The experts and myself hope that our review of the revisions of the Policy Document will help you move forward to provide the World Heritage community with a robust document for action on this major global threat.

Slide 21: Thank you very much.