

AMENDMENT/PROPOSAL

Agenda Item	L'viv – the Ensemble of the Historic Centre (Ukraine) (C 865bis)
Draft Decision	46 COM 7A.5
Submitted by the Delegation of:	Kazakhstan
Co-author(s) (if any)	
Date of submission	22.07.2024

TEXT

Draft Decision: 46 COM 7A.5

The World Heritage Committee,

1. Having examined Document WHC/24/46.COM/7A.Add,
2. Recalling Decision 45 COM 7B.60, adopted at its extended 45th session (Riyadh, 2023),
3. Deplores the ~~Russian's Federation's full-scale invasion of~~ prevailing war in Ukraine and the loss of human life;
4. Commends the State Party for its strong commitment to the protection of the World Heritage property 'L'viv – the Ensemble of the Historic Centre', in particular for having taken various protective measures, and reiterates its utmost concern at the potential threats facing the property due to the ongoing war;
5. Renews its call on all Parties to refrain from any action that would cause direct or indirect damage to the property and its buffer zone and wider setting, as well as to cultural heritage in Ukraine overall, in particular to its World Heritage properties and their buffer zones and wider settings, as well as sites included on the Tentative List of Ukraine, and to fulfil their obligations under international law, including Article 6 of the World Heritage Convention;
6. Welcomes the various actions undertaken by UNESCO and the Advisory Bodies to assist Ukraine in protecting and safeguarding the property and, more generally, of cultural

heritage throughout its territory within its internationally recognised borders, including through awareness-raising and capacity-building activities, and encourages further assistance and support, including to develop a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR) and a set of corrective measures along with a timeframe for their implementation, for adoption by the Committee at its 47th session, as well as a Management Plan for the property, including an emergency preparedness and risk mitigation plan, while noting that this process may be hampered by the ongoing war and its unforeseeable consequences;

7. Encourages furthermore the State Party to continue to take all possible measures to protect its cultural and natural heritage threatened by the war, in particular its World Heritage properties, including their buffer zones and wider settings, and sites included in the Tentative List;
 8. Also calls on the international community to cooperate in the fight against illicit trafficking of cultural property coming from Ukraine, to continue to support the safeguarding of Ukraine's cultural and natural heritage, and to ensure, where applicable, that its support is implemented in full compliance with the provisions of the World Heritage Convention and its Operational Guidelines;
 9. Expresses its concern about the potential negative impact of the hotel project at 9 Adam Mickiewicz Square, within the property, on its Outstanding Universal Value (OUV) and requests an immediate halt to the construction works and a redesign of the project to ensure that it does not have a negative impact on the property's OUV;
 10. Expresses further concern that the planning and management systems in place at the property have allowed this development to occur, recommends that these systems be strengthened and made consistent with the objective of maintaining the OUV of the property and implementing the 2011 Recommendation on the Historic Urban Landscape; reiterates its request to the State Party to ensure that any adopted and planned legislative amendments do not have a negative impact on the fulfilment of its obligations under the 1972 World Heritage Convention and to submit them to the World Heritage Centre for review by the Advisory Bodies before they are enacted, and invites the State Party to take full advantage of the ongoing assistance provided by UNESCO, at the request of the Ministry of Culture and Information Policy, to improve the regulatory framework for cultural heritage in Ukraine, in particular through a legal analysis and systematisation of national normative acts governing the protection of cultural property, to ensure alignment with relevant international standard-setting instruments;
 11. Takes note of the Historical and Architectural Reference Plan of L'viv approved by the Ministry of Culture and Information Policy and requests the State Party to submit this documentation to the World Heritage Centre for review by ICOMOS;
 12. Finally requests the State Party to submit to the World Heritage Centre, by 1 February 2025, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 47th session;
 13. Decides to retain L'viv – the Ensemble of the Historic Centre (Ukraine) on the List of World Heritage in Danger
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Explanatory note

The rationale behind the proposed amendment is as follows:

- it should be reasonable for this Committee to remain faithful to the language that was proposed by the Advisory bodies and approved by the Committee's consensus, as reflected in the previous decisions on this issue ten months ago in Riyadh, namely, 45 COM 7B.59 (<https://whc.unesco.org/en/decisions/8335>) and 45 COM 7B.60 (<https://whc.unesco.org/en/decisions/8334>).
- other UN bodies including the UN General Assembly and the UN Security Council may have more relevant competences to rule on these matters.
- the decisions if adopted in the initial draft would set a precedent provoking other State Parties to address other conflicts in a similar manner.