



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

**3 May 2023
(in presentia / online meeting)
Room XI
UNESCO Headquarters**

REPORT

The meeting was attended by 67 States Parties to the Convention, with a total of 110 active participants (both in presentia in Room XI and connected by the Zoom link), as well as 263 webcast connections.

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

The **Chairperson** welcomed all participants and made a few technical announcements.

The **Rapporteur of the Working Group** presented the report of the fifth meeting of the Group, held on 21 March 2023, as well as the issues that were still pending.

Revision of the Policy Document (continuation)

Before continuing the revision of the Policy Document, the **Chairperson** reiterated that the Policy Document was not legally-binding and recalled that the text had been largely approved by the Panel of experts. As agreed during the fourth meeting and in conformity with the Group's mandate, the Chairperson insisted that it should focus on the 30 paragraphs open for discussion only. She alerted that the Working Group was running extremely late and that, to fulfil its mandate, everyone needed to work in a spirit of consensus.

The **Chairperson** recalled that at the end of the meeting of 31 January, the Group had agreed that all interested members would hold informal discussions on the issue of the integration of the principle of *Common but Differentiated Responsibilities and Respective Capabilities* (CBDR-RC) in the Policy Document, notably in **Paragraphs 11, 21, 25, 27, 58 and 94**, as well as on the inclusion, or not, of the definitions of the CBDR-RC principle and of the Nationally determined Contributions (NDCs) in the Glossary. Moreover, she recalled that **Paragraph 2** was also left opened until the finalization of **Paragraph 11**.

The **Chairperson** also reminded the Group about the proposal she had formulated during the last meeting, namely to remove from the Policy Document all the amendments proposed on paragraphs not opened for discussion, and to gather the concerns they raise into the report,

which will be presented to the General Assembly, as a part of the work submitted by the Group but not reflected in the final text of the Policy Document. No objections were expressed regarding this proposal.

The **Chairperson** finally suggested to move to the discussion on proposals for implementation measures that the Group could make to the General Assembly once all issues contained in the open paragraphs are addressed.

Paragraphs 11, 21, 25, 27, 58 and 94

The floor was given to the **Delegation of The Netherlands** to provide the Working Group with the outcomes of the informal group discussions. Three informal meetings, composed of over 20 members from different electoral groups each and jointly moderated by the Delegations of The Netherlands and of Chile, took place between April, 2 May 2023 and aimed at formulating a joint proposal on the inclusion of the CBDR-RC principle in **paragraphs 11, 21, 25, 27, 58 and 94**. Some progress has been made but no consensual proposal on the paragraphs was achieved yet. During the first two informal meetings, members worked on a proposal for **Paragraph 11**. During the third meeting, members expressed diverging views on **Paragraph 21**: some members specified that they would agree to keep it only if it contains a reference to CBDR-RC, while others were against this inclusion and expressed their wish to delete the whole Paragraph. Other members were opposed to this proposal and wanted to keep the Paragraph with its reference to the precautionary approach.

The **Chairperson** thanked the Delegations of The Netherlands and Chile for having led this group, and all the Delegations who took part in the informal meetings, and invited the Working Group to move to **Paragraph 11**.

Paragraph 11

The **Rapporteur** reminded the Group that changes to **Paragraph 11** were meant as an attempt to deal with the inclusion of a reference to the Paris Agreement, the UNFCCC and the CBDR-RC principle. She recalled that, at the beginning of their discussions, while discussing **Paragraph 2**, members shared the feeling that this principle could ideally be better dealt with in **Paragraph 11**, which was also the view of the Panel of experts. The Rapporteur emphasized that the joint proposal on this Paragraph captures well the previous discussions of the Group as it presents a concise way to link the Decision of the World Heritage Committee with the reference to the Paris Agreement and the UNFCCC and the CBDR-RC without any additional interpretation.

However, some Delegations stated that they consider all the above-mentioned list of open paragraphs (i.e., **11, 21, 25, 27, 58 and 94**) as a package and would therefore not agree to adopt **Paragraph 11** without an agreement on all the paragraphs under discussion first. In their view, the principle of CBDR-RC should only be referred to in this very Paragraph 11. Other members disagreed with this interpretation and asked for this Paragraph to be immediately adopted.

The **Chairperson** proposed to keep **Paragraph 11** in [brackets] and wait for the other open paragraphs to be revised in order to adopt them all together as a package, provided that **Paragraph 11** will not be reopened for discussion in order to preserve the work that has been done by the informal group.

The adoption of Paragraph 11 is pending until Paragraphs 21, 25, 27, 58 and 94 are agreed upon and ready to be adopted.

Paragraph 21

The debates over **Paragraph 21**, which describes one of the Guiding Principles of the Policy Document, focused on the precautionary approach. At first, a broad support was expressed to retain the original Paragraph as it was recommended by the Panel of experts, and the reference to the adoption of the precautionary approach, but only as an encouragement.

Regarding the Paris Agreement-related language, the **Chairperson** suggested keeping the text as short and simple as possible and proposed to have a full stop after “*climate vulnerability*”, which was supported by a number of delegations. However, some of them requested keeping the last sentence as it is reflecting the essence of the precautionary approach. Although a direct reference to the World Heritage Convention was felt not necessary since the Policy Document is intrinsically set in the World Heritage context, some members asked for such a clarification to be added. Thus, a short reference to the “*World Heritage properties*” was proposed at the end of the Paragraph.

As it was decided for Paragraph 11, **Paragraph 21** is agreeable to the group but remains in [brackets] and will be adopted once all the other open paragraphs are validated, especially after considering the other Guiding Principle set out in Paragraph 25.

The adoption of Paragraph 21 is pending until Paragraphs 11, 25, 27, 58 and 94 are agreed and ready to be adopted.

Paragraph 25

The Working Group debated **Paragraph 25** at length. Participants mainly focused on the inclusion, or not, of the CBDR-RC principle and the best way to do so, regarding global partnership inclusion and solidarity.

While some States Parties suggested keeping the text as it was originally proposed by the Panel of experts, other strongly disagreed with the inclusion of the CBDR-RC principle in this Paragraph, stating that this principle should be applied in the climate change context and not in the World Heritage context and that its reference in Paragraph 11 is sufficient. Some delegations requested to keep a clear reference to CBDR-RC in this Paragraph. A broad support was expressed in favor of keeping the text as recommended by the Panel.

Several options emerged from these diverging views for the first section of this Paragraph: a) keeping the original text with a clear reference to the CBDR-RC principle; b) adding a cross-reference to Paragraph 11 of the Policy Document instead of a reference to the CBDR-RC principle and removing the references to the UNFCCC and the Paris Agreement; and c) reaffirming the CBDR-RC principle “*in line with the commitments under the UNFCCC and the Paris Agreement*”.

As no consensus was reached, the **Chairperson** suggested to move forward and suggested that willing members of the Working Group conduct informal discussions to elaborate a consensual text.

Paragraphs 25 will continue to be discussed by interested members during informal discussions.

Paragraph 27

The Working Group had a long discussion on **Paragraph 27** and focused on the World Heritage Climate Action Goals and the inclusion, or not, of the UNFCCC and the Paris Agreement and the levels of both the climate-related texts required and the measures to be adopted (local-, national-, international levels). The Paragraph is composed by a “**chapeau**” **text** and a list of four goals. Although the Panel of experts focused on **Goal 3**, some Delegations opened the floor on other parts of the text.

The first focus of the debate was on the inclusion, or not, of the UNFCCC and the Paris Agreement. Regarding **Goals 2 and 3**, one Delegation highlighted that it is crucial to stay coherent with the language used in Paragraph 11 and to indicate that the Goals are “*in line with the Paris Agreement, adopted under the UNFCCC*”. After a clarification, the Delegation author of these amendments was flexible to integrate this reference in the “**chapeau**” text instead of putting it in **Goals 2 and 3**, which was agreed by the Working Group members.

The second focus of the debate was on the context in which the goals are set. The Group had a lengthy discussion regarding the reference to the “*international level*” in the “**chapeau**” text, **Goal 2** and **Goal 3**. One Delegation requested the deletion of this reference to the international level, while others strongly insisted on the importance to keep it in order to stay consistent with the World Heritage context. To consensually address this issue within the “**chapeau**” text, some members suggested to refer to “*local, national and agreed international climate policy instruments*” and to insist on the “*different*” national circumstances, instead of referring to either “*the implementation of local, national and international climate related policy instruments*” or “*climate related policies*”. A Delegation still expressed its wish to link the two first sentences of the “**chapeau**” text by saying “*...policies, and these goals should...*”. A clarification was also added in several parts on the fact that the measures to be adopted by the States Parties should be made “*in line with their*” Nationally Determined Contributions (NDCs).

The Group being close to reach a consensus on the “**chapeau**” text, the Chairperson suggested that the Rapporteur could consolidate this Paragraph as much as possible to provide the Group with some consensual alternatives on the aspects that remain open, namely the issue on wording “*instruments*” or “*policies*”, as well as some clarifications regarding the means to implement these “*goals*”. **Goal 2** was left in [brackets] pending the finalization of the other Goals and the “**chapeau**” text of Paragraph 27. **Goal 3** however needs further discussion, notably due to an amendment proposed by a Delegation and aiming integrating comprehensive mitigation frameworks in the countries’ NDCs.

The discussion on Paragraph 27 was adjourned to the next meeting of the Open-ended Working Group.

Paragraph 58

A proposal was made on **Paragraph 58** by a Delegation to remove the reference to CBDR-RC, and which goes as follows: “*..., in line with the aforementioned guiding principles of this policy*”. The little time remaining at this point of the meeting was not sufficient to allow the Group to discuss this proposal or to make further amendments, and the discussion on this Paragraph was postponed to the next meeting of the Group.

The discussion on Paragraph 58 was adjourned to the next meeting of the Open-ended Working Group.

Closing of the meeting

The **Chairperson** thanked the members of the Working Group for their contributions. She added that the next and last meeting of the Open-ended Working Group, which was initially due to take place on **Monday 3 July**, will have to be rescheduled to another day. She clarified that a new date is going to be defined by the Secretariat and transmitted to all members of the Working Group. In response to this change of date, some members expressed their wish that the meeting will still happen on that same week, at the beginning of July.

A Delegation asked a clarification on the way to move forward, as the informal group was no longer in operation. Since some members of the Working Group expressed their wish to carry informal discussions, it was agreed that the most up-to-date version of the Policy Document, as discussed during the 6th meeting of the Open-ended Working Group, would be made available to the Group in the best delays via emails and the dedicated webpage.

The **Chairperson** closed the meeting at 5:35 pm.