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To: All States Parties to the World Heritage Convention

cc: Advisory Bodies to the World Heritage Committee (ICCROM, ICOMOS and IUCN)

Subject: Equitable Representation in the World Heritage Committee - An explanation of the initiatives proposed to encourage equitable representation including amendments to the General Assembly *Rules of Procedure*.

Dear Madam/Sir,

You will recall that on 18 June 2001 I wrote to you under cover of a Circular Letter (CL/WHC.03/01) on the subject of Equitable Representation in the World Heritage Committee. The Circular Letter made reference to follow-up to the Resolution adopted by the Twelfth General Assembly of States Parties (1999) including proposed amendments to the *Rules of Procedure of the General Assembly* (Rules 13.1 and 13.8).

At its twenty-fifth session (25 – 30 June 2001), the Bureau of the World Heritage Committee requested the World Heritage Centre to circulate a note to all States Parties to explain the proposed new election procedures, particularly in relation to the proposed revision to Rule 13.8 of the *Rules of Procedure of the General Assembly*.

I am pleased to now provide you with further information on this subject as requested by the Bureau and in advance of the forthcoming Thirteenth General Assembly of States Parties (30 - 31 October 2001, UNESCO Headquarters) at which time new members of the Committee will be elected.

Annex I provides a Background / Fact Sheet referring to relevant articles of the World Heritage Convention and the *Rules of Procedure of the General Assembly*.

Annex II explains the proposed new election procedures in relation to the proposed revisions to the *Rules of Procedure of the General Assembly*.

You may also wish to consult the following documents which have been prepared for the Thirteenth General Assembly:

Equitable representation in the World Heritage Committee (follow-up to the Resolution adopted by the twelfth General Assembly of States Parties, including amendments to the Rules of Procedure 13.1 and 13.8) WHC-2001/CONF.206/6.

The document includes a proposal from the twenty-fourth session of the Committee to change Rule 13.1 and Rule 13.8 of the *Rules of Procedure*. The Committee's decision is made in an attempt to ensure equitable representation in the World Heritage Committee. The Committee decision calls for the resolution, if adopted by the General Assembly, to be implemented immediately. No new text, other than the Committee decision is included in the document for the General Assembly.

Elections to the World Heritage Committee WHC-2001/CONF.206/7

The purpose of the document is to outline the election procedures, which could be changed if the proposals to amend the *Rules of Procedure* 13.1 and 13.8 are adopted by the General Assembly

These and other documents for the Thirteenth General Assembly have been made available in electronic format at:

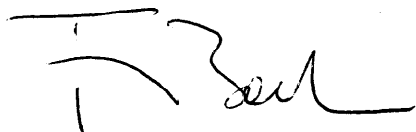
<ftp://whc:suomi@ftp.unesco.org/conf01-206/index.htm> (English)

<ftp://whc:suomi@ftp.unesco.org/conf01-206/index-fr.htm> (French)

If you have any queries relating to the proposed new election procedures please do not hesitate to contact me.

Please be assured Madam/Sir, of the assurances of my highest consideration.

Yours sincerely,



Francesco Bandarin
Director
UNESCO World Heritage Centre

Attachments:	Annex 1	Background / Fact Sheet
	Annex II	Draft Resolution proposed to the 13 th General Assembly of States Parties by the 25 th session of the Committee (Cairns, Australia) to encourage equitable representation of the World Heritage Committee
		Proposed amendments to the <i>Rules of Procedure of the General Assembly</i> and their possible implications.

ANNEX I

Background / Fact Sheet:

Number of members of the World Heritage Committee

- Article 8(1) of the World Heritage Convention defines the number of members of the World Heritage Committee as 21

Equitable representation of the World Heritage Committee

- Article 8(2) of the World Heritage Convention states that "*Election of members of the Committee shall ensure an equitable representation of the different regions and cultures of the World.*"

Length of mandate of members of the World Heritage Committee

- Article 9 of the World Heritage Convention outlines the length of mandate of Committee members as the period of three General Assemblies i.e 6 years.
- Article 9(1) of the World Heritage Convention indicates that the term of office of members of the World Heritage Committee shall extend for a period of six years ("from the end of the ordinary session of the General Conference during which they are elected until the end of its third subsequent ordinary session").

Rotation of members of the World Heritage Committee

- When drafting the final wording of Article 9 of the World Heritage Convention in April 1972 it was stated that:

"this provision establishes a system of rotation for the members of the World Heritage Committee, one third of which will be designated every two years. Thus while the Committee is composed of 15 members, 5 members will be replaced every two years. When the number of Committee members has reached 21, seven members will be replaced every two years." (SHC.72/CONF.37/19)

Revision to the Rules of Procedure of the General Assembly

- The General Assembly may amend the *Rules of Procedure* by a decision taken in plenary meeting by a two-thirds majority of the representatives of States present and voting (Rule 16 - Amendment)

Draft Resolution proposed to the 13th General Assembly of States Parties by the 25th session of the Committee (Cairns, Australia) to encourage equitable representation of the World Heritage Committee

Proposed amendments to the *Rules of Procedure of the General Assembly* and their possible implications

Summary of the Draft Resolution for adoption by the 13th General Assembly - New Electoral Procedures	Implications of the new electoral procedures
States Parties are invited to voluntarily reduce their term of office from six to four years	<p>This measure would facilitate a higher rotation of Committee members, allowing more States Parties to participate in the work of the Committee. This would increase the opportunity for equitable representation, without the need to amend Article 9 of the World Heritage Convention.</p> <p>Decisions to improve the rotation of members of the Committee have been taken in the past (e.g. 1989 General Assembly) and not complied with. Therefore it may not be possible to rely on this practice to improve representation (Source Some Comments from the Secretariat on the Possible Revision of the World Heritage Convention 20 March 2000)</p>
States Parties are discouraged from seeking consecutive terms of office in the World Heritage Committee	As above
States Parties that are not members of the Committee are encouraged to make use of their right to participate in meetings of the World Heritage Committee as observers	<p>This encouragement is designed to highlight the ability of all States Parties to participate and influence discussions and outcomes of the Committee even when they are not members of the Committee</p> <p>This should enhance the equitable representation at Committee meetings. However the increase in the number of observers attending Committee meetings may place additional strain on financial and secretariat resources. It also may affect the efficiency of the meetings.</p>

<p>Before each election of Committee members, the President of the General Assembly will inform States Parties of the situation of the representation of regions and cultures in the World Heritage Committee and World Heritage List</p>	<p>This is to highlight the requirement of the Convention that equitable representation be considered when selecting the composition of the Committee (Article 8.2).</p> <p>This information could assist in influencing the composition of States Parties preferences especially in light of the proposed change to the ballot process in rule 13.8 (see below).</p>
<p>The <i>Rules of Procedure of the General Assembly</i> are proposed to be amended as follows:</p>	
<p>New Rule to be inserted after Rule 13.1</p> <p>A certain number of seats may be reserved for States Parties who do not have sites on the World Heritage List, upon decision of the World Heritage Committee at the session that precedes the General Assembly. Such a ballot for reserved seats would precede the open ballot for the remaining seats to be filled. Unsuccessful candidates in the reserved ballot would be eligible to stand in the open ballot.</p> <p>The Committee, at its 24th Session, decided that 1 seat be reserved for a State Party not having a site inscribed on the World Heritage List at the date of the thirteenth session of the General Assembly.</p>	<ul style="list-style-type: none"> • One seat would be allocated to a State Party that has no sites listed on the World Heritage List at the time of voting. • Each of the 42 State Parties currently without any World Heritage properties would have several opportunities to be voted on to the World Heritage Committee; once for a reserved seat position, up to two times for the unrestricted ballot, and further opportunities in the restricted ballots that follow (as discussed below in the proposed amendment to Rule 13.8).

13.8 Those States obtaining in the first ballot the required majority shall be elected, unless the number of States obtaining that majority is greater than the number of seats to be filled. In that case, the States obtaining the greatest number of votes, up to the number of seats to be filled, shall be declared elected. ~~If the number of States obtaining the majority required is less than the number of seats to be filled, there shall be a second ballot, followed by a third and, if necessary a fourth, to fill the remaining seats. If the number of States obtaining the majority required is less than the number of seats to be filled, there shall be a second ballot. If the number of States obtaining the majority required is still less than the number of seats to be filled there shall be a third and, if necessary a fourth ballot, to fill the remaining seats. For the third and fourth ballots, the voting shall be restricted to the States obtaining the greatest number of votes in the previous ballot, up to a number twice that of the seats remaining to be filled.~~

- The existing Rule only stipulates that the first ballot will be unrestricted. The existing Rule stipulates that the second, third and fourth ballots are restricted to a multiple of the number of seats remaining to be filled. The pool of candidates is thus restricted immediately following the first ballot. This restriction can reduce the ability to ensure equitable representation in the selection of new Committee members.
- The proposed change to the Rule will mean that both the first and second ballots will be unrestricted (i.e. the second ballot will include all remaining unsuccessful nominations from the first ballot).
- The proposed change to the Rule could change the dynamics of the vote. If State Parties select their preferred candidates in the first ballot all of the remaining unsuccessful candidates will be eligible for consideration. At the time of the second ballot it should be clear what regions and cultures are not yet represented on the Committee. This could provide the opportunity for underrepresented regions and cultures in the World Heritage Committee and on the World Heritage List to be selected.
- The need to ensure equitable representation in the Committee will continue to be highlighted by the President of the General Assembly prior to the commencement of voting.