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Organización  
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Организация  
Объединенных Наций по  
вопросам образования,  
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منظمة الأمم المتحدة  
للترقية والعلم والثقافة

联合国教育、  
科学及文化组织

## Chairperson of the World Heritage Committee

H.E Stanley Mutumba Simataa  
President of the General Conference  
Chairperson  
Open Ended Working Group on  
Governance, procedures and working  
methods of the governing bodies of  
UNESCO

Ref : CLT/HER/WHC/PSM/FA/16/569

- 2 DEC 2016

Dear Mr President,

Allow me to refer to your letters of 6 April and 17 October 2016 last regarding the follow-up to the requirements set by the General Conference in its **38C/Resolution 101** concerning governance, procedures and working methods of the governing bodies of UNESCO.

In this regard, I am pleased to inform you that, as recommended by this Resolution, an item on governance has been inscribed on the agenda of the 40th session of the World Heritage Committee which finished its work on 26 October last in UNESCO's Headquarters.

I also took good note of the wish of the Working Group on governance to receive a summary of main factual information on intergovernmental programmes, committees and organs to allow Member States to hold effective deliberations on their governance.

In this regard, I am pleased to transmit to you herewith the fact sheet containing the requested main factual information on the two governing bodies of the World Heritage Convention (General Assembly of States Parties and World Heritage Committee).

You will find also attached a report of the debates of the 40th session of the World Heritage Committee concerning the follow-up of **38C/Resolution 101** as well as Decision **40 COM 13B** adopted by the Committee on this matter. As per Decision **40 COM 13B**, I am attaching also herewith document *WHC/16/40.COM/13B* on governance which was presented to the World Heritage Committee, Document *WHC/16/40.COM/13A* as well as **Decision 13A** which concern the work of the ad-hoc Working Group established by the Committee with a view to examine the issues related to working methods.

As you will see from the decisions attached, the World Heritage Committee underlined that work related to the governance is still ongoing, notably within its ad-hoc Working Group. This ad-hoc working group will report back to the 41st session of the World Heritage Committee (Krakow, 2-12 July 2017). The Committee considers the ongoing reflection as a good practice that enhances strategic decision-making and participation of States Parties, with a view to improve and streamline the working methods of the Governing Bodies of the 1972 Convention in line with General Conference Resolution 38 C/101.

Please accept, dear Mr President, the assurances of my highest consideration.



Prof. Dr. Jacek Purchla  
Chairperson of the 41st session of  
the World Heritage Committee

## FACT SHEET

QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

### 1. **Committee/Institute/Convention/Commission/Programme**

#### a. Mandate and objectives

There are 2 Governing Bodies established under the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage: **the General Assembly of States Parties and the World Heritage Committee.**

#### **General Assembly of States Parties**

The General Assembly determines the uniform percentage of contributions to the World Heritage Fund applicable to all States Parties and elects members to the World Heritage Committee. Increasingly, the General Assembly is also taking up discussion items of a more strategic and policy nature.

#### **World Heritage Committee**

The World Heritage Committee has been established under Article 8 of the Convention concerning the Protection of the World Cultural and Natural Heritage which was adopted by the General Conference in 1972. The World Heritage Committee is responsible for the implementation of the World Heritage Convention and is the main decision-making body of the 1972 Convention.

The Committee inscribes cultural and natural properties of Outstanding Universal Value on the World Heritage List, on the basis of Tentative Lists and nominations submitted by States Parties. The Committee can also decide whether a property should be deleted from the World Heritage List and which properties inscribed on the World Heritage List are to be inscribed on, or removed from the List of World Heritage in Danger. The Committee examines reports on the state of conservation of inscribed properties and requests States Parties to take appropriate action and measures, it manages the World Heritage Fund as well as International Assistance to States Parties.

#### b. Do you have specific goals for the work foreseen in the current biennium?

Ensure the effective implementation by States Parties of the World Heritage Convention through appropriate Resolutions/Decisions by General Assembly of States Parties/ World Heritage Committee.

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c. Number of members and length of mandate periods for members

**General Assembly of States Parties:** The General Assembly is composed of all the States Parties to the World Heritage Convention, therefore, there is no specific length of mandate for States Parties. Currently 192 States are parties to the Convention.

**World Heritage Committee:** The World Heritage Committee consists of representatives from 21 of the States Parties to the Convention elected by the General Assembly. While the term of office of Committee members is **6 years**, in order to ensure equitable representation and rotation, States Parties have voluntarily reduced their term of office **to 4 years**, further to the request in this sense, made by the General Assembly. Consequently, all members elected during the three last General Assemblies (2009, 2011, 2013 and 2015) have **voluntarily** decided to reduce their period of term of office from 6 to 4 years. It should be also noted that, in accordance with the Rules of Procedure of the General Assembly, Members of the World Heritage Committee may stand again for election after a gap of 6 years after the expiry of their mandate.

d. Are the members organized by electoral groups?

Yes

e. Intergovernmental or personal capacity/expert capacity of members

**General Assembly of States Parties:** Intergovernmental representation. However, the Chairperson of the General Assembly and its Rapporteur are designated in a personal capacity.

**World Heritage Committee:** In accordance with Articles 8 and 9 of the Convention, the election of members of the Committee has to ensure an equitable representation of the different regions and cultures of the world and the members of the Committee have to choose as their representatives persons qualified in the field of the cultural or natural heritage. The Chairperson of the Committee and its Rapporteur are designated in a personal capacity.

f. Have chairperson or/and Members States received introduction to the work and working methods?

**General Assembly of States Parties**

Complete briefings/introduction to the work are organized by the Secretariat for the Chairperson and Rapporteur regularly before the sessions of the General Assembly and on a daily basis during the sessions.

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

#### **World Heritage Committee:**

Complete briefings/introduction to the work are organized by the Secretariat for the Chairperson and Rapporteur regularly before the sessions of the Committee and on a daily basis during the sessions. Orientation sessions for members of the Committee are organized in the year prior to the session to allow for better preparation of States Parties in view of the session itself. These sessions are organized notably for new Committee members.

g. Are Observers authorized to participate and/or take the floor?

**General Assembly of States Parties:** The representatives of Member States of UNESCO not parties to the Convention and permanent observer missions to UNESCO may participate in the work of the Assembly as observers. Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations which have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international non-governmental organizations invited by the Director-General, may participate in the work of the Assembly. The consent of the Chairperson must be obtained whenever an observer wishes to address the Assembly. Time limit for intervention by Observers is fixed to 2 minutes, according to standard practice.

#### **World Heritage Committee:**

In accordance with articles 8.1, 8.2 and 8.3 of the Rules of Procedure of the World Heritage Committee, States Parties to the Convention which are not members of the Committee may attend the sessions of the Committee and its Bureau as observers. Non States Parties to the Convention who are Member States of UNESCO or of the United Nations may also be permitted by the Committee, upon written request, to attend the sessions of the Committee and its Bureau as observers. The United Nations and organizations of the United Nations system, as well as, upon written request, other international governmental and nongovernmental organizations, permanent observer missions to UNESCO and non profit-making institutions having activities in the fields covered by the Convention may be authorized by the Committee to participate in the sessions of the Committee as observers. Observers may address the meeting with the prior consent of the Chairperson. Time limit for intervention by Observers is fixed to 2 minutes, according to standard practice.

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

h. Meeting frequency and length

**General Assembly of States Parties:** In accordance with Article 8 of the World Heritage Convention, the General Assembly of States Parties to the World Heritage Convention meets every two years during the sessions of the General Conference of UNESCO for a length of 2 to 3 days. (Usually at the end of the General Conference).

**World Heritage Committee:** In accordance with Rule 2.1 of its Rules of procedure, the World Heritage Committee meets at least once a year.

i. How many languages are interpreted during the meetings?

**General Assembly of States Parties:** The working languages of the Assembly are Arabic, Chinese, English, French, Russian and Spanish. Interpretation is provided for these 6 languages.

**World Heritage Committee:** Working languages of the Committee are English and French and interpretation is provided for these 2 languages. However, when the conditions permit, other official languages recognized by the United Nations and languages of respective host countries may be used as well as the working languages. In this particular case, interpretation may be provided in these languages provided that the costs are covered by extrabudgetary sources.

j. Where do the meetings take place?

**General Assembly of States Parties:** UNESCO Headquarters

**World Heritage Committee:** Away from Headquarters, at the invitation of a Member of the Committee and subject to the Decision by the Committee.

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- k. Overall budget, including corresponding funding sources broken down as follows: Biennium 2014-2015

	RP (including additional appropriations)	Other sources
Organizing meetings (General Assembly <sup>1</sup> & World Heritage Committee)	1,118,175	451,271
Operational activities (related to Governance, i.e Ratifications)	N/A since 1972 Convention is almost universally ratified ( 192 States Parties)	N/A since 1972 Convention is almost universally ratified ( 192 States Parties)
UNESCO staff (approximate budget in lump sum) (figures related to WHC staff working on Governance)	1,332,000	0

NB: Figures in USD.

2. **Bureau (if any)**

- a. Number of members, mandate period, number of times for possible reelection

**General Assembly of States Parties:** N/A

**World Heritage Committee:** The Committee, at the end of each ordinary session, elects, from amongst those members whose term continues through the next ordinary session, a Chairperson, 5 Vice-Chairpersons and a Rapporteur who shall remain in office until the end of that session and who constitutes the Bureau of the World Heritage Committee. The Chairperson, the Vice-Chairpersons and the Rapporteur are eligible for immediate re-election for a second term of office. The Bureau of the Committee coordinates the work of the Committee and fixes the dates, hours and order of business of meetings.

- b. Intergovernmental or personal capacity/expert capacity?

**General Assembly of States Parties:** N/A

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<sup>1</sup> General Assembly of States Parties to the *World Heritage Convention*

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

**World Heritage Committee:** The 5 Vice-Chairpersons of the Bureau are States Parties from regional groups/electoral groups. The Chairperson and the Rapporteur are designated in a personal capacity.

c. Meetings frequency and length

**General Assembly of States Parties:** N/A

**World Heritage Committee:** The Bureau meets during the sessions of the Committee as frequently as deemed necessary. Per usual practice, the Bureau meets every day while the Committee is in session for half an hour before plenary meetings.

d. Are observers allowed to participate and/or speak?

**General Assembly of States Parties:** N/A

**World Heritage Committee:** States Parties to the Convention which are not members of the Committee may attend the sessions of the Bureau of the World Heritage Committee as observers. Non States Parties to the Convention who are Member States of UNESCO or of the United Nations may also be permitted by the Committee to attend the sessions of the Bureau as observers.

e. Interpretation during the meetings?

**General Assembly of States Parties:** N/A

**World Heritage Committee:** Interpretation is provided during the Bureau meeting into the 2 working languages of the Committee, i.e in English and French.

f. How many languages interpreted during the meetings?

**General Assembly of States Parties:** N/A

**World Heritage Committee:** 2 languages (English and French)

g. Where do the meetings take place?

**General Assembly of States Parties:** N/A

**World Heritage Committee:** The Bureau is meeting while the Committee is in session, therefore Bureau is held within the premises made available by the Host Country where the Committee is meeting.



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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

h. Are minutes of the meetings of the Bureau prepared? Are the minutes distributed and to whom?

**General Assembly of States Parties:** N/A

**World Heritage Committee:** There are no minutes of the Bureau meetings. Recommendations of the Bureau are transmitted to the Plenary orally by the Chairperson and are therefore reflected in the Summary records of the session.

### 3. Rules of Procedure

a. Who adopts the Rules of Procedure?

**General Assembly of States Parties:** The Assembly adopts its Rules of Procedure by a decision taken in plenary meeting by a simple majority of the representatives of States present and voting.

**World Heritage Committee:** The Committee adopts its Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the States members present and voting.

b. Preparation of meeting

i. Who decides agenda?

**General Assembly of States Parties:** The General Assembly adopts its agenda at the beginning of each session.

**World Heritage Committee:** The Committee adopts its agenda at the beginning of each session.

ii. When are documents sent out?

**General Assembly of States Parties:** There is no specific rule determining a deadline for transmission of Documents. However, the Secretariat applies the same deadline of distribution than the one fixed for the distribution of the working documents for the Committee, i.e: at least six weeks before the beginning of the session. The working documents are prepared in 6 languages.

**World Heritage Committee:** The working documents for of each session of the Committee are transmitted at the latest six weeks before the beginning of the session in the 2 working languages to the Members of the Committee.

iii. Are they sent out in paper form?

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

**General Assembly of States Parties and World Heritage Committee:** Due to financial constraints and also in view of an improved efficiency and “environmental friendly policy”, documents are no more transmitted in paper copies. Documents are uploaded on the web site of the World Heritage Centre. A web link is provided to all States Parties/Committee members via email on the deadline date fixed for submission of documents. All documents are also provided to all States Parties/Committee members in electronic form on a USB disk during the meetings. A limited number of paper copies is available in the meeting rooms.

iv. Can you opt out of receiving printed documents?

**General Assembly of States Parties and World Heritage Committee:** Since a couple of years, due to budgetary constraints, and also in view of an improved efficiency and “environmental friendly policy”, no more paper copies of Documents are sent to States Parties/Members of the Committee. A web link is provided to all States Parties/Committee members via email on the deadline date fixed for submission of documents. All documents are also provided to all States Parties/Committee members in electronic form on a USB disk during World Heritage Committee meetings. A limited number of paper copies are available in the meeting rooms. This system has been adopted by a majority of intergovernmental bodies and has proved successful.

v. Who decides the timetable?

**General Assembly of States Parties:** The General Assembly adopts the timetable of its work at the beginning of each session.

**World Heritage Committee:** The Committee adopts the timetable of its work at the beginning of each session.

vi. Who convenes the meeting?

**General Assembly of States Parties:** No specific rule applies for the convocation of the General Assembly. However, letters of invitation are sent to States Parties by the Secretary of the World Heritage Convention on behalf of the Director-General of UNESCO.

**World Heritage Committee:** Sessions of the Committee are convened by the Chairperson of the Committee in consultation with the Director-General of UNESCO (Rule 3.1). However, letters of invitations are issued by the Secretariat in accordance with the Rules of Procedure according to which the Director-General shall notify to the States members of the Committee, the date, place and provisional agenda of each session.

vii. Do you open up for video meetings?

**General Assembly of States Parties:** It should be noted that while the use of teleconferences/video meetings for small meetings can be envisaged, and is already frequently used, it is practically impossible to implement it for larger statutory meetings for practical reasons (i.e.: time difference between States Parties, organization of debates, voting processes and procedures, etc.)

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**World Heritage Committee:** By Decision 12 B, the Committee at its 35th session (2011) decided that its meetings should be live-streamed over the web. However, regarding video meetings, pls ref to the comment above regarding the General Assembly.

viii. Can there be extraordinary sessions?

i. If yes: how?

**General Assembly of States Parties:** There is no specific provision for extraordinary sessions of the General Assembly of States Parties. However, the General Assembly met for the first time in extraordinary session in 2015, further to its own Resolution to meet in extraordinary session.

**World Heritage Committee:** According to Rule 2 of the Rules of procedure, the Committee shall meet in extraordinary session at the request of at least two-thirds of the States members.

ix. Do you appoint sub groups or sub committees?

**General Assembly of States Parties:** No such provision exists in the Rules of procedure of the General Assembly.

**World Heritage Committee:** The Committee may create **consultative bodies** and establish **subsidiary bodies** as it deems necessary.

i. If so for what duration and for which tasks?

**Consultative bodies** may be created by the Committee for the performance of its functions. The composition and the terms of reference (including mandate and duration of office) of such consultative bodies shall be defined by the Committee at the time of their creation. These bodies can include States non members of the Committee. It should be noted that since 2011, the Committee created a standing consultative body for review of the Committee's biennial budget and that, regularly whenever necessary, it also creates a consultative body, during its session, to address revision of the Operational Guidelines.

**Subsidiary bodies** may be established by the Committee for the conduct of its work, within the limits of the technical facilities available. The composition and the terms of reference (including mandate and duration of office) of such subsidiary bodies shall be defined by the Committee at the time of their creation. These bodies can only be constituted from amongst States members of the Committee.

c. Decision-making

i. Who prepare draft decisions?

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**General Assembly of States Parties and World Heritage Committee:** Draft Resolutions/Decisions are proposed in most of the Working Documents prepared by the Secretariat. States Parties/Members of the Committee may propose Draft Resolutions/Decisions.

- ii. Until when can member states suggest new draft decision or amendments?

**General Assembly of States Parties:** Draft resolutions and amendments may be proposed by the participants and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate copies to all participants.

As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated sufficiently in advance to all participants in the working languages of the Assembly ( 6 languages). As per usual practice, amendments can be submitted by States Parties to any proposed Draft Resolutions during the relevant debate.

**World Heritage Committee:** New draft decisions/proposals and amendments thereto should, whenever possible, be submitted to the Secretariat at least 24 hours before the discussion of the agenda item concerned. As per usual practice, amendments can be submitted by Members of the Committee to any proposed Draft Decisions during the relevant debate.

- iii. Are observers allowed to participate and/or speak?

**General Assembly of States Parties and World Heritage Committee:** Observers may address the meeting with the prior consent of the Chairperson.

- iv. How are decisions adopted?

**General Assembly of States Parties and World Heritage Committee:** Resolutions/Decisions are adopted primarily by consensus. However Resolutions/Decisions that are not consensual might also be adopted by vote.

#### 4. Relation to General Conference and Executive Board and to other intergovernmental organs

- a. Do you formally submit proposals for the program and budget of UNESCO (C/5)?

**General Assembly of States Parties and World Heritage Committee:** Governing bodies as such are not submitting proposals for the C/5.

- a. If yes, how? N/A

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### QUESTIONNAIRE TO BE FILLED OUT BY THE SECRETARIATS OF UNESCO'S INTERNATIONAL AND INTERGOVERNMENTAL BODIES

- b. How do you follow-up the General Conference's resolutions?  
**General Assembly of States Parties and World Heritage Committee:** Follow-up of General Conference's Resolutions is ensured in the framework of the implementation of the World Heritage Convention through relevant items under discussion on the Agenda. For specific requests addressed by General Conference to the General Assembly, follow-up is ensured through inscription of a specific item on the Agenda (e.g follow-up of 38C/Resolution 101).
- c. Do you give input to the Executive Board in your field of competence?  
**General Assembly of States Parties and World Heritage Committee:** Regular inputs are provide to the Executive Board via contribution to working Documents and/or elements of answers/discussions during debates.
- d. Do you report on your activities to the General Conference and/or to the Executive Board more than once during each four year programme period?  
**General Assembly of States Parties:** No.  
**World Heritage Committee:** The Committee submits a report on its activities at each of the ordinary sessions of the General Conference of UNESCO, i.e every two years.
- e. How do you follow-up the Executive Board decisions?  
**General Assembly of States Parties and World Heritage Committee:** Follow-up of Executive Board decision is ensured in the framework of the implementation of the World Heritage Convention through relevant items under discussion on the Agenda. For requests by the EXB addressed specifically to the General Conference's Assembly and/or Committee, follow-up is ensured through inscription of a specific item on the Agenda.
- f. Does a specific framework exist to collaborate with other international and intergovernmental bodies?  
**General Assembly of States Parties and World Heritage Committee:** To ensure a more structured approach to cooperation between Cultural Conventions of UNESCO, and hence between intergovernmental bodies, a Cultural Conventions Liaison Group (CCLG) was established in 2012. Since then, this group discusses working methods of the Conventions, Culture and Development and the Conventions, as well as other matters concerning enhancing cooperation, coherence and synergies among Conventions. The main purpose is to identify opportunities for better synergy in common areas of cooperation. A considerable number of actions were taken by

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the Secretariats of the different Conventions to ensure a more effective implementation of the Conventions and to streamline processes and procedures. It is to be noted also that a common logistics unit (CCS) serves the meetings of the governing bodies of the various Culture Conventions. It should also be noted that since 2015, the World Heritage Centre has a sustained collaboration with the other international biodiversity-related conventions and programmes, including in the context of the Biodiversity Liaison Group (BLG).

5. **Any others comments regarding the governance of international and intergovernmental bodies**
6. **Please provide the reference and if possible hyperlink to the relevant statutory documents, including General Conference Resolutions establishing the bodies and relevant Executive Board decisions**

**<http://whc.unesco.org/en/basictexts>**

**17th session of the General Conference (Resolution 29) – 1972**

**Report of the Debates of the 40th session of the World Heritage Committee on Item 13B Follow-up to the Recommendations of the External Auditor's "Report on the governance of UNESCO and dependant funds, programmes and entities" (Document 38 C/23)**

Item 13B "*Report on the governance of UNESCO and dependant funds, programmes and entities*" (Document 38 C/23)" was inscribed on the Agenda of the 40th session of the World Heritage Committee pursuant to Resolution 38C/101, by which the General Conference of UNESCO invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning *the follow-up to the recommendations of the External Auditor's "Report on the governance of UNESCO and dependant funds, programmes and entities" contained in Document 38 C/23.*"

Several Delegations took the floor on this item.

La Délégation de **Cuba** remercie le Secrétariat pour l'information donnée et considère que la question de la gouvernance est une question générale qui doit être traitée par les groupes de travail et qui doit surtout être examinée par l'Assemblée générale de la Convention. Elle précise que la Résolution 101 demande de commencer à travailler sur cette question de gouvernance, mais que les groupes de travail vont fonctionner surtout à partir de 2017 et non 2016 car ils sont concentrés pour le moment sur le Conseil exécutif et la Conférence générale.

The Delegation of **Finland** was pleased to note that the World Heritage Committee was among the most active governing bodies of UNESCO to address governance, but noted that the improvement of the governance was an ongoing effort, where enhanced cooperation among the UNESCO culture Conventions, and among the biodiversity-related conventions were steps to that direction. Efficient use of the upstream process to ensure the credibility of the Convention, embracing conservation at the heart of the Convention, focusing on improving the state of conservation of the properties and inscribing only sites that met the criteria were among the many examples to improve governance. The Delegation called for involvement of all stakeholders in the processes and supported the Draft Decision.

The Delegation of the **Philippines** highlighted the importance of the discussion and informed that the Delegation co-chaired the subgroup 2 of the open-ended working group on governance. The Delegation indicated that governance goes beyond the evaluation report of the external auditor, and recalled the important work already carried out by the ad-hoc working group established by the World heritage Committee, and the good practice it sets, which are reflected in the proposed amendments submitted by the Delegation to the Draft Decision. The Delegation asked on ways to enhance the Committee's cooperation with Category 2 Centres and suggested that the meeting of the Chairs of the UNESCO Culture Conventions could become more interactive and provide recommendation on how to increase cooperation and synergies.

The **Director** of the World Heritage Centre took note of the request by the Delegation of Cuba to add the item on the agenda of the General Assembly of States Parties. She underlined however that the General Assembly will take place immediately after the General Conference, thus after the deliberation of the General Conference on this item. She took good note of the request of the Delegation of the Philippines to add the report of the ad-hoc working group to

the response letter to the President of the General Conference. She furthermore informed of the meeting with the Category 2 Centres at the end of November in India where the issue of governance and the support of the Centres for the Convention will be discussed. The Director provided further details of the last meeting of the Chairpersons of the UNESCO Culture Convention on 26 September 2016, which had discussed protection of heritage in conflicts and the Sustainable Development Goals. She also noted that not all governing bodies shared the idea that the Chairpersons of Cultural Conventions could make proposals and represent their committees. She also informed that increasing synergies was also a subject of reflexion among the seven biodiversity-related Conventions in the context of the Biodiversity Liaison Group (BLG).

La représentante de **Cuba** remercie le Secrétariat pour les explications données et souligne que si les réunions du Comité sont certes opportunes pour un débats sur la gouvernance, celui-ci devrait aussi intervenir lors de l'Assemblée générale des Etats parties. Elle ajoute que la majorité des organes directeurs de l'UNESCO ont déjà commencé un débat sur la gouvernance. La Délégation souligne que concernant le rapport de l'audit, seules 3 recommandations ont été suivies.

The Delegation of **Portugal** expressed its appreciation to the Secretariat for the efforts undertaken over the past years for reviewing its working methods for greater effectiveness. It recalled the good exchanges already held to respond to Resolution **38 C/ 101**, and underlined the importance to provide inputs to the work of the open-ended Working Group.

**IUCN** noted the important cooperation with the Category 2 Centres whose role could be further acknowledged and addressed in items 6 and 10 of the Committee, referring to the collaboration for example in the Arab States, Africa Region and the Asia and Pacific. IUCN referred to the discussion on synergies and recalled the IUCN publication on site-based Conventions and programmes launched at the World Conservation Congress, which would be available to the Committee members the next day when discussing item 7.

La Délégation de **Cuba** insiste sur le fait que le thème de la gouvernance relève avant tout de l'Assemblée générale. Elle souligne que le débat entre les groupes de travail est certes pertinent, mais qu'il est restreint au Comité. Or, elle souligne que c'est un débat intergouvernemental qui doit avoir lieu à l'Assemblée. La Délégation demande l'avis du Secrétariat sur ce point.

The **Director** of the World Heritage Centre requests a clarification from the Delegation of Cuba on whether the Delegation is putting forward a proposal to inscribe an item on the agenda of the General Assembly on this matter.

La Délégation de **Cuba**, propose de soumettre à l'Assemblée le rapport des groupes de travail portant sur la gouvernance, mais aussi de permettre à l'Assemblée générale de débattre ouvertement sur cette question. Cuba souligne que ce processus a déjà eu lieu dans d'autres organes et qu'il doit conduire à une harmonisation.

While supporting the proposal by the Delegation of Cuba to inscribe an item on the agenda of the General Assembly of States Parties on this matter, the Delegation of the **Philippines** expressed a concern with regards to the timing; underlining that the inputs of those debates are supposed to be transmitted by December 2016 to the open-ended working group as requested by the President of the General Conference, whereas the General Assembly will only meet in November 2017.

La Délégation du **Portugal** exprime également son accord avec Cuba sur l'importance d'un débat sur cette question à l'Assemblée générale dont les prérogatives ne doivent pas être remises en cause sur ce point en particulier. Cependant, la Délégation souligne l'importance



pour le Comité de soumettre des recommandations sur ce qui concerne la gouvernance au groupe de travail présidé par le Président de la Conférence générale.

La Délégation de **Cuba**, tout en soutenant l'amendement présenté par les Philippines, le Pérou et la Turquie, insiste sur le fait que si le rapport du groupe de travail est transmis après la session du Comité de 2017 et non après l'Assemblée générale (qui a lieu après la Conférence générale), il faut ajouter que ce rapport ne fait état que de conclusions « préliminaires » pour laisser l'Assemblée débattre et apporter son point de vue quand elle se réunira.

The **Director** of the World Heritage Centre clarified that the Decision was for the Committee to make. Each body could submit its own inputs to the process, and this specific document would be transferred as a response of the Committee. The General Assembly would provide its own deliberations.

La Délégation de **Cuba** précise qu'il existe un rapport général de tous les organes sur les mécanismes de l'UNESCO et souligne que, en ce qui concerne la gouvernance, on ne peut pas considérer séparément le Comité et l'Assemblée car c'est précisément l'objet de la gouvernance. Elle précise que c'est la Convention dans son ensemble qui va donner son rapport sur la gouvernance et donc que le Comité ne peut pas rendre des conclusions isolées.

The Delegation of **Portugal**, while understanding the position of Cuba, noted the challenging timeframe to provide inputs and the need to ensure a follow-up in conformity with 38C/Resolution 101 as well as with the request of the President of the General Conference. The Delegation recommended that the Committee provides now its own deliberations and inputs to the exercise at this stage.

The Delegation of the **Philippines** agreed with the Delegation of Portugal on the strict deadline as provided by the President of the General Conference to be followed, while sharing the view of the Delegation of Cuba for greater coherence, but did not see the request for inputs from each governing body to conflict with these aims. The Delegation suggested to delete the amendment proposed by Cuba to the Draft Decision using the word "preliminary" when referring to the results of the ad-hoc working group.

La Délégation de **Cuba** accepte la suppression du terme « préliminaires », mais continue de souligner qu'il doit être clair que les conclusions du groupe de travail sont seulement indicatives.

La Délégation de **Portugal** remercie Cuba de se rallier à la proposition initiale faite par les Philippines, la Turquie et le Pérou et propose que le caractère intégré de la réflexion sur ce point figure dans les résumés de ce débat.



United Nations  
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la science et la culture

# World Heritage

# 40 COM

**WHC/16/40.COM/13A**

**Paris, 10 June 2016**

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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**

**Fortieth session**

**Istanbul, Turkey  
10 - 20 July 2016**

**Item 13 of the Agenda: Follow-up to Recommendations of Evaluations and Audits on Working Methods and outcomes of the ad-hoc Working Group**

**13A. Follow-up to Recommendations of Evaluations and Audits on Working Methods: Outcomes of the ad-hoc Working Group**

## **SUMMARY**

By Decision **38 COM 13**, the World Heritage Committee established an ad-hoc working group to meet inter-sessionally, to examine the issues related to working methods of the evaluation and decision-making process of nomination and to formulate its recommendations thereon.

By Decision **39 COM 13A**, the World Heritage Committee at its 39th session extended the mandate of the ad-hoc working group to further discuss and make recommendations on Paragraph 61 of the *Operational Guidelines* as well as on the sustainability of the World Heritage Fund.

This document presents the outcomes of the ad-hoc Working Group.

**Draft Decision:** *After having examined the outcomes of the ad-hoc Working Group, the World Heritage Committee may wish to adopt an appropriate Decision.*

## I. BACKGROUND

1. At its 38th session (Doha, 2014), the World Heritage Committee noted that the growing number of nominations and inscriptions to the World Heritage List had increased not only the workload but also the financial burdens faced by Advisory Bodies. It further recognized the growing need by a significant number of States Parties for technical assistance and support in the preparation of nominations as well as during the inscription process.
2. In this regard, the Committee, by Decision **38 COM 13**, established an ad-hoc Working Group, to meet inter-sessionally, to examine the issues related to working methods of the evaluation and decision-making process of nomination and to formulate its recommendations thereon.
3. The ad-hoc Working Group held several meetings during the course of 2014-2015 as per Decision **38 COM 13** and presented its outcomes to the 39th session of the World Heritage Committee in 2015.
4. By Decision **39 COM 13A**, the World Heritage Committee, welcomed the reflections and recommendations of the ad-hoc Working Group with regard to the working methods of the evaluation and decision-making process of nomination and decided to extend its mandate to further discuss and make recommendations on Paragraph 61 of the *Operational Guidelines* as well as on the sustainability of the World Heritage Fund. It was also decided that the group will be convened by Turkey.

## II. OUTCOMES OF THE AD-HOC WORKING GROUP

5. Under the Chairmanship of Turkey, the ad-hoc Working Group met 11 times during the course of 2015-2016 as per Decision **39 COM 13A**.
6. The outcomes of the discussion of the ad-hoc Working Group are annexed to the present document. The Committee may wish to take an appropriate decision following the examination of this report.

## III. DRAFT DECISION

### **Draft Decision: 40 COM 13A**

*The World Heritage Committee,*

1. Having examined Document WHC/16/40.COM/13A,
2. ....

**Ad-hoc Working Group extended by Decision 39 COM 13A of the UNESCO World Heritage Committee**

**Outcome Document**

The mandate of the Ad-hoc Working Group established by the 38<sup>th</sup> World Heritage Committee (Doha, 2014) has been extended at the 39th session (Bonn, 2015) by Decision **39 COM 13A** in order to further discuss and make recommendations on Paragraph 61 of the *Operational Guidelines*, as well as on the sustainability of the World Heritage Fund.

The Chairmanship of the Group has been assumed by Turkey. The composition of the Group was slightly amended and in addition to two Committee members from each regional group, a third regional group representative who is not a member of the World Heritage Committee has been added. Including the additional members, the Group comprised Finland, Netherlands, Turkey, Poland, Croatia, Serbia; Jamaica, Peru, Colombia; Philippines, Republic of Korea, China; Tanzania, Zimbabwe, Senegal; Lebanon, Tunisia and Palestine. Representatives of the World Heritage Centre and the Advisory Bodies (ICOMOS, IUCN, ICCROM) have been invited to attend the sessions when needed. Their participation enriched the deliberations with comments and contributions, also in the form of non-papers. The Group held 11 meetings on 10 September 2015, 15 December 2015, 29 January, 15 February, 18 February, 11 March, 31 March, 27 April, 12 May, 24 May, 27 May 2016. The tenth meeting on 24 May 2016 was organized by the chair with open-ended participation from all States Parties, as a consultative informal session.

The Group deliberated upon proposals raised by its members, as well as the World Heritage Center and Advisory Bodies as regards the sustainability of the World Heritage Fund and paragraph 61.

The Working Group reached a general consensus on the following recommendations:

**A. SUSTAINABILITY OF THE WORLD HERITAGE FUND**

**1. Proposals by the Secretariat at 19th and 20th General Assembly**

Ensuring a predictable and sustainable inflow of resources to the World Heritage Fund is of paramount importance. Among the proposals of the Secretariat, the Group recommends to the Committee to endorse options 1, 4 and 5 of Resolution **19 GA 8**, as they were found applicable alternatives presented to the 19th General Assembly, and also the proposal in the document WHC-15/20.GA/8 presented to the 20th General Assembly. The ad-hoc Group further recommends that the Committee strongly encourages all States Parties to voluntarily implement one of these proposals, to increase their assessed contributions to the World Heritage Fund.

**2. Allocation from the Regular Budget**

Recognizing the high profile and the flagship role that the Convention concerning the Protection of World Cultural and Natural Heritage occupies within the UNESCO system and to promote further the significance and relevance of preservation of cultural and natural heritage, the Group recommends that the Committee renews its appeal to the Executive

Board and the General Conference, in the light of the ongoing preparations of 39 C/5, to allocate more resources from the regular budget for more effective implementation of the *1972 Convention*.

### **3. Revision of the Fund-Raising Strategy**

After hearing a comprehensive briefing by the Secretariat, the Group decided to recommend to the Committee to revise the “Partnership Strategy” with a view to amending the modalities to include new tools, diversify resources and/or ensure more effective use of existing ones, i.e. through use of a professional fund raiser if funds are available, more effective use of social media, licensing, online donations, grants, developing membership schemes, crowdsourcing, strategic partnership with tourism sector and use of the UNESCO logo/emblem.

### **4. Organizing a Forum of Donors**

Group members reviewed the proposal by ICOMOS to convene a Forum of Donors session during Committee meetings. This forum is proposed to convene annually as a side event during Committee meetings to allow States Parties in need, to receive and evaluate offers of assistance from States Parties, foundations or organizations who can mobilize grants, donations or human resources, expertise, responding to the needs as may be identified in the SOC Reports, or through direct appeals in the form of nomination and/or conservation assistance. Group members are of the opinion that the idea of a Forum of Donors would fill a gap in the system, would attract [sustainable] additional resources, help address recurring conservation problems and open a window of opportunity to promote international cooperation. Ad-hoc Group members recommend, the idea to be further developed, and be included in the draft agenda of the 41st session of the Committee in 2017.

The Group underlines the “International Assistance Mechanism” as one of the most important tools of the *Convention* and the need to channel more resources to it. The Group also emphasizes that, the issue can be elaborated in further consultation with the World Heritage Centre and the Advisory Bodies, with a view to integrating it to the International Assistance Mechanism including the Twinning concept for financing nominations.

### **5. Introduction of an Annual Fee for World Heritage Listed Properties on a Voluntary Basis**

The Ad-hoc Group recommends that the Committee initiates a consultation process and requests the Secretariat to send out a survey to States Parties, in order to verify the possibility of their local administrations in charge of management of inscribed sites, to pay an annual fee to the Fund, depending on their financial autonomy and capacity to pay and report back to the Committee. Depending on the outcome of this survey a recommendation can be made about including an annual fee.

### **6. Additional/Optional Protocol**

The preparation of an Additional/Optional Protocol to the *World Heritage Convention*, has been raised as one of the possible tools to help improving the sustainability of the Fund in the medium and long term, by providing legal ground for increased predictable contributions from States Parties. Since the statutory provision of the *1972 Convention* sets contributions to the World Heritage Fund at 1% of States Parties’ assessed contributions to UNESCO

regular budget, an additional/optional protocol could provide legal basis to those States Parties who would be in a position to increase their assessed contributions. Those who are not agreeable to an additional/optional protocol may continue implementing the Convention as it is.

Whether an additional/optional protocol, would be an effective tool to achieve sustainability of the Fund, and, besides funding; whether it is necessary to address any other aspects of the Convention through a protocol, needs to be further discussed by relevant UNESCO bodies.

Group members recommend to the Committee to start exploring whether there is broad consensus on the need to conclude an Additional/Optional Protocol to achieve sustainability of the Fund and further recommends that,

- The proposal to be reviewed by an ad-hoc Working Group of the World Heritage Committee;
- The issue be included on the draft agenda of the Committee's 41<sup>st</sup> session in 2017.

The Legal Advisor will be consulted throughout the process.

## **7. Measures to expedite payment of assessed contributions and arrears**

The Group discussed the issue and decided to recommend that States Parties with arrears should be encouraged, to expedite payments of their outstanding dues and assessed contributions. The Group thus recalls the decision of the 20<sup>th</sup> General Assembly, Resolution **20 GA 8**, which stipulates that the issue of potential measures will be included in the agenda of the 21<sup>st</sup> General Assembly in November 2017.

### **B. PARAGRAPH 61 OF THE OPERATIONAL GUIDELINES**

The Group recommends, as a consensus formula, to reduce the yearly cap on nominations from 45 to 35, including deferred and referred nominations; and reduce yearly nominations per State Party from 2 to 1; on a trial basis, for a period of 4 years, starting as of 2 February 2018 (the reductions do not apply for nominations submitted until the 1 February 2018 deadline).

The Group also recommends to include the language proposed by the *Operational Guidelines* Working Group (39th session) on self-restraint (para c)x) as well as the amendments proposed by the Secretariat in (c)viii) and (c)ix).

In light of the discussions, the Ad-hoc Working Group proposes the following amendments to Paragraph 61 of the Operational Guidelines:

#### *Proposed Amendments on **Paragraph 61 of the Operational Guidelines***

**“61.** The Committee has decided to apply the following mechanism:

- a) examine ~~up to two~~ **one** complete nominations per State Party, ~~provided that at least one of such nominations concerns a natural property or a cultural landscape and,~~

b) set at ~~45~~ **35** the annual limit on the number of nominations it will review, inclusive of nominations deferred and referred by previous sessions of the Committee, extensions (except minor modifications of limits of the property), transboundary and serial nominations,

c) the following order of priorities will be applied in case the overall annual limit of ~~45~~ **35** nominations is exceeded:

i) nominations of properties submitted by States Parties with no properties inscribed on the List;

ii) nominations of properties submitted by States Parties having up to 3 properties inscribed on the List,

iii) nominations of properties that have been previously excluded due to the annual limit of ~~45~~ **35** nominations and the application of these priorities,

iv) nominations of properties for natural heritage,

v) nominations of properties for mixed heritage,

vi) nominations of transboundary/transnational properties,

vii) nominations from States Parties in Africa, the Pacific and the Caribbean,

viii) nominations of properties submitted by States Parties having ratified the *World Heritage Convention* during the last ~~ten~~ **twenty** years,

ix) nominations of properties submitted by States Parties that have not submitted nominations for ~~ten~~ **five** years or more,

***x) nominations of States Parties, former Members of the Committee, who accepted on a voluntary basis not to have a nomination reviewed by the Committee during their mandate. This priority will be applied for 4 years after the end of their mandate on the Committee,***

xi) when applying this priority system, date of receipt of full and complete nominations by the World Heritage Centre shall be used as a secondary factor to determine the priority between those nominations that would not be designated by the previous points.

d) the States Parties co-authors of a transboundary or transnational serial nomination can choose, amongst themselves and with a common understanding, the State Party which will be bearing this nomination; and this nomination can be registered exclusively within the ceiling of the bearing State Party.

This decision will be implemented on a trial basis for **4** years and takes effect on 2 February ~~2012~~ **2018**, in order to ensure a smooth transition period for all States Parties. The impact of this decision will be evaluated at the Committee's ~~39<sup>th</sup>~~ **46<sup>th</sup>** session (2015 ~~2021~~ **2022**)."

### **Criteria for Evaluation of Impact of Revised Paragraph 61**

The Group emphasizes the importance of setting out criteria to measure the impacts expected by the reductions applied to nominations and recommends that the 45<sup>th</sup> Committee includes an item to that end.

## **Extension of the Mandate of the Ad-hoc Group**

The Ad-hoc Working Group, also recommends to the Committee to consider possible extension of the mandate of the Group for one more year, with a view to enabling further deliberations on the necessity/feasibility of an Additional/Optional Protocol, the proposal to create a Forum of Donors; the revision of the Partnership Strategy and the budget. It is also recommended that the extended Working Group be composed of two Committee members, and two non-Committee members from each regional group, and at least two open-ended sessions be held to provide room for building broad consensus.





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# World Heritage

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
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**CONVENTION CONCERNING THE PROTECTION OF  
THE WORLD CULTURAL AND NATURAL HERITAGE**

**WORLD HERITAGE COMMITTEE**

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**Item 13 of the Provisional Agenda: Follow-up to Recommendations of Evaluations and Audits on Working Methods and outcomes of the ad-hoc Working Group**

**13B. Follow-up to the Recommendations of the External Auditor's "Report on the governance of UNESCO and dependant funds, programmes and entities" (Document 38 C/23)**

## **SUMMARY**

This Document is presented pursuant to Resolution 38C/101, by which the General Conference of UNESCO invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning the follow-up to the recommendations of the External Auditor's "*Report on the governance of UNESCO and dependant funds, programmes and entities*" contained in Document 38 C/23.

**Draft Decision:** see *Point IV*.

## I. BACKGROUND

1. The 37th session of the General Conference (2013) requested for the External Auditor to conduct an audit of the governance of UNESCO as a follow-up to the United Nations Joint Inspection Unit's (JIU) recommendations concerning the methods of work of UNESCO's intergovernmental bodies. In this Resolution, the General Conference invited all Governing Bodies, intergovernmental programmes, committees and organs established by conventions "to perform a self-assessment covering the overall relevance of their work in relation to their specific terms of reference as well as the efficiency and effectiveness of their meetings, including the impact and utility of experts' time; the outcome of these self-assessments should be reported by January 2015" (Resolution **37C/96**).
2. Consequently, the 19th session of the General Assembly of States Parties to the World Heritage Convention (UNESCO, 2013) invited the World Heritage Centre "to launch a consultation process open for all States Parties, based on the self-assessment framework delivered by the External Auditor" (Resolution **19 GA 9**).
3. As requested by Resolutions **37 C/96** of the General Conference of UNESCO and **19 GA 9** of the General Assembly of States Parties, a self-assessment questionnaire was circulated to the Chairpersons of the governing entities of the *World Heritage Convention*, who held this position during the period 2013-2014, to coordinate the comments by Committee members and States Parties.
4. The results of the questionnaire were included in the final audit report on the governance of UNESCO and dependent funds, programmes and entities which was discussed by the 197th session of the Executive Board (October 2015). The Executive Board recommended to the 38th session of the General Conference to establish an open-ended working group to further discuss the recommendations of the audit report.

## II. WORKING GROUP ON GOVERNANCE, PROCEDURES AND WORKING METHODS OF THE GOVERNING BODIES OF UNESCO

5. At its 38th session in 2015, the General Conference reaffirmed the need for a holistic and comprehensive reform of UNESCO, particularly of its Governing Bodies, in order to ensure greater effectiveness and efficiency in governance and to improve strategic decision making in the Organization, and indicated that this reform shall be Member State-driven. By its Resolution **38 C/101**, the General Conference decided to establish an open-ended working group on governance, procedures and working methods of the Governing Bodies of UNESCO, building on the recommendations of the Executive Board (197 EX/Decision 28 and 44).
6. Pursuant to Resolution **38 C/ 101**, the mandate of the Working Group is to examine the governance, procedures and working methods of the Governing Bodies of UNESCO on the basis of the views and proposals received from Member States, the External Auditor's *Report on the Governance of UNESCO and dependent funds, programmes and entities*, relevant evaluations and audits by the Internal Oversight Service (IOS), as well as previous decisions and resolutions related to governance. The Working Group will aim at providing a set of recommendations, along with their likely impact and financial implications, to be examined by the General Conference at its 39th session.
7. The Working Group held two meetings respectively on 17 February and 1 April 2016. Some more meetings have been scheduled before the Working Group's recommendations are submitted to the 202nd session of the Executive Board (2017) which will transmit it, - with its own comments - to the 39th session of the General Conference, in 2017. The Informal Summary of Contributions from Member States in

the framework of the meetings of the open-ended working group that have already been held is included in Annex I of the present document.

8. Furthermore, by Resolution **38 C/ 101**, the General Conference invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning the follow-up to the recommendations of the External Auditor's report contained in document 38 C/23, to improve their governance by concrete measures, and to report on their proposals to the Chairperson of the open-ended working group. In this regard, the President of the General Conference, in his capacity as Chairperson of the Working Group, has addressed a letter on 6 April 2015 to the Chairperson of the 40th session of the World Heritage Committee. Consequently, and as per the request of the General Conference, an item has been inscribed on the Agenda of the 40th session of the Committee. The Chairperson of the 40th session of the World Heritage Committee accordingly informed the members of the Committee by a Circular letter dated 5 May 2016.

### **III. RECOMMENDATIONS OF THE EXTERNAL AUDITOR'S "REPORT ON THE GOVERNANCE OF UNESCO AND DEPENDANT FUNDS, PROGRAMMES AND ENTITIES"**

9. An Executive Summary of the Audit Report on the Governance of UNESCO and dependant funds, programmes and entities can be found in Annex of Document 38 C/23 which is attached, as Annex II, to the present Document.
10. First of all, it should be noted that the question of the governance, and notably of the working methods of the Governing Bodies of the 1972 *Convention* (World Heritage Committee and General Assembly of States Parties) has been the subject of several evaluation/audits in the past years (e.g. Audit of the Working Methods of Cultural Conventions as well as the Evaluation of UNESCO's Standard-Setting work of the Culture Sector). Therefore, some of the recommendations of the External Auditor contained in Document 38 C/23 - which are of direct relevance for the World Heritage Governing Bodies - have already been examined by the World Heritage Committee and/or the General Assembly of States Parties. This is notably the case for some of the actions suggested by the Auditor under **Recommendation 3 (part ii)**, as listed below:
  - **"accelerate the shortening of sessions"**: This suggestion has already been addressed by the World Heritage Committee. Consequently, efforts have been undertaken by the Secretariat in this regard and the length of the meetings of the World Heritage Committee has been reduced from 13 days in 2012 to 10 in 2016. In addition, and with a view to further reducing the duration of each session, the Committee may wish to consider to further rationalize the agenda of future sessions.
  - **"annual meetings biennial, and biennial meetings quadrennial"**: The frequency of meetings of the World Heritage Committee have been addressed on several occasions. In this regard, in 2014, the Committee adopted Decision **38 COM 5F.1**, by which it considered the annual frequency of its sessions appropriate. Moreover, it has to be underlined that, for what concerns the General Assembly of States Parties and as per Article 8 of the 1972 *Convention*, the Assembly is meeting "during the ordinary session of the General Conference of UNESCO". Hence, any change to the schedule of meeting of the General Assembly would entail a revision of the 1972 *Convention*.

- **“simplify and improve the dissemination of results”**: The dissemination of results (i.e. Decisions of the Committee and Resolutions of the General Assembly as well as their respective Summary Records) has already been simplified since several years, i.e. they are sent electronically to States Parties and uploaded on the relevant webpages.
11. Secondly, it should be pointed out that some of the recommendations of the External Auditor have a general scope and are of relevance to all Governing Bodies of the Culture Conventions. This concerns several of the actions suggested by the Auditor under **Recommendation 3 (part ii), as well as Recommendations n°5, 7, and 8**. These suggested actions and recommendations as well as their potential impact on the Governing Bodies are listed below together with comments the Committee may wish to take into consideration:

- **Recommendation No. 3.**

- **Group meetings together**

The grouping together of statutory meetings may have an impact on statutory deadlines (e.g. in case of the 1972 *Convention*: process for nomination to the World Heritage List or State of conservation review process) and, hence, may have important consequences on the decision-making process and also have administrative and financial impacts. Furthermore, and as indicated in paragraph 10 above, in certain cases - for example for the 1972 *Convention* - the period and frequency of Statutory meetings are the subject of provisions in the Convention. Hence, any change to the schedule of these meetings may entail a revision of the relevant Convention.

- **Make more use of teleconferences**

It should be noted that while the use of teleconferences for small meetings can be envisaged, and is already frequently used, it would be difficult to implement it for larger statutory meetings for practical reasons (i.e.: time difference between States Parties, organization of debates, of voting processes and procedures, etc.)

- **Convene essential meetings only and finance them through the regular budget.**

By essence, statutory meetings are mandatory, and hence, essential. They are, in principle, financed through the UNESCO Regular Budget. However States Parties hosting meetings provide substantial support, crucial in view of the current financial constraints faced by UNESCO.

Finally, concerning suggested actions under Recommendation 3, such as **“reducing the number of meeting participants”**, **“shortening agendas by prioritizing and delegating minor decisions”**, **“increase the delegation of authority to the bureau”**, it should be noted that such decisions lie with States Parties and Committee members who may wish to consider reducing the number of their representatives to statutory meetings, to consider further rationalizing agendas of future sessions, to consider delegating minor decisions as well as to modify the level of delegation within the respective Governing Bodies. In this regard, it should also be underlined that such decisions may imply a revision of the Rules of Procedure of each of the concerned Governing Bodies.

**• Recommendation No. 5. On a provisional trial basis, the External Auditor recommends that the General Conference: (i) decide to elect, from 2016, the same States Parties to the governing bodies of the heritage-related conventions and that the Governing Bodies thus constituted shall hold their respective sessions in a single joint session, under appropriate legal arrangements;**

Implementation of part (i) of this Recommendation entails that all Member States are parties to the same Conventions - i.e. that they have all ratified the same culture Conventions. However, it should be noted that it is not the case, and that ratification of Conventions is dealt with by each country at the national level. (In this regard, for example, 191 States are Parties to the 1972 Convention, 168 to the 2003 Convention, 131 to the 1970 Convention, 127 to the 1954 Convention)

Moreover, a single joint session of all culture Conventions will undoubtedly imply a change of the Basic texts (Rules of Procedure, Operational Guidelines, Operational Directives, etc.) of each of the Conventions and an entire revision of the internal calendar of the cycle of statutory meetings and deadlines, which may have huge consequences on the decision-making process, as well as administrative and financial impacts.

Finally, a single joint session may imply an extended Agenda as well as extended representation by countries to cover all relevant fields of competence that would be discussed.

**• Recommendation No. 7. The External Auditor recommends: (i) drawing up a draft governance code in 2016, under the supervision of the Bureau of the Executive Board, that harmonizes and systematizes the Rules of procedure, texts and practices of the Governing Bodies of all UNESCO universe entities;**

Part (i) of this Recommendation concerns the systematisation of the Rules of Procedure of “the Governing Bodies of all UNESCO universe entities” and hence would entail a revision of the texts of the Rules of Procedure of each of the Governing Bodies. In this regard, it is to be noted that such a revision lies with each Governing Body concern which is responsible for amending and adopting its own Rules of Procedure. Therefore, the harmonization and systematization of the Rules of Procedure, texts and practices of the Governing Bodies of all “UNESCO universe entities” would, if such a proposal is approved, have to be undertaken in two steps: firstly at the level of the Body concerned and secondly on a common basis at the level of all Governing Bodies.

**• Recommendation No. 8. The External Auditor recommends: (i) examining means of introducing a screening system for individual candidates for the offices of chair and vice-chair of Governing Bodies, based on robust and transparent criteria of competence; (ii) adopting a resolution to limit the total length of consecutive terms of office (e.g. to four years) for the same delegate in a governing body so that delegates can gain sufficient experience but the bodies can at the same time be periodically renewed; (iii) that Member States candidates for a seat on a governing body undertake to nominate a full member or alternate with sufficient experience in that body’s field; (iv) introducing mandatory training for the offices of chair and vice-chair of a governing body, tailored to the experience of the new officers**

This Recommendation suggests the introduction of new rules regarding the designation/election of Chairs and Vice-Chairs of Governing Bodies, limitation of the duration of terms of office as well as requirements for such a tenure. In this regard, such provisions would be included accordingly in the Rules of Procedure of each Governing Body. However, as indicated above, it should be underlined that amendments/revisions of the texts of the Rules of Procedure of each of the Governing Bodies lies with the Governing Body concerned, who is responsible for amending and adopting its own Rules of Procedure.

#### IV. DRAFT DECISION

##### **Draft Decision: 40 COM 13B**

*The World Heritage Committee,*

1. *Having examined Document WHC/16/40.COM/13B,*
2. *Recalling the work undertaken with a view to assess and improve the working methods of the Governing Bodies of the World Heritage Convention, and notably the related Resolutions of the General Assembly **18 GA 8** and **19 GA 9** as well as Decisions **36 COM 9A**, **37 COM 11** and **38 COM 9C** on this matter,*
3. *Also recalling the Audit of the Working Methods of Cultural Conventions and the Evaluation of UNESCO's Standard-Setting work of the Culture Sector undertaken by the Internal Oversight Service (IOS) and its corresponding Decisions **38 COM 5F.1** and **38 COM 5F.2** on these matters,*
4. *Recalling furthermore that the reflection on issues related to working methods by the ad-hoc Working Group established at its 38th session (Doha, 2014) is still ongoing,*
5. *Takes note of the efforts and steps already undertaken with a view to improve and streamline the working methods of the Governing Bodies of the 1972 Convention in line with the Recommendations by the External Auditor and IOS on this matter;*
6. *Decides to transmit, as requested, Document WHC/16/40.COM/13B as well as relevant decision adopted on this subject at its 40th session to the Chairperson of the open-ended Working Group on the Governance Procedures and Working Methods of the Governing Bodies;*
7. *Further requests that a progress report on this matter be presented at its 41st session in 2017.*

## **ANNEX I**



## Working Group on the Governance, Procedures and Working Methods of the Governing Bodies of UNESCO

### Informal Summary of Contributions from Member States

#### A. “Structure, composition and methods of work of the Governing Bodies (General Conference and Executive Board)” (Sub-Group 1)

##### Proposed dates for the meetings of Sub-Group 1

Proposed by the Bureau of the Working Group and approved on 1 April 2016 by the Working Group:

- 2 June 2016
- 23 September 2016

##### Overarching issues

- Balance of decision-making powers between the two governing bodies according to their constitutional mandates
- Enhanced and institutionalized dialogue and cooperation between General Conference and Executive Board
- Relations between the General Conference, the Executive Board and the Secretariat of UNESCO.
- Governance reform to focus on effectiveness and efficiency
- Cost-cutting approach is not an aim *per se* (move beyond)
- Small delegations to contribute to all reforms
- Participation of all Member States and the governing bodies of the international and intergovernmental entities of UNESCO in the drafting of the C/4 and C/5
- All proposed reforms should be costed
- Ensure visibility of the work of the Organization and its Governing Bodies

##### 1. General Conference:

- Timing/schedule and flexibility of Commissions – possibility of permanent Commissions
- Simplification of agenda items, grouping of items and taking note items. Annotated agenda
- Review the National Policy Statements to provide guidance to the Executive Board and the Secretariat in the formulation of the C/5 and to focus on key programme areas and on selected items (cf: dedicated round table of Ministers/Ministerial Round table on the preparation of future C/5)
- Role of the Bureau and distribution of minutes of Bureau meetings



- Proposed amendments to the Rules of procedure of the General Conference on Rule 82 on voting rights (document 38 C/WG/1/4)
- Large participation and geographical balance in reform decision- making

## **2. Executive Board:**

- Limitation of (consecutive) terms
- Review the Executive Board's own reforms of its structure and working methods
- Organizational meetings at the beginning of the two-years cycle to determine provisional agendas and programmes of work, open to all Member states
- Increased participation of all Member States in the debate of the C/5 programme design
- Reduction of agenda items, reduction and grouping of items, taking note items, annotated agenda
- Reduction/Abolition of the general debate for national statements
- Open ended informal consultations on proposed draft decision before discussions in Commissions and Plenary
- Role of the Bureau and distribution of minutes of Bureau meetings
- Improved reporting by the Executive Board to the General Conference on its own activities and on programme implementation, including the Board's evaluation
- Thematic Debate during and outside the formal session of the Executive board
- Interactive sessions of dialogue between the DG and the Executive Board on the report on the programme implementation
- Review the debate on staffing issues
- Participation and geographical balance in reform decision making

## **B. "Structure, composition and methods of work of UNESCO's international and intergovernmental bodies (IIBs)" (Sub-Group 2)**

### **Proposed dates for the meetings of Sub-Group 2**

To be agreed

### **Overarching issues**

- Coherence with the Organization's Programme and priorities
- Enhanced visibility of results
- Streamlining activities of IIBs to contribute to C/5 expected results
- IIBs to address UNESCO's role in the implementation of the 2030 agenda
- Coherence and synergies, noting different geneses and legal status of various bodies and independence of some of them
- Balance between equity and efficiency in participation of Member States
- Each IIB to review the recommendations of the external auditor in line with resolution 38 C/101

## **Harmonization of methods of work**

- Harmonization of working methods and of Rules of Procedure
- Streamlining reporting formats
- Common practices and procedures
- Clarification of the mandates of Bureaus versus main organs

## **Alignment with C/5 and overarching priorities**

- Involvement of IIB in the preparation of UNESCO's Programme and Budget - Consultation of IIB in the preparation, in particular on the format and timing
- Contributions of IIB to deliver the C/5 and the expected results once approved by the General Conference - Presentation of the approved C/5 to IIB, planning of activities of IIB based on the consideration of the approved C/5 and IIB reporting on contribution to the Expected Results of the C/5.
- Priority setting mechanism
- Development of result framework – a theory for change of the IIB.

## **Efficiency of results delivery**

- Annotated agendas with discussion points
- Reinforced use of ICTs and availability of documents online
- Measures to enhance transparency of the work of IIBs
- Visibility and communication on respective mandates
- Improving efficiency of meetings (length, participants, technical aspects, dissemination of results)

## **Enhanced coordination with and among IIBs**

- Merging IIBs with similar or related programme focus.
- Regular meetings of the presidents of treaty bodies
- Harmonization of the global calendar of meetings over the biennium
- Relation between IIBs and the General Conference, including reporting

## **C. Date of the forthcoming meeting of the Working Group**

- 3 October 2016

## **ANNEX II**



## General Conference

38th session, Paris 2015

# 38 C

United Nations  
Educational, Scientific and  
Cultural Organization

Organisation  
des Nations Unies  
pour l'éducation,  
la science et la culture

Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

Организация  
Объединенных Наций по  
вопросам образования,  
науки и культуры

منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

. Item 5.2 of the provisional agenda

38 C/23

2 November 2015

Original: English

### FOLLOW UP TO THE UNITED NATIONS JOINT INSPECTION UNIT (JIU) RECOMMENDATIONS CONCERNING THE METHODS OF WORK OF UNESCO'S INTERGOVERNMENTAL BODIES

#### REPORT BY THE EXTERNAL AUDITOR

##### OUTLINE

**Source:** 37 C/Resolution 96 and 197 EX/Decision 28 and 44.

**Background:** This document is presented in compliance with 37 C/Resolution 96 and 197 EX/Decision 28 and 44.

**Purpose:** By 37 C/Resolution 96, the General Conference requested the External Auditor to present an interim report on the findings and main recommendations of the governance review to the Executive Board at its 196th session, with the full report to be presented at the 197th session of the Executive Board, with a view to recommending relevant follow-up measures for consideration by the General Conference at its 38th session.

**Decision required:** the General Conference is invited to take a decision on the proposals contained in document 38 C/23, paragraph 1.

## INTRODUCTION

1. After examining the external audit report on the governance of UNESCO and dependent funds, programmes and entities and the amendments to the Rules of Procedure of the Executive Board, the Executive Board adopted the following decision with a view to recommending follow up measures for consideration by the 38th General Conference (197 EX/Decision 28 and 44):

The Executive Board,

1. Having examined document 197 EX/44,
2. Also having examined documents 197 EX/28 and 197 EX/28.INF on the audit of the governance of UNESCO,
3. Recognizing the hard work undertaken by the informal group of friends of governance,
4. Considering the recommendations and conclusions of the External Auditor's report on the governance of UNESCO,
5. Reaffirming the need for a holistic and comprehensive reform of UNESCO, particularly its governing bodies, in order to ensure greater effectiveness and efficiency of the governance of the Organization,
6. Takes note of the additional information provided by the Secretariat on the financial implications of the proposals contained in document 197 EX/44,
7. Recommends that the General Conference, at its 38th session:
  - (a) discuss the question of the governance and working procedures and methods of the governing bodies of UNESCO;
  - (b) establish an open-ended working group on governance, procedures and working methods of the governing bodies of UNESCO on the basis particularly of the External Auditor's report on the governance of UNESCO;
  - (c) define the terms of reference and timetable of the open-ended working group, so that it may submit its report to the General Conference at its 39th session;
8. Requests the Director-General of UNESCO to include in the agenda of the 38th session of the General Conference of UNESCO an item on the governance and working procedures and methods of the governing bodies of UNESCO;
9. Also requests the Director-General to submit to the first meeting of the above-mentioned working group, further information on the structure of the governing bodies of other agencies of the United Nations system, including aspects relating to their composition, functioning and frequency of meetings, in order to establish a comparison within the system.
10. Requests the Chair of the Executive Board, in consultation with the Director-General, to prepare the necessary practical arrangements and organize on a trial basis, during the biennium 2016-2017, and without amending the Rules of Procedure, meetings of the Executive Board members, in principle six times per year. These meetings will be open to

Member States member of the Executive Board, to non members of the Executive Board as observers with enhanced participation status, and to the Secretariat;

11. Decides to suspend the Preparatory Group and the Information Meetings on a trial basis during the biennium 2016-2017 and to integrate them in the meetings of Executive Board members as described under paragraph 10. These meetings have no decision-making power, but will foster discussions in view of the regular formal Executive Board sessions during the biennium, to be followed by an evaluation to be included in the report referred to in paragraph 7c;
12. Requests the Director-General to review and improve the existing orientation materials, regarding the functions and responsibilities of the governing organs and Executive Board members, as well as a UNESCO acronym glossary to be provided to Member States;
13. Requests the Director-General to start the implementation of recommendations 1, 11 and 13 of the above-mentioned External Auditor's Report on Governance and to report to the 199th session of the Executive Board on progress.



United Nations  
Educational, Scientific and  
Cultural Organization

# Executive Board

Hundred and ninety-seventh session

# 197 EX/28

## Rev.

PARIS, 23 September 2015  
English only

Item 28 of the provisional agenda

## NEW AUDITS BY THE EXTERNAL AUDITOR

### SHORT-FORM REPORT

#### AUDIT OF THE GOVERNANCE OF UNESCO AND DEPENDENT FUNDS, PROGRAMMES AND ENTITIES

##### SUMMARY

This document is the short-form report of the External Auditor's audit report on the governance of UNESCO and its dependent funds, programmes and entities, as submitted in document 197 EX/28.INF, in compliance with Article 12.6 of the Financial Regulations and pursuant to 37 C/Resolution 96.

Action expected of the Executive Board: Proposed decision in paragraph 28.

## EXECUTIVE SUMMARY

### AUDIT REPORT ON THE GOVERNANCE OF UNESCO AND DEPENDENT FUNDS, PROGRAMMES AND ENTITIES

**DISCLAIMER:** This executive summary was drawn up by the External Auditor at the Secretariat's request in order to optimize translation costs and facilitate the governing bodies' discussions. Only the long-form report is authoritative in terms of the exact content, nature and scope of the External Auditor's observations and recommendations.

1. In November 2013, by 37 C/Resolution 96, the General Conference requested that the External Auditor conduct an audit of the external governance of UNESCO and entities that are attached to or administered by the Organization (Annex 2), following a report by the United Nations Joint Inspection Unit (JIU) on the administration and management of UNESCO. At its request, an interim report was submitted to the Executive Board in April 2015 (196 EX/23 INF.5). The full report, summarized here, was submitted to the Board in July 2015 so that, pursuant to the aforementioned resolution, it could recommend "*relevant follow-up measures for consideration by the General Conference at its 38th session*" (November 2015).
2. The first chapter summarizes the conditions under which the governance review took place. It was based in particular on the self-assessment of the governing bodies, cost evaluation of governance arrangements and benchmarking with international institutes.
3. The second chapter proposes guidelines in continuity with numerous recommendations, which, in the past, advised that external governance be better managed, but which have not yet delivered all the results expected. These recommendations remain necessary even though they are insufficient given the dysfunctions and persistent shortcomings that led to the request for the present audit.
4. The third and last chapter therefore lays out 15 new recommendations, in order to restructure and enrich external governance. Annexes complete the remarks made in these chapters.

I. METHODOLOGY, SELF-ASSESSMENT, COSTS	II. BETTER MANAGING EXTERNAL GOVERNANCE	III.-RESTRUCTURING AND REINFORCING EXTERNAL GOVERNANCE	Annexes
<ul style="list-style-type: none"> <li>• The review took into account the numerous audits and evaluations of recent years.</li> <li>• There was an underlying complacency in the governing bodies' assessment, which limited its scope.</li> <li>• The indirect costs of governance are still unclear, but their estimation, albeit imperfect, indicates that they are significant.</li> </ul>	<ul style="list-style-type: none"> <li>• Action in ten areas, stemming from recommendations that are thus reiterated and enlarged.</li> <li>• Many were blocked completely or partly by obstacles, which the context, especially budgetary, made it necessary to overcome.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 new recommendations aim to reduce overlapping, bring governing bodies closer, harmonize rules and procedures, improve performance and reduce costs.</li> <li>• Confidence can best be regained through measures on governance codes, ethics and audit committees in particular.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>International law on governance.</i></li> <li>• <i>Statistical results of the self-assessment.</i></li> <li>• <i>Direct and indirect costs.</i></li> <li>• <i>Governing bodies coping with risks of perception of conflict of interest, corruption and fraud.</i></li> <li>• <i>Observations.</i></li> </ul>



## I. METHODOLOGY AND SELF-ASSESSMENT

### (1) Scope and definitions

5. Neither UNESCO nor the United Nations, which uses the term “main organs”, has defined “governing body”. Here, that term will designate a statutory body or regular meeting of UNESCO (see 191 EX/16 Part IV, Annex): “meetings of a representative character”, Category I (international conferences of States), Category II (intergovernmental meetings other than international conferences of States) and Category III (non-governmental conferences). Advisory bodies, which meet occasionally, fall outside that scope (for instance, UNESCO forums such as the Global Citizenship Education Forum), as do the category 2 institutes and centres.

6. The international law of governance has developed in recent years, though UNESCO itself has not yet defined it. A definition of governance has therefore been adopted in cooperation with the Organization, and served as a reference for the audit:

**Definition:** *Governance refers to the legal framework and the exercise of political authority required to lead and supervise the work of the Organization, determine its strategic direction, set its priorities, regularly assess its performance, determine the level of acceptable risk for its action, allocate resources in accordance with agreed policies and expected results and report thereon to stakeholders.*

7. The External Auditor has held discussions with each of the concerned components of UNESCO.<sup>1</sup> These discussions took various forms adapted to each component and to the subjects addressed. The findings were, for the most part, annexed to the aforementioned interim report. From February 2014 to June 2015, this work mobilized, on a part-time basis, as many as six auditors who had vast experience of international organizations and management issues in a diplomatic, multilateral environment. The dispersal, the frequent diversity and the sometimes incomplete character of the main resource, product and result indicators of the entities that have a governing body were an added difficulty, despite the efforts that are being carried out to remedy the situation.

8. The audit took into account all kinds of reports, as the governance evaluation process is practically continuous at UNESCO, especially through the Special Committee. It also took into account the successive reforms that have been undertaken, some of which are substantial, such as the one undertaken after the independent external evaluation (IEE, 2010).

### (2) Self-assessment in 2014

9. The results of the self-assessment requested by the General Conference<sup>2</sup> can either be termed predominantly positive, if taken literally and only considered from the viewpoint of the response rate and ratings of the respondents, or disappointing, if substantial feedback had been expected. On the one hand, the diversity of the factual data received in response reflects the absence of a standardized management chart summarizing the nature, activity and resources of the entities and their governing bodies. On the other, self-assessment of the “*continued relevance, overlapping mandates, transparency and efficiency of decision-making and the cost of governance arrangements*”, as requested by the General Conference, was frequently tardy and incomplete. However, those replies, albeit incomplete, add up to an acceptable, representative survey.

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<sup>1</sup> It is impossible to discern how the components of “the UNESCO universe” and their governing bodies are organized without an official organizational chart.

<sup>2</sup> “(a) all the governing bodies, intergovernmental programmes, committees and conventions are invited to participate in a self-assessment bearing on the global relevance of their work with regard to their specific mandate, as well as the efficiency and effectiveness of their meetings, and particularly the impact and usefulness of experts’ time (...)”.

10. The self-assessment rightly highlights UNESCO's strengths. Moreover, it expressed a general contentment: 41% of the replies gave the highest rating regarding goals reached and the quality of governance. The only recurring negative observation concerned the inadequacy of the budgets of the governing bodies, as much for their functioning as for actions they supervise. The self-assessment did not reveal any strong will, let alone the possibility of a consensus, to reform UNESCO's governance. This confirms the predominant "wait-and-see" attitude<sup>3</sup>, further illustrated by the implementation of only a quarter of the IEE's recommendations concerning governance.

11. The hundreds of written or oral comments, both general and specific, gathered in the course of the self-assessment confirm, leaving aside individual positions,<sup>4</sup> that there is no desire, even among a minority, for in-depth reform.

12. In brief, the tone – or rather atonality – of some of the self-assessment contributions would suggest that the leaders of the governing bodies, who are mostly representatives of Member States, do not feel comfortable with officially sharing a critical analysis of the current governance practice. This finding, which seems to be at variance with the preoccupations of the General Conference, is a matter for concern.

If this exercise were to end there, ***the conclusion would at the very least be that the governing bodies do not desire any major changes, except additional financial resources, and that it is very unlikely that there will be a consensus to resolutely take the determined initiatives required to bring about substantial, lasting improvements to governance. This feeling is corroborated by the inconsistent follow-up to previous audits and evaluations in this field.***

### (3) The cost of external governance arrangements

13. A new estimate of the cost of external governance arrangements (governing bodies and the bodies that assist them) has been considered.<sup>5</sup> The External Auditor finds that the accounting and auditing tools allow for only a partial – and sometimes very approximate – estimate of the costs featuring in UNESCO's accounts. The result is a very broad biennial range, from **\$25 million to \$39 million** (one of the annexes sets out the methodological problems involved in estimating these costs and the working time of the secretariats of the governing bodies of the conventions, programmes and institutes).

#### Estimated biennial costs

1. Direct costs of the General Conference and Executive Board (source: GBS): **\$7.2 million.**
2. Direct costs of conventions, programmes and category 1 institutes (source: External Auditor, GBS methodology): **\$5.3 million.**
3. Valuation of the working time of secretariat staff not directly assigned to the governing bodies (source: Secretariat): **\$7.9 million.**
4. Unrecognized voluntary contributions in kind: **\$2 million to \$12 million** (source: Secretariat, non-exhaustive amount).
5. Valuation of the working time of the secretariats of conventions, programmes and institutes devoted to external governance *stricto sensu*: **\$2.2 million to \$6.6 million** (source: External Auditor's estimate).

<sup>3</sup> The Executive Board had foreseen this wait-and-see attitude: see 37/C/49 Add. Annex.

<sup>4</sup> In most cases, the self-assessment was carried out by one person or a few people, with collegial review (by a governing body, bureau or commission) being the exception.

<sup>5</sup> Reports 191 EX/16 Part IV and 191 EX/16.INF, 15 March 2013, contained previous evaluations.

14. The estimate is all the more incomplete because the occupation of the meeting rooms at Headquarters has not been valued. The General Conference might usefully task the Secretariat with proposing modernization of their management, as well as additional savings, drawing among other things on the experience of the Committee on Conferences of the United Nations General Assembly and its services, summarized in an annex.

15. There have been reductions in staff numbers in recent years, but the Secretariat has not assessed whether they have materially reduced the working time it spends on the governing bodies.

16. The conclusion on this point is that, since UNESCO has not provided itself with the means to establish the real cost of the current external governance arrangements with a sufficient degree of accuracy, **that cost can be evaluated only approximately; it would, on average and per biennium, fall in a range of about 5% to 8% of regular budget spending.**<sup>6</sup>

17. The range of \$2 million to \$12 million for unrecognized contributions in kind (see 4 in the box above), for instance, essentially relates to the annual meeting of the 1972 Convention. Such a level of spending and such a range of evaluation for a single governing body meeting is evidence of erratic governance, especially if compared to the total financial resources available for achieving the objectives of other conventions and programmes. It means that one to two hundred million dollars (at current values), maybe even much more, have been spent on huge gatherings under one convention since it came into being<sup>7</sup>.

#### **(4) Benchmarking**

18. To acknowledge the General Conference's concerns, comparisons have also been made with other United Nations specialized agencies. Best practices that could be transposed to UNESCO, have thus been mentioned. All the United Nations Secretary General's reports on the "Comprehensive review of governance and oversight within the United Nations and its funds, programmes and specialized agencies", following the 2005 World Summit remain a base corpus. The very Member States that adopted these principles and their follow-up at the United Nations went on to exonerate themselves on a number of points when they were required to reflect upon them and, if possible, decide how they could be applied at UNESCO.

19. Two recommendations stem from this first chapter dedicated to methodology, self-assessment and costs:

**Recommendation No. 1.** The External Auditor recommends that the Secretariat provide the Executive Board at its spring 2016 session with an official organizational chart of the "UNESCO universe" and the different governing bodies.

**Recommendation No. 2.** The External Auditor recommends that:

- (i) a report on the means required to evaluate and manage the full external governance costs of each entity be prepared and submitted to the Executive Board for discussion at its spring 2016 session, and
- (ii) that the Executive Board initiate the comprehensive implementation of this report between now and the spring 2017 session, with a view to producing a comprehensive

<sup>6</sup> This global ratio has only an indicative meaning for the "UNESCO universe", as the mandates of each of its governing bodies are different, and their activities depend on variables such as voluntary contributions, whether they are counted or unrecognized in the accounts of the Organization.

<sup>7</sup> A rigorous analysis would have to include the expenses borne by Member States for the travel arrangements of representatives and experts for the work of the governing bodies, in addition to those of their permanent representatives. Based on a total of 200 trips per month for all the entities – an estimate that is purely intuitive, but probably not excessive – at an average of \$4,000, that would amount to some \$19 million of additional marginal costs per biennium, directly borne by the Member States.

and constructive report on external governance costs for the General Conference at its 39th session.

## II. BETTER MANAGEMENT OF EXTERNAL GOVERNANCE

20. This second chapter examines the principal mechanisms and some of the governance procedures or practices that, according to the audit, can be improved upon. It is broadly equivalent to an examination of the follow-up to the recommendations previously made in numerous internal and external audit or evaluation reports, since the current findings are so similar to those made in the past. It largely reflects the findings of the Executive Board, which pointed out in 2013 that *“governance structures are found to be heavy (size and number of subsidiary bodies, frequency of meetings)”<sup>8</sup>*.

21. One obstacle to carrying out recommendations is the diversity of the current patchwork of governing bodies and of their performance. This obstacle will remain for as long as the – fiction, all the more comfortable for having foundations – persists that it is up to each body to decide on its own governance, despite the fact that all the Member States come together in a General Conference. The result is a recommendation reiterating the advice that has so far been ignored, and a recommendation to put in place the means to overcome previous obstacles, as well as a timetable:

**Recommendation No. 3.** The External Auditor recommends that the General Conference:

- (i) delegate the steering and management of the following ten actions to the Bureau of the Executive Board;
- (ii) to that end, provide the Board with the appropriate means to ensure, after obtaining the opinion of each of the governing bodies, consulted as needed and in the most efficient way, the adoption, at the 39th session of the General Conference, of a guide to best practices applicable to the whole of UNESCO and its dependent funds, programmes and entities:
  - accelerate the shortening of sessions
  - group meetings together
  - make annual meetings biennial, and biennial meetings quadrennial
  - make more use of teleconferences
  - convene essential meetings only and finance them through the regular budget
  - reduce the number of meeting participants
  - shorten agendas by prioritizing and delegating minor decisions
  - increase the delegation of authority to the bureau
  - simplify and improve the dissemination of results
  - encourage best practices

**Recommendation No. 4.** The External Auditor recommends that:

- (i) the Secretariat place at the Executive Board’s disposal the budget (possibly funded by the resources of the appropriate Special Accounts), experts and services required to establish a draft “guide to best practices in governance” and a concrete implementation plan to be considered by the Executive Board at its autumn 2016 session and for adoption by the General Conference at its 39th session;
- (ii) the experts to be placed at the Board’s disposal should not have had any ties whatsoever to UNESCO over the previous three years, and should ensure balanced

<sup>8</sup>

37 C/49 Add., Annex, para. 44.

representation of the management cultures of the Member States of the General Conference;

- (iii) at its autumn 2016 session, the Executive Board have before it a report drawn up by its experts and validated by its Bureau, containing a significant acceleration plan for the implementation of each action listed in the guide, together with indicators of inputs, outputs and expected outcomes that are measurable and relevant regarding the situation as at 31 December 2015;
- (iv) the reports preparatory to the adoption of the budget contained in document 39 C/5 clearly identify in detail the effects related to the implementation of the guide to best practices, such as decreased expenditure relating to governing bodies, redeployment of the projected savings with a view to the implementation of the plan, dissemination of the guide, and training for delegation and Organization staff members.

## **RESTRUCTURING AND STRENGTHENING EXTERNAL GOVERNANCE**

22. The third and last chapter responds to the General Conference's questions concerning "continued relevance [and] overlapping terms of reference". The synoptic table of 49 governing bodies and related entities, established by the External Auditor and annexed to the report, reveals a complexity that is unequalled among all the other agencies in the United Nations system with approximately comparable resources (some \$250 million per year).

23. Stemming from historical differences between legal instruments, this complexity partly explains why the governance structure does not correspond to any operational rationale and thus leaves the Organization open to risks of overlapping mandates and gaps in the system. Recent initiatives undertaken by governing bodies to remedy it have been mentioned, but there are still too few. As a result of the analysis thus developed, ten new recommendations have been formulated:

**Recommendation No. 5.** On a provisional trial basis, the External Auditor recommends that the General Conference:

- (i) decide to elect, from 2016, the same States Parties to the governing bodies of the heritage-related conventions and that the governing bodies thus constituted shall hold their respective sessions in a single joint session, under appropriate legal arrangements;
- (ii) entrust the Executive Board with organizing the implementation of this arrangement by its autumn 2016 session and provide it with appropriate resources;
- (iii) request the Secretariat consequently to merge the secretariats of these conventions by 1 September 2016.

**Recommendation No. 6.** The External Auditor recommends:

- (i) experimenting with a two-yearly meeting of chairs and directors of Category 1 institutes in the Education Sector and with structured coordination between the two sessions;
- (ii) examining, on the basis of this trial, the requirements for combining the institutes within a single *corporate* unit of which the current institutes would form operational divisions, with a single supreme governing body;
- (iii) that for the autumn 2016 Executive Board session the Secretariat produce a report that sets out the lessons learned from this trial and the conditions under which combining the institutes, or at the very least the establishment of joint governance, might be possible, together with an action plan to achieve this.

**Recommendation No. 7.** The External Auditor recommends:

- (i) drawing up a draft governance code in 2016, under the supervision of the Bureau of the Executive Board, that harmonizes and systematizes the rules of procedure, texts and practices of the governing bodies of all UNESCO universe entities;
- (ii) ensuring that this document is regularly updated through a repertoire of practice prepared by the Secretariat and submitted for approval to the Executive Board;
- (iii) adopting the decisions needed to implement this system at the 39th session of the General Conference.

**Recommendation No. 8.** The External Auditor recommends:

- (i) examining means of introducing a screening system for individual candidates for the offices of chair and vice-chair of governing bodies, based on robust and transparent criteria of competence;
- (ii) adopting a resolution to limit the total length of consecutive terms of office (e.g. to four years) for the same delegate in a governing body so that delegates can gain sufficient experience but the bodies can at the same time be periodically renewed;
- (iii) that Member States candidates for a seat on a governing body undertake to nominate a full member or alternate with sufficient experience in that body's field;
- (iv) introducing mandatory training for the offices of chair and vice-chair of a governing body, tailored to the experience of the new officers.

**Recommendation No. 9.** The External Auditor recommends establishing an open working group, under the direction of the Chair of the Executive Board and with the assistance of the Secretariat of the Governing Bodies, in order to prepare a proposal, along the lines of practice in other international organizations, to be examined at the 39th session of the General Conference, for systematic voting on a specific set of issues under debate, in each category of governing body, and according to arrangements to be specified.

**Recommendation No. 10.** The External Auditor recommends:

- (i) setting up an ethics committee;
- (ii) adding a section on the ethical conduct of members of governing bodies to the code of governance recommended elsewhere;
- (iii) that the Ethics Office assist the governing bodies, at their request;
- (iv) that public declaration of interest arrangements be put in place for experts assisting governing bodies.

**Recommendation No. 11.** The External Auditor recommends:

- (i) strengthening oversight of risk management, under the control of the General Conference and within a framework defined by the General Conference,
- (ii) delegating oversight of risk management to the Executive Board or an independent audit committee; and
- (iii) that the arrangements put in place and the progress made be reported on to the General Conference at its 39th session.

**Recommendation No. 12.** The External Auditor recommends:

- (i) the establishment of an independent audit committee, in accordance with the recommendations made in 2011 by the United Nations Joint Inspection Unit, with competence for all the entities, funds and programmes attached to UNESCO;
- (ii) to that end, that the Bureau of the Executive Board supervise the preparation of draft terms of reference and draft rules to be submitted to the General Conference at its 39th session for approval;
- (iii) that, pending amendment of the Basic Texts of UNESCO, an ad hoc interim audit committee reporting directly to the Executive Board be established, based on the current Oversight Advisory Committee.

**Recommendation No. 13.** The External Auditor recommends that the General Conference:

- (i) approve the draft medium- and long-term strategic plans concerning resources, especially IT resources, the organization and methods of the Organization, and in general, structural investments;
- (ii) delegate to the Executive Board the annual review of these plans, their budgets, and input, output and outcome indicators.

**Recommendation No. 14.** The External Auditor recommends that the General Conference set up an independent biennial governance evaluation under the supervision of the Executive Board and with the relevant support of the Secretariat. This would include the actions of the secretariats of convention and programme governing bodies, and the first report of the evaluation would be reviewed by the independent audit committee and then by the General Conference in 2017.

**Recommendation No. 15.** The External Auditor recommends that the General Conference:

- (i) create the position of governance adviser to the Executive Board from 1 January 2016, as well as, depending on the new responsibilities of the adviser:
- (ii) some positions for specialized advisers, by 1 July 2016;
- (iii) entrust an independent expert group with the selection of candidates.

## GENERAL CONCLUSION

24. With \$250 million a year, ambitious UNESCO is one of the poorest agencies in the United Nations system. Member States must therefore balance their priorities in terms of their approach to governance, between the absolute supremacy of political power, whose results can be measured today, and the stated but inconsistently accepted need for scientific skill and exactitude, which is indispensable in the areas of culture, education and the natural and human sciences.

25. As the External Auditor has already recommended, there is a need to give “experts a central role in the delegations”, with strict ethical guarantees. If this is not possible, then governance of UNESCO must be reviewed “to clearly acknowledge its geopolitical rather than scientific nature”.<sup>9</sup>

<sup>9</sup> See report WHC-11/35.COM/INF.9A, para. 178, recommendation 10.

26. Furthermore, without rigorously selecting a limited number of ordered priorities, and even developing methods such as intersectorality giving the Organization a “competitive” advantage, the impact of any reform will remain marginal, at the expense of the populations whose expectations are high.

27. The conclusion is thus that three sequences must be connected:

- (i) continue previous efforts, fully developing the best practices already recommended,
- (ii) accept that this effort does not dispense with the need to renew structures, and work resolutely towards this goal,
- (iii) order priorities pragmatically according to the resources allocated to the means thus reconfigured.

**Proposed decision**

28. The Executive Board may wish to consider adopting a decision along the following lines:

The Executive Board,

- 1. Recalling 37 C/Resolution 96;
- 2. Having examined documents 197 EX/28 and 197 EX/28.INF,



### 13A. FOLLOW-UP TO RECOMMENDATIONS OF EVALUATIONS AND AUDITS ON WORKING METHODS: OUTCOMES OF THE AD-HOC WORKING GROUP

#### Decision: 40 COM 13A\*

The World Heritage Committee,

1. Having examined Document WHC/16/40.COM/13A,
2. Recalling Decision **38 COM 13** which established an ad-hoc Working Group that would meet inter-sessionally to examine the issues related to working methods of the evaluation and decision-making process of nomination and to formulate its recommendations thereon,
3. Recalling Decision **39 COM 13A**, which extended the mandate of the ad-hoc Working Group composed of two members from each regional group and one extra regional group representative who is not a member of the World Heritage Committee to further discuss and make recommendations on Paragraph 61 as well as on the sustainability of the World Heritage Fund,
4. Expresses its appreciation to the Turkish leadership and the delegates of Croatia, Finland, Jamaica, Lebanon, Peru, Philippines, Poland, Republic of Korea, United Republic of Tanzania, Tunisia, Zimbabwe and the non-Committee members of the ad-hoc working group: China, Colombia, Netherlands, Palestine, Senegal and Serbia as well as the representatives of the Advisory Bodies and the World Heritage Centre for their work;
5. Acknowledging the consensus reached after in-depth discussions in the ad-hoc Working Group and after hearing the views during the open-ended meeting, welcomes the recommendations made;
6. Refers to the Item 11, "Revision of the *Operational Guidelines*" of the Agenda of the 40th session of the World Heritage Committee regarding the recommendations on Paragraph 61, and to the Item 15, "Presentation of the final accounts of the World Heritage Fund for 2014-2015 and implementation of the World Heritage Fund under the biennium 2016-2017" regarding the recommendations on the sustainability of the World Heritage Fund;
7. Decides to extend the mandate of the ad-hoc Working Group composed of the members of the Committee to further discuss Paragraph 68 of the *Operational Guidelines* and its annexes, as well as, in consultation with the World Heritage Centre, other UNESCO competent services, and the Advisory Bodies, the sustainability of the World Heritage Fund, and to report to the 41st session of the World Heritage Committee including recommendations on the following issues, inter alia:
  - Feasibility of an additional/optional Protocol,
  - Improved resource mobilization, including a proposal for a "Forum of Donors" and revision of the Partnership Strategy,
  - Optimization of the use of the resources of the Fund, recalling its previous decisions that conservation should be prioritized;
8. Further decides that at least two open-ended sessions of the extended ad-hoc Working Group will be held to enhance broad consensus;

9. Decides to include on the draft agenda of the 41st session of the World Heritage Committee in 2017 an item on the revision of the outcomes of the extended ad-hoc Working Group.

**13B. FOLLOW-UP TO THE RECOMMENDATIONS OF THE EXTERNAL AUDITOR'S "REPORT ON THE GOVERNANCE OF UNESCO AND DEPENDANT FUNDS, PROGRAMMES AND ENTITIES" (DOCUMENT 38C/23)**

**Decision: 40 COM 13B\***

The World Heritage Committee,

1. Having examined Document WHC/16/40.COM/13B and recalling Resolution 38C/101 of the General Conference,
2. Also recalling the work undertaken with a view to assess and improve the working methods of the Governing Bodies of the *World Heritage Convention*, and notably the related Resolutions of the General Assembly **18 GA 8** and **19 GA 9** as well as Decisions **36 COM 9A**, **37 COM 11** and **38 COM 9C** on this matter,
3. Further recalling the Audit of the Working Methods of Cultural Conventions and the Evaluation of UNESCO's Standard-Setting work of the Culture Sector undertaken by the Internal Oversight Service (IOS) and its corresponding Decisions **38 COM 5F.1** and **38 COM 5F.2** on these matters,
4. Recalling furthermore that the reflection on issues related to working methods by the ad-hoc Working Group established at its 38th session (Doha, 2014) is still ongoing,
5. Takes note of the efforts and steps already undertaken, especially through its *ad-hoc* Working Group which it considers as a good practice that enhances strategic decision-making and participation of States Parties, with a view to improve and streamline the working methods of the Governing Bodies of the 1972 *Convention* in line with General Conference Resolution 38 C/101;
6. Recommends the General Assembly to inscribe a new Agenda item discussing matters on Governance at its next session;
7. Decides to transmit, as requested, Document WHC/16/40.COM/13B as well as relevant outcomes of its *ad-hoc* Working Group and this decision to the Chairperson of the open-ended Working Group on the Governance Procedures and Working Methods of the Governing Bodies;
8. Further requests that a progress report on this matter be presented at its 41st session in 2017.