



AMENDMENT/PROPOSAL

Agenda Item	The Historic Centre of Odesa (Ukraine) (C 1703)
Draft Decision	46 COM 7A.6
Submitted by the Delegation of:	Kazakhstan
Co-author(s) (if any)	
Date of submission	22.07.2024

TEXT

Draft Decision: 46 COM 7A.6

The World Heritage Committee,

1. Having examined Document WHC/24/46.COM/7A.Add,
2. Recalling Decision 18 EXT.COM 5.2 adopted at its 18th extraordinary session (UNESCO, 2023),
3. Deplores the prevailing war in Russian Federation's full-scale invasion of Ukraine and the loss of human life and expresses its utmost concern at the increasing ascertained and potential threats facing the property;
4. Appreciates the commitment of the State Party to the protection of the World Heritage property 'The Historic Centre of Odesa', in particular through the various protective measures taken, including the documentation, stabilisation, repair and restoration work of damaged cultural heritage buildings, and invites the State Party to continue to take all possible measures to protect the property and, in general, its cultural and natural heritage threatened by the war, in particular its World Heritage properties, including their buffer zones and wider settings, as well as the sites included in the Tentative List;
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 progress made by the State Party in the implementation of the Committee's previous decision, despite the difficult circumstances, and requests the State Party to continue to implement the remaining recommendations with due diligence, as permitted by the current circumstances, and to take full advantage of the ongoing assistance provided by UNESCO and the Advisory Bodies, including under the World Heritage Fund;

7. Takes note of the submission by the State Party of the map of the property, as requested by the Committee in its previous decision, and considers this to be consistent with the boundaries of the property as inscribed;

8. Reiterates its recommendation to the State Party, made in its previous decision, to give urgent consideration to extending the buffer zone of the property and setting out how it will be managed to support the Outstanding Universal Value (OUV) of the property, and further invites the State Party to submit, as soon as possible, a minor boundary modification reflecting the extended buffer zone;

9. Reiterates its call on the international community to continue to support the safeguarding of Ukraine's cultural and natural heritage, and further calls on the international community to ensure, where applicable, that its support is implemented in full compliance with the provisions of the World Heritage Convention and its Operational Guidelines, and to cooperate in the fight against illicit trafficking of cultural property from Ukraine;

10. Reiterates its concern that the risk preparedness measures for the property are not yet sufficient in terms of analysis of potential impacts of missile strikes on the building fabric and measures to address these impacts, and strongly encourages the State Party to give high priority to the development and urgent implementation of an emergency preparedness and risk mitigation plan, taking full advantage of the support that UNESCO and the Advisory Bodies can provide thanks to the support of the Government of Japan;

11. Notes with appreciation the invitation by the State Party for a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property and expresses its regret that this mission could not take place due to the ongoing security situation;

12. Also notes with appreciation the project 'Support for the Implementation of the Odesa Cultural Development Strategy' and requests that its outcomes be submitted to the World Heritage Centre;

13. Further notes with appreciation the granting of provisional enhanced protection under the Second Protocol of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict to three buildings in the property, and encourages the State Party to seek enhanced protection under the Second Protocol for other significant cultural heritage buildings in the property;

14. Reminds the State Party that major restorations or new constructions which may affect the OUV of the property should be notified to the World Heritage Centre as soon as possible and before making any decisions that would be difficult to reverse and that Heritage Impact Assessments of such projects should be undertaken following the methodology of the Guidance and Toolkit for Impact Assessments in a World Heritage Context, in accordance with paragraphs 172 and 118bis of the Operational Guidelines respectively;

15. Also reiterates its request to the State Party to ensure that the adopted and planned legislative amendments do not have a negative impact on the fulfilment of its obligations under the 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 assistance to be provided by UNESCO, at the request of the Ministry of Culture and Information Policy, and thanks to the support of the Government of Japan, to improve the regulatory framework for cultural heritage in Ukraine;

16. Further reiterates its request to the State Party to prepare, in consultation with the World Heritage Centre and the Advisory Bodies, 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, while noting that this process may be hampered by the ongoing war and its unforeseeable consequences;

17. 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;

18. Decides to retain The Historic Centre of Odesa (Ukraine) on the List of World Heritage in Danger

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.