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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
ORGANIZATION

CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Twenty-ninth Session

Durban, South Africa

10-17 July 2005

Item 17 of the Provisional Agenda: Report on the Use of the World Heritage Emblem

SUMMARY

By Decision 7 EXT.COM 14, the World Heritage Committee called on the World Heritage Centre to take action regarding a) the status of the protection of the World Heritage emblem without the UNESCO emblem and b) the need for more consistency in dealing with requests to use the World Heritage emblem notably as regards the involvement of the States Parties concerned. The World Heritage Centre presents the following:

- I. A table including information only on requests to use the World Heritage emblem made between August 2004 and April 2005, and granted by the Director of the World Heritage Centre in conformity with paragraph 278 of the *Operational Guidelines* (2005). It should be noted that any other requests made directly to the World Heritage Centre were re-directed, as requested by the World Heritage Committee, to the States Parties concerned, either through their UNESCO National Commission or through another national authority that may have been appointed as focal point responsible for dealing with World Heritage emblem issues.
- II. A progress report on steps taken and measures applied by WIPO as pertains to the circulation of an amendment to the communication issued by WIPO concerning the protection of the World Heritage emblem.

Draft Decision : 29 COM 17, see point III

I. TABLE OF REQUESTS TO USE THE WORLD HERITAGE EMBLEM GRANTED BY THE WORLD HERITAGE CENTRE

1. The information provided in the table below covers all requests granted directly by the Director of the World Heritage Centre for the period of August 2004 to April 2005.
2. It should be noted that the treatment of the requests made and granted before December 2004 as shown in the table below, does not reflect discussions on the subject of the emblem held during the 7th Extra-ordinary session of the World Heritage Committee (UNESCO, 2004). These discussions highlighted, in particular, the need to involve States Parties on a more systematic basis by referring requests to use the emblem for projects dealing with sites in one country to the State Party concerned.
3. Prior to this debate, when solicited by a local authority or a site management authority, the World Heritage Centre had granted requests on the basis of the section entitled “Increasing Proper Uses of the Emblem” in Annex 3 of the former text of the *Operational Guidelines* (now Section VIII.D). This section (text unchanged in the new version of the *Operational Guidelines*) specifically calls on national authorities to “encourage World Heritage properties to make a broad use of the Emblem (...)”. Requests made to the World Heritage Centre by National Commissions or other local/national authorities in support of projects that concern World Heritage sites situated in the requesting country after December 2004 have therefore not been included. These requests have been referred back to the country concerned with advice on the authorization process, and the decision to grant or refuse the use of the World Heritage emblem was not necessarily made known to the World Heritage Centre. As a result, future reports to the Committee on uses granted will be limited to the activity of the World Heritage Centre in that regard.
4. The World Heritage Centre would like to recall that the decisions to grant or refuse the use of the emblem that are made by the Director of the World Heritage Centre cover requests made by parties including national authorities and National Commissions for UNESCO in accordance with the Principles and Guidelines for the use of the emblem provided for in the *Operational Guidelines* (both former and revised), notably for projects that involve sites in more than one country.
5. Given that the World Heritage emblem is often requested to be used together with the UNESCO emblem, the World Heritage Centre would like to draw the Committee’s attention to item 47 of the 171st session of the Executive Board and document 171EX/37 ‘Report by the Director-General concerning the Protection of the Name and Logo of UNESCO in the Member States’. This document presents an analysis of the institutional framework currently governing the name and logo of UNESCO and the main problems identified in that regard, and draft directives governing the use and granting of the logo. The presentation made by the Secretariat also included information on how the UNESCO name and logo is proposed to be used graphically in the future, notably together with other emblems representing programmes of the Organization as well as with partner organizations. The Executive Board has requested further consultation with National Commissions for UNESCO on the subject of guidelines for the use of the UNESCO logo. A report, including a study on

the rights of use and authorization of Internet domain names of the Organization, will be submitted to the 172nd session of the Executive Board.

Date of request	Requesting party	Project description and proposed use of World Heritage (WH) emblem	Justification and observations
24-Aug-04	Mapungubwe Cultural Landscape, South Africa	To use the UNESCO and WH emblems on signage at the WH site.	Former <i>Operational Guidelines (OG)</i> 'Increasing proper uses'
24-Sept-04	Crown Agents Stamp Bureau, UK	To reproduce the WH emblem on a special set of commemorative postage stamps for Gough and Inaccessible Islands.	Former OG Principle (5) Request supported by the Architecture and Historic Environment Division, DCMS, UK
28-Sept-04	Heritage Division Department of the Environment and Heritage, Australia	To include the UNESCO and WH emblems on the signage of the Royal Exhibition Building and Carlton Gardens.	Former OG 'Increasing proper uses'
7-Oct-04	Maison de la France à Paris (Service Editions), France	To include the WH emblem on World Heritage map of France.	Former OG Principles (2) (5) (7) Request supported by the French National Commission for UNESCO
7-Oct-04	Finnish ASP Network (Associated Schools)	To publish the WH emblem in a calendar of WH sites	Former OG Principles (2) (5) Request supported by Permanent Delegation of Finland to UNESCO
14-Oct-04	Shell Foundation, UK	To print on posters produced for the IUCN World Conservation Congress focusing on business skills transfer (programme developed with IUCN Asia and UNESCO) and the IUCN-Shell-UNESCO partnership.	Former OG Principles (1) (6) Partnership with Shell Foundation supported by UK
20-Oct-04	English Heritage, UK (Request received via UK National Commission)	To print the WH emblem on fundraising materials for the Stonehenge Project.	Former OG 'Increasing proper uses' and Principle (1) Request supported by Permanent Delegation of UK to UNESCO

Date of request	Requesting party	Project description and proposed use of World Heritage emblem	Justification and observations
21-Oct-04	Routard.com, Internet site of 'Guide du Routard' guidebooks, France	To establish a link between this website and the WH website to offer more visibility to the web page developed by Routard.com entitled 'Le patrimoine de l'UNESCO, nos 80 coups de coeur' referring specifically to a selection of WH sites.	Former OG Principle (2)
27-Oct-04	Tourism Service of the Townhall of Weymouth & Portland, UK	To use the WH emblem together with a text about Dorset and East Devon Coast (UK) on the "Weymouth & Portland Holiday Guide 2005" published in 100,000 copies.	Former OG 'Increasing proper uses' and Principle (7)
28-Oct-04	Cultural Agency, Ministry of Education, Culture, Sports, Science and Technology (MEXT), Japan	To print the WH emblem in a non-commercial calendar featuring all Japanese WH sites.	Former OG 'Increasing proper uses'
16-Nov-04	English Heritage, UK	To use the WH emblem in a free publication 'Hadrian's Wall Magazine' featuring information on World Heritage.	Former OG 'Increasing proper uses' and Principle (1) Request supported by UK National Commission for UNESCO
9-Dec-04	The Research Center for Disaster Mitigation of Urban Cultural Heritage (DMUCH), Ritsumeikan University, Japan	To use the WH emblem to link the WH website to the web page about the thematic meeting between UNESCO/ICCROM/Agency for Cultural Affairs of Japan on Cultural Heritage Risk Management (19 January 2005)	Former OG Principles (1) (6)
8-Feb-05	DOCOMOMO, France	To publish the WH emblem in the book on the occasion of the 7th International DOCOMOMO Conference "The Reception of Architecture of the Modern Movement: Image, Use, Heritage"	Revised OG Section VIII.E Para 275 b)

II. PROGRESS REPORT ON THE STATUS OF THE PROTECTION OF THE WORLD HERITAGE EMBLEM

6. Decision 7 EXT.COM 14 relating to the protection of the World Heritage emblem shows that the Committee has expressed concern and raised questions about the manner in which the request to protect the World Heritage emblem had been made to WIPO. Indeed, the original request to WIPO included the UNESCO and World Heritage emblems side by side. This automatically associated the two emblems.
7. The World Heritage Centre, in association with UNESCO's Legal Advisor, was asked to obtain clarification from WIPO as to how the communication initially prepared (with UNESCO and WH emblems together) should be interpreted and take appropriate action to correct any possible misinterpretation in order to make certain that the protection of the World Heritage emblem alone was adequate.
8. The World Heritage Centre was further requested to take action in order to ensure the protection of the World Heritage emblem with or without text and request that protection offered through the Paris Convention be extended to the words "World Heritage" when situated around the emblem in any language.
9. It was of the view of the Legal Advisor that a solution could be identified in consultation with WIPO. Following discussions between representatives of the Office of the Legal Advisor of UNESCO and WIPO, a letter was prepared by UNESCO and sent to Dr Ernesto Rubio, Assistant Director-General of WIPO, on 19 April 2005 (copy below). This letter suggests that an amendment to the initial circulars (C6898 and C6900) sent by WIPO to their States Parties on 21 May 2003 regarding the protection of the World Heritage emblem (ref: WHC-04/7EXT.COM/14.Corr) should be prepared and circulated thus clarifying the issue. In response, WIPO communicated to its States Parties - by letters dated 20 May 2005 (C7157, C7155) - the amendment as proposed by UNESCO, confirming in doing so that the World Heritage emblem is now registered alone. Copies of these letters will be made available to the Committee during the 29th session.
10. Since WIPO has confirmed the registration of the World Heritage emblem under Article 6ter of the Paris Convention for the Protection of Industrial Property, the Committee may wish to consider amending the text referring to the protection of the World Heritage emblem in the *Operational Guidelines* (paragraph 263) as appropriate.



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Dear Mr. Rubio,

19 April 2005

Further to the note verbale from of the Director-General of UNESCO and the Director of the UNESCO's World Heritage Centre dated 23 April 2003 addressed to the World Intellectual Property Organization (WIPO), and further to WIPO's circular letters dated 21 May 2003 (C. 6898 and C.6900) whereby the name and emblem of the "Convention concerning the Protection of the World Cultural and Natural Heritage" were communicated in pursuance of Article 6ter (1)(b) and (3)(b) of the Paris Convention for the Protection of Industrial Property, I wish to request that WIPO communicate, under Article 6ter (3)(b) of the Paris Convention, the present letter so as to clarify that the emblem as reproduced hereunder constitutes the sole emblem of the "Convention concerning the Protection of the World Cultural and Natural Heritage" whose protection is requested under Article 6ter of the aforementioned Convention:



The emblem may also be encircled by the words "World Heritage" in one or more languages.

I would like to avail myself of this opportunity to renew the assurance of my highest consideration.

Sincerely yours,

Francesco Bandarin
Director
UNESCO World Heritage Centre

Dr. Ernesto Rubio
Assistant Director-General
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

III. DRAFT DECISION

Draft Decision : 29 COM 17

The World Heritage Committee,

1. Having examined Document **WHC-05/29.COM/17**,
2. Recalling Decisions **26 COM 15** adopted at its 26th session (Budapest, 2002) and **7 EXT.COM 14** adopted at its seventh extraordinary session (UNESCO, 2004),
3. Takes note of the Annual Report on the uses of the World Heritage emblem that have been granted included in Document WHC-05/29.COM/17;
4. Further notes with satisfaction that the graphics of the World Heritage emblem, by itself, as well as the graphics of the emblem with the words in any language surrounding such graphics are now adequately registered under Article 6ter of the Paris Convention for the protection of industrial property, thus offering protection to the emblem in States Parties to the Paris Convention;
5. Requests the Director of the World Heritage Centre to report on new information pertaining to guidelines, procedures and visual representation of the UNESCO name and logo that may have bearing on the conditions of use of the World Heritage emblem.