

Distribution Limited

WHC-96/CONF.202/2A
Paris, 29 April 1996
Original: English

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

CONVENTION CONCERNING THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

BUREAU OF THE WORLD HERITAGE COMMITTEE

Twentieth session
UNESCO Headquarters, Paris, Room X (Fontenoy)

24-29 June 1996

Item 4.1 of the provisional agenda: Methodology and procedures for the monitoring and reporting on the state of conservation of properties inscribed on the World Heritage List

SUMMARY

In accordance with the decision of the World Heritage Committee at its nineteenth session the Secretariat submits herewith a draft report on monitoring and reporting on the state of conservation of properties inscribed on the World Heritage List.

Decisions required:

para 7: The Bureau is requested to examine the draft report on monitoring and reporting in ANNEX I for submission to the twentieth session of the World Heritage Committee for approval and for subsequent submission to the Eleventh General Assembly of States Parties.

para 14: The Bureau is also requested to consider a separate draft resolution to be submitted to the 29th General Conference of UNESCO concerning the application of Article 29 of the World Heritage Convention. A draft of this is attached as ANNEX II.

Background

1. Monitoring and reporting on the state of conservation of properties inscribed on the World Heritage List was discussed at length at the Tenth General Assembly of States Parties to the World Heritage Convention which was held in Paris on 2 and 3 November 1995. At the conclusion of the debate, the General Assembly decided to continue the debate at its eleventh session that will be held in 1997. The General Assembly requested the World Heritage Committee to prepare a report and a draft resolution on this matter for consideration at its next session (Summary Record of the Tenth General Assembly, November 1995, paragraph. 31).

2. Following this decision, the World Heritage Committee at its nineteenth session (Berlin, December 1995) initiated the preparation of these documents. The Committee also decided to include the matter of monitoring and reporting in its report to the 29th session of the General Conference of UNESCO (Report of the nineteenth session of the World Heritage Committee, December 1995, paragraph VII.53).

3. This implies that the matter of monitoring and reporting will have to be brought to the attention of both the Eleventh General Assembly of States Parties and the Twenty-ninth General Conference of UNESCO.

The Eleventh General Assembly of States Parties

4. The Tenth General Assembly of States Parties requested the Committee to prepare a report and a draft resolution on monitoring and reporting for consideration at its eleventh session. The Committee at its nineteenth session prepared a draft resolution on monitoring and reporting. It requested the Bureau to prepare at its twentieth session a report on this matter for consideration by the Committee at its twentieth session and subsequent submission to the Eleventh General Assembly.

5. In order to facilitate the work of the Bureau the Secretariat has prepared a first draft of this report which includes the draft resolution prepared by the World Heritage Committee. This draft report is attached as ANNEX I to this working document.

6. Upon approval by the Bureau, the draft report will be submitted to the World Heritage Committee at its twentieth session and, subsequently, to the Eleventh General Assembly of States Parties.

7. **Decision required:** The Bureau is requested to examine the draft report on monitoring and reporting in ANNEX I for submission to the twentieth session of the World Heritage Committee for approval and for subsequent submission to the Eleventh General Assembly of States Parties.

The 29th General Conference of UNESCO

8. Article 29 of the World Heritage Convention stipulates that the States Parties to the Convention shall, in the reports which they submit to the General Conference of UNESCO on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other actions which they have taken for the application of the Convention, together with details of the experience acquired in this field.

9. The draft resolution which the World Heritage Committee is expected to submit to the Eleventh General Assembly stipulates that reports on the state of conservation of World Heritage properties may be submitted in accordance with Article 29 of the Convention. In point 14, it suggests the General Conference of UNESCO to activate this article and to refer to the World Heritage Committee the responsibility to respond to the reports.

10. This would imply that States Parties' reports on the application of the Convention would also include reports on the state of conservation of World Heritage properties and that these reports would be responded to by the Committee.

11. In case the Eleventh General Assembly adopts the draft resolution, the suggestion to activate Article 29 of the Convention will have to be brought to the attention of the 29th General Conference of UNESCO in the form of a draft resolution. It is recommended that the World Heritage Committee includes such a draft resolution already in the report which it will submit to the 29th General Conference in accordance with Article 29.3 of the World Heritage Convention, it being understood that this resolution would have to be amended in order to reflect the discussions and decisions of the Eleventh General Assembly.

12. The General Conference would, through this resolution, be requested to delegate to the World Heritage Committee the authority to define, within the framework of the World Heritage Convention, the periodicity, form, nature and extent of the States Parties' reports and to respond them.

13. The Secretariat has prepared for examination by the Bureau, a first draft of such a resolution. This draft resolution is attached as ANNEX II. This draft follows the structure of the draft resolution prepared by the Committee for submission to the Eleventh General Assembly. Particular attention is drawn, however, to points 14 and 15 in which States Parties are requested to submit reports through the World Heritage Committee and in which the General Conference requests the Committee to define the periodicity, form, nature and extent of the reporting. Furthermore, in point 16 the General Conference would request the Committee to report on its findings in the reports which it submits to the General Conference in accordance with Article 29.3 of the Convention.

14. **Decision required:** The Bureau is requested to consider a separate draft resolution concerning the application of Article 29 for submission to the 29th General Conference of UNESCO, a draft of which is attached as ANNEX II. The Bureau may wish to examine this draft and submit it to the twentieth session of the World Heritage Committee for approval and for subsequent inclusion in the Committee's report to the Twenty-ninth General Conference of UNESCO.

DRAFT 29 APRIL 1996

Draft report on monitoring and reporting to be submitted by
the World Heritage Committee to the Eleventh General Assembly
of States Parties (Oct./Nov. 1997)

FOR EXAMINATION BY THE BUREAU OF THE WORLD HERITAGE COMMITTEE AT
ITS TWENTIETH SESSION (JUNE 1996)

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

ELEVENTH GENERAL ASSEMBLY OF STATES PARTIES TO THE
CONVENTION CONCERNING THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

Item xx of the provisional agenda: monitoring and reporting on
the state of conservation of properties inscribed on the World
Heritage List

SUMMARY

In accordance with the decision of the Tenth General Assembly of States Parties (paragraph 31 of the Summary Record of the Tenth General Assembly), the World Heritage Committee submits herewith a report and a draft resolution on the monitoring and reporting on the state of conservation of properties inscribed on the World Heritage List.

Decision required: The General Assembly may wish to adopt the draft resolution on monitoring and reporting submitted in paragraph 16 of this document.

Background

1. To ensure the efficient implementation of the World Heritage Convention it is essential that all the actors involved have access to up-to-date knowledge on the state of conservation of World Heritage properties. This is not only true for the national authorities and site-managers, in order to plan for preventive conservation, but also for the World Heritage Committee and its Secretariat, the UNESCO World Heritage Centre, to fulfil their functions in collaborating in the preservation of properties and enhancing international solidarity as set out in the Convention. In order to set priorities for international collaboration and emergency assistance the international community has to be kept informed of requirements at World Heritage properties.

2. Discussions on the most appropriate means to establish up-to-date information on World Heritage properties were initiated in 1982 and have continued since then at the sessions of the World Heritage Committee, the General Assembly of States Parties to the Convention and the General Conference of UNESCO. Numerous States Parties and experts, as well as the advisory bodies, were involved in this process. The work undertaken by the Working Group of States Parties on Monitoring and Reporting in 1987 and by the Strategic Planning Meetings held in 1992 constitute the main stages of it.

3. This process is described in detail in the report that the Chairperson of the World Heritage Committee submitted to the Tenth General Assembly of States Parties to the World Heritage Convention which was held in Paris on 2 and 3 November 1995.

4. Practical experiences in monitoring and reporting benefitted to the process, particularly those gained in the implementation of regional and national monitoring and reporting programmes and the different models that had been applied. In some cases for example the preparation of state of conservation reports was undertaken through United Nations activities such as the Regional Project for Cultural Heritage of UNDP and UNESCO for Latin America and the Caribbean, and a UNEP project for the Mediterranean. In other cases, the States Parties undertook the reporting by themselves or in collaboration with non-governmental organizations such as ICOMOS and IUCN or ICCROM. The World Heritage Committee examined at various occasions the results of these monitoring and reporting activities and concluded that they all resulted in credible state of conservation reports.

5. As a result of the above process and practical experiences, the World Heritage Committee reconfirmed at its eighteenth session in December 1994 the responsibility of the States Parties to monitor on a day-to-day basis the conditions of the properties and invited all States Parties to present periodic state of conservation reports to the World Heritage Committee.

6. The Tenth General Assembly examined the matter of monitoring and reporting under its agenda item 'New monitoring activities

related to World Heritage sites' against the background of the report and a draft resolution presented by the Chairperson of the World Heritage Committee as well as a number of draft resolutions that were submitted by States Parties. The report of the Chairperson of the World Heritage Committee and the draft resolutions are included in Annex II of the Summary Record of the Tenth General Assembly of States Parties to the Convention Concerning the Protection of the World Cultural and Natural Heritage.

7. The debate at the Tenth General Assembly is reflected in paragraphs 15 to 31 of the Summary Record of the Tenth General Assembly. As a conclusion, the Tenth General Assembly decided the following:

'As a conclusion, the General Assembly decided to continue the debate on the systematic monitoring and reporting on the state of conservation of World Heritage properties at the Eleventh General Assembly of States Parties that will be held in 1997. The General Assembly requested the World Heritage Committee to prepare a report and a proposed resolution for the eleventh session of the General Assembly of States Parties taking into account the discussions and experiences gained over the past years as well as the documents that had been presented to the Tenth General Assembly and the discussions thereon.'

8. In compliance with this decision, the matter of monitoring and reporting was again examined by the World Heritage Committee at its nineteenth and twentieth sessions. At these sessions, the World Heritage Committee studied the reporting procedures foreseen under the World Heritage Convention, defined the main principles of monitoring and reporting and prepared a draft resolution for submission to the Eleventh General Assembly of States Parties.

The reporting under Article 29 of the World Heritage Convention

9. The World Heritage Convention does not foresee any other reporting by States Parties than to the General Conference of UNESCO. Article 29 of the Convention states that "The States Parties to this Convention shall, in the reports which they submit to the General Conference (...) on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field."

10. It is the view of the Committee that the periodic reporting by the States Parties on the state of conservation of the properties on their territories would fall within the terms of Article 29 and that the General Conference could determine that

'the manner' of the reporting would be through the World Heritage Committee. The General Conference could be asked, therefore, to activate Article 29 and to determine that reports should be submitted through the World Heritage Committee, requesting the Committee at the same time to define the periodicity, the form, nature and extent of the regular reporting, i.e. to establish a format for the periodic reporting by the States Parties on the application of the Convention.

11. In this case, this reporting would include information on the general application of the Convention, particularly the stipulations in Articles 4, 5 and 6, Article 11.1, Article 17 and 18 and Article 27, as well as information on the state of conservation of specific properties on the World Heritage List.

12. If the General Conference of UNESCO would delegate to the World Heritage Committee the examination and responding to the States Parties' reports, this activity would automatically be included in the report which the Committee is required to submit to the General Conference under the terms of Article 29.3.

Principles of monitoring and reporting

13. On the basis of past experiences, consultations with States Parties and experts and, above all, the debate at the Tenth General Assembly and the nineteenth session of the Committee, the World Heritage Committee concludes that there is a general recognition among the States Parties of the need for them to monitor, as an integral part of their management efforts, the conditions of the World Heritage properties on their territories and to report its results to the bodies that are involved in the implementation of the Convention. In this sense, the Committee considers that there is a need to interpret the Convention in the light of twenty-five years of experience in its implementation while recognizing the sovereign rights of the States Parties. The Committee, furthermore, considers that the General Assembly and the World Heritage Committee have a role to play as standard setting organizations.

14. In this context, the Committee proposes that the following principles govern the methodology and procedures of monitoring and reporting:

- i) monitoring the state of conservation of World Heritage properties is the responsibility of the State Party concerned and is part of the site management;
- ii) the commitment of the States Parties to provide regular reports on the state of conservation of World Heritage properties is consistent with the principles of the World Heritage Convention and should be part of a continuous process of collaboration between the States Parties and the World Heritage Committee;

- iii) regular reports may be submitted in accordance with Article 29 of the Convention. The General Conference of UNESCO should be asked to activate Article 29 of the Convention and to entrust the World Heritage Committee with the responsibility to respond to these reports;
- iv) the World Heritage Committee should define the form, nature and extent of the regular reporting in respect of the principles of State sovereignty.

15. The World Heritage Committee considers that these principles would provide the appropriate framework for the management of the World Heritage properties by the States Parties themselves and for the enhanced cooperation between the States Parties, the World Heritage Committee and the international community for their preservation. Their introduction would also facilitate the World Heritage Committee to perform its functions effectively, particularly in providing and generating international assistance and in maintaining a credible World Heritage List.

Decision required

16. The General Assembly may wish to adopt the following draft resolution:

The General Assembly,

1. Noting that the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage has recognized that the cultural and natural heritage 'are increasingly threatened with destruction, not only by traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction';
2. Reaffirms that 'deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world';
3. Considers that the Convention should be interpreted in the light of twenty-five years of experience in its implementation;
4. Considers that such interpretation recognizes the sovereign right of the State Party concerned over the World Heritage sites situated on its territory;

5. Considers that a well-reflected and formulated common policy for the protection of cultural and natural heritage is likely to create a continuing interaction between States Parties;
6. Emphasizes the interest of each State Party to be informed of the experience of others with regard to conservation methods and the possibilities so offered, through voluntary international cooperation, for the general improvement of all actions undertaken;
7. Reaffirms its role and the role of the World Heritage Committee as standard setting organizations;
8. Concludes that monitoring is the responsibility of the State Party concerned and that the commitment to provide regular reports on the state of the site is consistent with the principles set out in the Convention in
 - (i) the first, second, sixth, seventh and eighth preambular clauses,
 - (ii) Art. 4
 - (iii) Art. 6.1. and 6.2.
 - (iv) Art. 7
 - (v) Art. 10
 - (vi) Art. 11
 - (vii) Art. 13
 - (viii) Art. 15
 - (ix) Art. 21.3
 - (x) Art. 29;
9. Emphasizes that monitoring by the State Party is part of the site management which remains the responsibility of the States Parties where the site is located, and that regular reports may be submitted in accordance with Article 29 of the Convention;
10. Recalls that Article 4 of the Convention provides that 'Each State Party...recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage...situated on its territory, belongs primarily to that State';
11. Recalls that Article 6 lays down the concept of world heritage 'for whose protection it is the duty of the international community as a whole to co-operate', and that Article 7 requires the establishment of a 'system of international co-operation' and assistance 'designed to support States Parties' efforts to conserve and identify that heritage;

12. Emphasizes that regular reporting should be part of a consultative process and not treated as a sanction or a coercive mechanism;
13. Notes that within the broad responsibility of the World Heritage Committee in standards setting, the form, nature and extent of the regular reporting must respect the principles of State sovereignty;

The involvement of the Committee, through its Secretariat or advisory bodies, in the preparation of the regular reports would be with the agreement of the State Party concerned. The States Parties may request expert advice from the Secretariat or the advisory bodies. The Secretariat may also commission expert advice with the agreement of the States Parties;

14. Suggests the General Conference of UNESCO to activate the procedures in Art. 29 of the Convention and to refer to the World Heritage Committee the responsibility to respond to the reports;
15. Encourages States Parties to take advantage of shared information and experience on World Heritage matters;
16. Invites other States to become States Parties to the Convention.

DRAFT 29 APRIL 1996

Draft resolution for inclusion in the 'Report by the Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage on its Activities (1996-1997)' to be submitted to the 29th General Conference of UNESCO.

FOR EXAMINATION BY THE BUREAU OF THE WORLD HERITAGE COMMITTEE AT ITS TWENTIETH SESSION (JUNE 1996)

The General Conference,

1. Noting that the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage has recognized that the cultural and natural heritage 'are increasingly threatened with destruction, not only by traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction';
2. Reaffirms that 'deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world';
3. Considers that the Convention should be interpreted in the light of twenty-five years of experience in its implementation;
4. Considers that such interpretation recognizes the sovereign right of the State Party concerned over the World Heritage sites situated on its territory;
5. Considers that a well-reflected and formulated common policy for the protection of cultural and natural heritage is likely to create a continuing interaction between States Parties;
6. Emphasizes the interest of each State Party to be informed of the experience of others with regard to conservation methods and the possibilities so offered, through voluntary international cooperation, for the general improvement of all actions undertaken;

7. Reaffirms the role of the General Assembly of States Parties to the World Heritage Convention and of the World Heritage Committee as standard setting organizations;
8. Concludes that monitoring is the responsibility of the State Party concerned and that the commitment to provide regular reports on the state of the site is consistent with the principles set out in the Convention in
 - (i) the first, second, sixth, seventh and eighth preambular clauses,
 - (ii) Art. 4
 - (iii) Art. 6.1. and 6.2.
 - (iv) Art. 7
 - (v) Art. 10
 - (vi) Art. 11
 - (vii) Art. 13
 - (viii) Art. 15
 - (ix) Art. 21.3
 - (x) Art. 29;
9. Emphasizes that monitoring by the State Party is part of the site management which remains the responsibility of the States Parties where the site is located, and that regular reports may be submitted in accordance with Article 29 of the Convention;
10. Recalls that Article 4 of the Convention provides that 'Each State Party...recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage...situated on its territory, belongs primarily to that State';
11. Recalls that Article 6 lays down the concept of world heritage 'for whose protection it is the duty of the international community as a whole to co-operate', and that Article 7 requires the establishment of a 'system of international co-operation' and assistance 'designed to support States Parties' efforts to conserve and identify that heritage;
12. Emphasizes that regular reporting should be part of a consultative process and not treated as a sanction or a coercive mechanism;
13. Notes that within the broad responsibility of the World Heritage Committee in standards setting, the form, nature and extent of the regular reporting must respect the principles of State sovereignty;

The involvement of the Committee, through its Secretariat or advisory bodies, in the preparation of the regular reports would be with the agreement of the State Party concerned. The States Parties may request expert advice from the Secretariat or the advisory bodies. The Secretariat may also commission expert advice with the agreement of the States Parties;

14. Invites the States Parties to the World Heritage Convention to submit in accordance with Article 29 of the Convention, through the World Heritage Committee, via its secretariat the UNESCO World Heritage Centre, reports on the legislative and administrative provisions which they have adopted and other actions which they have taken for the application of the Convention, including reports on the state of conservation of the World Heritage properties located on its territories;
15. Requests the World Heritage Committee to define the periodicity, form, nature and extent of the regular reporting on the application of the World Heritage Convention and on the state of conservation of World Heritage properties and to examine and respond to these reports while respecting the principles of State sovereignty;
16. Requests the World Heritage Committee, in accordance with article 29.3 of the Convention, to report to the General Conference on its findings as regard to the application of the Convention by the States Parties;
17. Encourages States Parties to take advantage of shared information and experience on World Heritage matters and to contribute to the conservation of World Heritage properties, including through voluntary contributions to the World Heritage Fund;
18. Invites other States to become States Parties to the Convention.