



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

**31 January 2023
(in presentia / online meeting)
Room XI
UNESCO Headquarters**

REPORT

The meeting was attended by 70 States Parties to the Convention, with a total of 120 active participants (both in presentia in Room XI and connected by the Zoom link), as well as 440 webcast connections.

Opening of the meeting by the Chairperson of the Open-ended Working Group (OEWG)

In the absence of the **Chairperson of the Open-ended Working Group, H.E. Ms Yvette SYLLA (Madagascar)** due to unforeseen reasons, **Ms Carolina DIAZ ACOSTA, Minister Plenipotentiary, Chargé d’Affaires a.i., Permanent Delegation of Colombia to UNESCO and Vice-Chairperson of the Working Group**, welcomed all participants and wished them a blessed and prosperous New Year. The **Rapporteur of the Working Group, Ms Barbara Engels**, presented the report of the third meeting of the Group, held on 23 November 2022, and the issues that were still pending.

Revision of Section I “Preamble”

Before continuing the revision of Section I “Preamble” of the Policy Document, the **Chairperson** reminded the Group that the Policy Document being revised was not legally-binding, did not create any new obligations and was in no way questioning already existing and globally adopted principles in relation with climate change. She also recalled that the text had been largely approved and validated by the Panel of experts.

She indicated that, the Working Group should strictly follow the agreed-upon methodology of work, approved during the previous meetings, by focussing on the 30 paragraphs that were subject to specific recommendations from the Panel of experts, and not re-open the discussion on the other paragraphs. She finally alerted the members that the Working Group was running very late, reminding them about the limited funds and time available, and therefore invited everyone to be succinct and to work in a spirit of consensus.

She added that in the last version of the Policy Document circulated to all members on 31 January 2023, several amendments had been submitted on paragraphs not opened for

discussion. She suggested that, in conformity with its mandate, the Open-ended Working Group would examine first all the paragraphs that are opened for discussion and once this work is completed, it would discuss how to deal with the other amendments. No objection was made to this proposal.

Paragraph 21:

The Group had a long and lengthy discussion on **Paragraph 21**, aiming at establishing a first Guiding Principle for States Parties to “adopt a precautionary approach aimed at minimising the risks associated with climate change”.

A large number of members of the Group were in favour of retaining the original paragraph as proposed by the Panel of experts. Some of them, notably Small Islands Developing States (SIDS), referred to the 2017 UNESCO Declaration of Ethical Principles in relation to Climate Change¹ in which the “*precautionary approach*” is set as one of the Principles (Article 3 of the Declaration). However, diverging views on the appropriateness of referring to a ‘*precautionary approach*’ were expressed, but resulted in an emerging consensus to maintain it, as recommended by the Panel of experts, providing that this Guiding Principle be an encouragement and not a firm request.

The second focus of the debate was on the use of language related to the Paris Agreement such as the principle of *Common but Differentiated Responsibilities and Respective Capabilities* (CBDR-RC) and the 1.5 C limit. Due to the lack of consensus on this substantial point, the Group agreed to hold a small informal group meeting outside the plenary meeting so as to move forward and not spend more time in plenary on this defining matter, which affects a number of paragraphs throughout the Policy Document. As a result of informal discussions, the Working Group agreed to leave this Paragraph open, adding that further informal discussions will be held before the next meeting in March 2023 on Paragraphs 11, 21, 25, 27, 58 and 94 altogether on how the principle of CBDR-RC will be integrated in the Policy Document. The **Chairperson** called on as many members of the Group as possible to participate to this informal discussion so that there may not be any need to come back to discussing these paragraphs in a plenary setting.

Throughout the discussion on this Paragraph, many Group members insisted on the importance of focusing, as per their mandate, only on the parts of the paragraphs, which were recommended for discussion by the Panel of experts.

Consequently, it was decided that Paragraphs 21, 11, 25, 27, 58 and 94 would be discussed together informally among interested members prior to the next meeting.

Paragraph 22:

The discussion focused on the obligations to protect World Heritage in accordance with the 1972 World Heritage Convention, but also whether (and how) other multilateral environmental agreements can play a role in this objective. The Group agreed to add the sentence ‘*as well as in consistency with other relevant multilateral environmental agreements*’ at the end of the Paragraph. In addition, some Group members questioned the certainty of climate change-related threats on the Outstanding Universal Value (OUV) of World Heritage properties, therefore engaging other members to reiterate the unquestionable scientific evidence of such threats.

¹ The UNESCO Declaration of Ethical Principles in relation to Climate Change was adopted on 13 November 2017, during the 39th session of UNESCO's General Conference. The full text of the Declaration is available at: <https://unesdoc.unesco.org/ark:/48223/pf0000260889#page=127>

Lastly, a discussion took place on the need to include 'rights holders' alongside other World Heritage stakeholders as part of all the entities urged to take appropriate measures. Considering that 'rights holders' are referred to several time in the Operational Guidelines (e.g., Paragraphs 12, 64, 117, 123), the Group agreed to retain both '*World Heritage stakeholders and right holders*' and subsequently agreed that the Rapporteur should ensure consistency throughout the Policy Document regarding the above wording.

Paragraph 22 was adopted as amended.

Paragraph 24:

Following the withdrawal of an amendment initially proposed to delete the mention of "*rights-based approaches*", the Group adopted the Paragraph 24 as originally proposed.

Paragraph 24 was adopted without amendment.

Paragraph 25:

The discussion on **Paragraph 25** was adjourned.

Paragraphs 25, 11, 21, 27, 58 and 94 will be discussed together informally among interested members prior to the next meeting.

Revision of Section II "The Policy Framework"

The Chairperson invited all participants to consider Section II "The Policy Framework" of the Policy Document. She added that out of the 52 paragraphs in this section, 8 contain recommendations from the Panel of experts and are therefore open for discussion.

Paragraph 26:

Debates over **Paragraph 26** focused on the long-term vision of the Policy Document and on the appropriateness of adding a reference to synergies with other multilateral environmental agreements. Diverging views were expressed in this regard notably on the way such a reference should be integrated in the paragraph (some members suggesting adding such a reference immediately following the obligations of the States Parties of the World Heritage Convention; some others being of the view that this sentence should be added only at the end of the paragraph; while others recalled that the Policy Document was meant to apply strictly within the framework of the World Heritage Convention and preferred keeping the paragraph as originally proposed by the Panel of experts). Following a rich debate, and with a view to avoid any new legal obligations to States Parties of other multilateral environmental agreements, such reference was included in the middle of the text with the addition of "...and, where appropriate..."

Paragraph 26 was adopted as amended.

Paragraph 27:

The discussion on **Paragraph 27** was adjourned.

Paragraphs 27, 11, 21, 25, 58 and 94 will be discussed together informally among interested members prior to the next meeting.

Paragraph 32:

After the withdrawal of an amendment initially proposed to add a reference to the impacts of climate change “*on the Outstanding Universal Value of World Heritage properties*”, Paragraph 32 was adopted as originally proposed.

Paragraph 32 was adopted without amendment.

Paragraph 36:

The discussion on **Paragraph 36** mainly focused on the recognition of climate change’s impacts on World Heritage, how to address them, and on the issue of foreseeing impacts that could take place in the decades to come.

In the first sentence, considering that the updating of the Policy Document needs to be evidence-based, an amendment was suggested to refer to ‘*the possible changes*’ of the OUV rather than ‘*over the coming decade and beyond, climate change will negatively impact*’ the OUV. Several participants insisted that there is growing evidence that climate change is not just ‘possibly’ impacting the OUV of World Heritage properties but is already doing it, and it was suggested to replace the word ‘*changes*’ by ‘*impacts*’. Some members recalled that the Panel of experts had confirmed that climate change is becoming one of the most significant threats faced by World Heritage and that this idea was already expressed in Paragraph 1 of the Policy Document. Several members of the Group were in view of keeping the original text.

Moreover, a member requested the Group not to make any projections going beyond the scope of the Policy Document and proposed the deletion of the adjectives ‘*legal and interpretative*’ regarding the questions raised by climate change. The Rapporteur clarified that the three specific questions mentioned in this Paragraph 36 were already mentioned in the earlier Policy Document (2007) and suggested that this could be addressed as follows: ‘*the following significant questions raised by climate change...*’ It was recalled that these three questions were discussed at length during the meeting of the Panel of experts. The discussion on Paragraph 36 could not be concluded before the end of the meeting.

Paragraph 36 was left open until the next meeting.

Paragraphs 2 and 11 which were discussed during the third meeting of the Working Group were not reviewed during the fourth meeting and therefore remain open.

Paragraph 11 will be discussed together with Paragraphs 21, 25, 27, 58 and 94 informally among interested members prior to the next meeting; while Paragraph 2 will be finalized once Paragraph 11 is adopted.

Closing of the meeting

The **Chairperson** thanked the members of the Working Group for their contributions and reminded everyone that the next meeting of the Open-ended Working Group was scheduled on Tuesday 21 March 2023.

She stressed the importance for all members of the Group who wish to do so to send their amendments to the Secretariat sufficient time ahead of the next meeting, and **at least one week prior to the meeting (i.e., by Monday 13 March, midnight Paris time)**, and added that amendments received past this deadline will not be taken into account and will therefore have to be made from the floor by the submitting members.

The Chairperson closed the meeting at 5:45 pm.