

### 2EXT.GA

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## UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

SECOND EXTRAORDINARY SESSION OF THE GENERAL ASSEMBLY OF STATES PARTIES TO THE CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

> Paris, UNESCO Headquarters 17 March 2025

#### Item 3 of the Provisional Agenda:

Modalities for the organization of the 25th session of the General Assembly of States Parties to the World Heritage Convention in 2025

INF.3. Background information for the organization of the 25th session of the General Assembly of States Parties to the World Heritage Convention in 2025

#### **SUMMARY**

This document presents some background information regarding the holding of the 25th session of the General Assembly of States Parties to the World Heritage Convention in 2025, including some practice and past examples, whenever relevant or applicable, some envisaged options as well as the legal framework, related benefits and challenges, for the information of States Parties.

#### I. PLACE OF THE 25TH SESSION OF THE GENERAL ASSEMBLY

- 1. There is no provision in the text of the Convention requiring that the General Assembly be held in the same place as the UNESCO General Conference.
- 2. As mentioned above, Rule 5.3 of the Rules of Procedure of the General Assembly states that "Ordinary and extraordinary sessions shall be held **at the Headquarters of UNESCO**, unless the Assembly decides to meet elsewhere" (emphasis added).
- 3. During its 24th session in November 2023, the General Assembly did not decide that the 25th session shall be held in another place than Headquarters.
- 4. There are several precedents, prior to the adoption of the 2023 Rules of Procedure of the General Assembly, in which the General Assembly has been organized away from the Headquarters of UNESCO during the sessions of the General Conference:
  - a) 1st session of the General Assembly: 26 November 1976, Nairobi, Kenya (25 out of 26 States Parties present; 96%)<sup>1</sup>;
  - b) 3rd session of the General Assembly: 7 October 1980, Belgrade, Yugoslavia (48 out of 53 States Parties present; 90%)<sup>2</sup>;
  - c) 5th session of the General Assembly: 4 November 1985, Sofia, Bulgaria (68 out of 87 States Parties present; 78%)<sup>3</sup>.

It should be noted that all these precedents are quite old, at times in which the Convention had fewer States Parties. The General Assembly has always been held at the Headquarters of UNESCO after 1985.

5. Any decision to hold the 25th session of the General Assembly outside the Headquarters of UNESCO would require a decision of the General Assembly, in accordance with Rule 5.3. This would in turn require the convening of an extraordinary session of the General Assembly in conformity with Rule 4.2.4

#### II. DATES OF THE 25TH SESSION OF THE GENERAL ASSEMBLY

6. As mentioned above, the Convention provides that the States Parties to the Convention shall meet in General Assembly "during the ordinary session of the General Conference" of UNESCO.

Background information for the organization of the 25th session of the General Assembly of States Parties to the World Heritage Convention in 2025

At the time of the 1st session of the General Assembly, the States Parties had not yet adopted any Rules of Procedure for the General Assembly. The first Rules of Procedure were adopted during this first session in 1976 (Document <a href="SHC-76/CONF.014/COL.02">SHC-76/CONF.014/COL.02</a>). The text adopted contained no provision related to the date and place of the General Assembly.

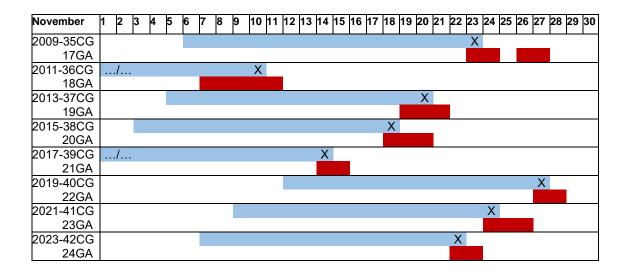
There was no provision in the Rules of Procedure of the General Assembly in force at the time of this 3rd session related to the date and place of the General Assembly (Document WHC/GA/1, adopted in 1978).

There was no provision in the Rules of Procedure of the General Assembly in force at the time of this 5th session related to the date and place of the General Assembly (Document WHC/GA/1, adopted in 1978).

<sup>&</sup>lt;sup>4</sup> Rule 4.2 of the Rules of Procedure of the General Assembly states that "[t]he Assembly shall meet in extraordinary session if it so decides or at the request of at least one third of the States Parties."

7. Nonetheless, since 2009, due to the number of States Parties having ratified the Convention (186 at that time) being close to the number of UNESCO Member States, and considering the heavy agenda of participants to the General Conference -notably to the Culture Commission-, especially coming from Small Islands Developing States (SIDS) and Least Developed Countries (LDCs), the practice has been to officially open the sessions of the General Assembly in the last day of the General Conference and to continue the work **after** the closure of the General Conference, as follows:

	General Conference (CG) <sup>5</sup>	General Assembly (GA) <sup>6</sup>
2009	35th session: 6-23 October	17th session: 23-24 and 26-28 October
2011	36th session: 25 October - 10 November	18th session: 7-11 November
2013	37th session: 5-20 November	19th session: 19-21 November
2015	38th Session: 3-18 November	20th session: 18-20 November
2017	39th session: 27 October - 14 November	21st session: 14-15 November
2019	40th session: 12-27 November	22nd session: 27-28 November
2021	41st session: 9-24 November	23rd session: 24-26 November
2023	42nd session: 7-22 November	24th session: 22-23 November



- 8. This implies that, since 2009, sessions of the General Assembly have not been held entirely "during the ordinary session of the General Conference" as foreseen in the Convention. However, such an established practice has not been put into question by the States Parties when receiving the invitation letters or at the time of the adoption of the timetable at the start of the sessions.
- 9. It is important to highlight that the General Assembly does not have the authority to suspend the application of the provisions of the Convention. The holding of the sessions partially outside the duration of the UNESCO General Conference, which has been followed without any objection, may be considered to be a practice in the application of the Convention establishing the agreement of the States Parties regarding its interpretation.

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<sup>&</sup>lt;sup>5</sup> See page <a href="https://www.unesco.org/en/general-conference/sessions?hub=420">https://www.unesco.org/en/general-conference/sessions?hub=420</a>

<sup>6</sup> See page https://whc.unesco.org/en/ga/

#### III. MANDATE OF MEMBER STATES OF THE WORLD HERITAGE COMMITTEE

- 10. Article 9.1 of the Convention states that Member States of the World Heritage Committee shall exercise their mandate "from the end of the ordinary session of the General Conference at which they were elected until the end of its subsequent third ordinary session".
- 11. At its 25th session in 2025, the General Assembly will be called upon, *inter alia*, to replace the outgoing members of the World Heritage Committee, in conformity with Rule 35 of its Rules of Procedures. The following 12 States Parties, which were elected in 2021 for a 4-year mandate<sup>8</sup>, will be outgoing at the end of the 43rd session of the General Conference: Argentina, Belgium, Bulgaria, Greece, India, Italy, Japan, Mexico, Qatar, Rwanda, Saint Vincent and the Grenadines, and Zambia.

#### IV. SCENARII ENVISAGED

12. Several options for the organization of the 25th session of the General Assembly could theoretically be envisaged in relation to the holding of the 43rd session of the General Conference (43CG), as follows.

#### A. Entirely before 43CG at UNESCO Headquarters

- 13. The holding of the session prior to the General Conference would mean that it should not coincide neither with the 47th session of the World Heritage Committee (6-16 July 2025), with the MONDIACULT 2025 Conference (29 September-1 October 2025), nor with the Automn session of the UNESCO Executive Board (tentatively from 1-15 October 2025). Subsequently to the Executive Board session would be the time when all UNESCO Member States (which are also all States Parties to the World Heritage Convention) would be in full preparation of their attendance of the General Conference, including the Culture Commission.
- 14. For this reason, and the inconvenience it could pose to Member States in terms of calendar, this option has not been explored further and was not proposed to the Secretariat as an option to consider during the consultation process.

#### B. Entirely during 43CG, but at UNESCO Headquarters

- 15. In this scenario, the session of the General Assembly would be held at UNESCO Headquarters in parallel to the 43rd session of the General Conference, which will be held in Samarkand, Uzbekistan, as was decided<sup>9</sup>. This would pose serious logistical challenges to ensure the participation of all States Parties representatives to both sessions on an equal footing.
- 16. For this reason, such an option has not been explored further and was not proposed to the Secretariat as an option to consider during the consultation process.

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<sup>&</sup>lt;sup>7</sup> In view of the voluntary reduction of the term of office from 6 to 4 years, the term of office runs until the end of the second subsequent session, in practice.

<sup>8</sup> See Document WHC/21/23.GA/INF.5A.Rev.2 and Resolution 23 GA 5

<sup>9</sup> See Resolution <u>42C/82</u>

#### C. Entirely during 43CG in Samarkand, Uzbekistan

- 17. As stated in Paragraph 11 above, holding part or the entirety of the 25th session of the General Assembly outside UNESCO Headquarters would require a specific decision by the General Assembly, in accordance with Rule 5.3 of its Rules of Procedure, which states that "Ordinary and extraordinary sessions shall be held at the Headquarters of UNESCO, unless the Assembly decides to meet elsewhere".
- 18. Moreover, holding the 25th session of the General Assembly entirely during the 43CG would have an impact on the availability of the representatives of States Parties themselves, already fully mobilized by the work of the General Conference.
- 19. Furthermore, in these circumstances, only a very limited number of members of the UNESCO Secretariat will be present in Samarkand, Uzbekistan, for specific tasks entirely dedicated to the 43rd session of the UNESCO General Conference. Due to the unforeseen financial implications this would represent for UNESCO, no additional staff member of the Secretariat would be able to travel to Uzbekistan to organize and ensure the conduct of the 25th session of the General Assembly.
- 20. For these reasons, such an option has not been explored further but was however proposed by a State Party to the Secretariat as an option to consider during the consultation process.

# D. Partially during 43CG in Samarkand, Uzbekistan, and partially after at UNESCO Headquarters

- 21. As stated in Paragraph 5 above, holding part or the entirety of the 25th session of the General Assembly outside UNESCO Headquarters would require a specific decision by the General Assembly, in accordance with Rule 5.3 of its Rules of Procedure, which states that "Ordinary and extraordinary sessions shall be held at the Headquarters of UNESCO, unless the Assembly decides to meet elsewhere".
- 22. The holding the 25th session of the General Assembly in two parts would in any case also require a decision by the General Assembly, prior to the 25th session, regarding which provisional Agenda items would be proposed to be examined in Uzbekistan and which ones would be left for the second part of the session to be held at UNESCO Headquarters.
- 23. This option was proposed by several States Parties to the Secretariat as an option to consider during the consultation process.
- 24. On 17 January 2025, the State Party of Uzbekistan informed the Secretariat that it stands ready to accommodate and facilitate the smooth conduct of the opening of the 25th session of the General Assembly in Samarkand, during the 43rd session of the UNESCO General Conference.

#### E. Entirely after 43CG at UNESCO Headquarters

- 25. This session of the General Assembly would be held at UNESCO Headquarters, allowing the usual participation of States Parties experts and members of Permanent Delegations.
- 26. The holding of the session after the General Conference could only take place once all representatives of States Parties having attended the General Conference in Uzbekistan have come back to Paris, and after the 223rd session of the UNESCO Executive Board, which will be held after the General Conference for the election of the Bureau of the Executive Board and establish its Commissions and Committees. It should also be organized sufficient time prior the holding of the session of the 20th session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (from 8 to 13 December 2025, in New Delhi, India). The week of 24 November 2025

- could be envisaged. The entire Secretariat of the World Heritage Convention would also be able to attend and provide assistance to the organization of the session.
- 27. As stated in Rule 35.1a) of the Rules of procedure of the General Assembly, "[t]he Secretariat shall ask all States Parties, at least three months prior to the opening of the General Assembly, whether they intend to stand for election to the World Heritage Committee. If so, its candidature should be sent to the Secretariat at least six weeks prior to the opening of the General Assembly." The postponed holding of the session would increase the time available for States Parties to develop and submit their candidatures to the election of the members of the World Heritage Committee, which take place during the session of the General Assembly.
- 28. On the other hand, the holding of the General Assembly a few days after the 43rd session of the General Conference would imply, by virtue of Article 9.1, a vacancy of 12 posts on the Committee for a few days. Such vacancies of a few days have already occurred in the past, without this causing any difficulty. Indeed, in 2009 and 2021, the elections of the new members of the Committee took place respectively three days and one day after the closure of the General Conference, without the question of the vacancy of these positions in the Committee having been raised.
- 29. This option was proposed by several States Parties to the Secretariat as an option to consider during the consultation process.

#### V. CONCLUSION

- 30. In the face of such specific legal, logistical and organizational constraints, it is essential that all the States Parties reach a consensus on the most appropriate option for organizing the 25th session of the General Assembly in 2025.
- 31. In their reflection, States Parties should take into consideration the following aspects:
  - a) The existing applicable legal framework regarding the dates and place of the 25th session of the General Assembly,
  - b) The need to adopt pragmatic solutions, that also take into account logistical constraints.
  - c) The equitable participation of all States Parties, by minimizing logistical obstacles, especially for countries from UNESCO priority groups,
  - d) The alignment, as far as possible, of the dates of the session with those of other major UNESCO events taking place in the second semester of 2025.
- 32. In conclusion, the organization of the 25th session of the General Assembly will require a balanced approach between statutory obligations and pragmatic solutions adapted to the unique context of 2025.