

## Statement – World Heritage Convention and Climate Change Roundtable

Reflecting that climate change is putting at risk the cultural and natural assets of the world, the World Heritage Committee endorsed a Policy Document for Climate Action for World Heritage in July 2021 (the draft Climate Policy), that provides high-level guidance on protecting and conserving the Outstanding Universal Values of World Heritage properties through climate action measures.

In November 2021, the UNESCO General Assembly of the States Parties established an open-ended working group to further develop the draft Climate Policy. Following its final adoption, revisions to the Operational Guidelines for the Implementation of the Convention will be required to translate the Climate Policy into the operational procedures that will enable its full implementation.

A Roundtable was hosted by the Australian Academy of Science in consultation with the Australian Academy of Law on Monday, 6 December, to generate ideas to address the operational and legal consequences of climate change on World Heritage assets.

The Roundtable addressed three key topics that the 2021 draft Climate Policy identified as needing resolution:

- Should a property be inscribed on the World Heritage List while knowing that its potential Outstanding Universal Value may disappear due to climate change impacts?
- Should a property be inscribed on the List of World Heritage in Danger or deleted from the World Heritage List due to impacts beyond the sole control of the concerned State Party (i.e., threats and the detrimental impacts on the integrity of World Heritage properties associated with the global impacts of warming from anthropogenic Greenhouse Gas emissions)?
- Will it be impossible for some natural and cultural properties to maintain the ‘original’ Outstanding Universal Value for which they were inscribed on the World Heritage List, even if effective adaptation and mitigation strategies are applied?

The World Heritage Convention is an international treaty adopted in 1972 to protect globally significant heritage places envisaged as a common heritage of humankind. With 194 signatory states, it is regarded as one of the world’s most successful international conventions. Currently, there are 1154 properties on the World Heritage List, and additional properties are inscribed every year at the annual meeting of the World Heritage Committee, the representatives from 21 of the signatory states, elected to implement the Convention.

To be inscribed (or remain) on the World Heritage List, a property must meet the requirements of Outstanding Universal Value (OUV). The protection of OUV is a collective responsibility of signatory states to the Convention. Climate change is recognised as one of the most significant threats to World Heritage, and it is already degrading the OUV of many properties. The number of properties degraded by climate change and the extent of such degradation will increase in the coming decades.

This year, the operations of the UNESCO World Heritage Committee made global headlines when it considered whether the Great Barrier Reef should be inscribed on the List of World Heritage in Danger,

mainly because of the impacts of climate change. Although the Committee decided not to inscribe the Great Barrier Reef on the In Danger List this year, it will reconsider this matter in 2022.

This ongoing debate about the World Heritage status of the Great Barrier Reef illustrates fundamental legal and operational challenges for the Convention and its Operational Guidelines, as climate change increasingly impacts the World Heritage attributes of more properties.

Can the challenges of climate change be used as a catalyst for positive change in the operations of the World Heritage Committee and thereby help conserve the world's most precious heritage places in the face of climate change?

This question is crucial to Australia, which has a disproportionately high number of properties threatened by climate change. For example, in 2020, the International Union for the Conservation of Nature rated 11 (69%) of Australia's 16 natural and mixed World Heritage properties as being at high risk from climate change. Several cultural properties are also at risk, including the Australian Convict Sites, notably Port Arthur and the Sydney Opera House.

To consider these unresolved complex and multidisciplinary matters, the Academy convened a Roundtable attended by 18 technical and legal experts in natural and cultural heritage, climate change, and diplomacy.

The Roundtable aimed to generate ideas without gaining group consensus. It is hoped that other countries will be able to gather their experts and generate ideas to assist the World Heritage Committee find the most appropriate solutions to the challenges of climate change to World Heritage.

The following key ideas emerged from the roundtable:

### Overarching principles

- Ensure that OUV remains fundamental to a property being inscribed on the World Heritage List or being retained on that List.
- Acknowledge that the Convention needs a mechanism to identify World Heritage properties under threat.
- Ensure that free, prior and informed consent is sought from the Indigenous peoples, and that there is appropriate and meaningful engagement and involvement when making any changes.
- Learn from other international treaties (i.e., The Ramsar Convention on Wetlands) that are also dealing with similar issues.

### Adjusting the inscription process for potential properties threatened by climate change

- Require a climate change vulnerability assessment with agreed standards for each property in the nomination dossier.
- Clarify the expectations regarding the standard of the protection and management of each proposed property, with a focus on climate impact mitigation and adaptation at the property level.

### Acknowledging the status of properties threatened by climate change

- Ensure there is objective, independent assessment of climate risk to properties against transparent thresholds and standards.

- Use thematic assessments to assess the risks to groups of similar types of properties (e.g., rainforests, coral reefs, glaciers, coastal archeological sites).
- Recognise properties in ascertained or potential danger from climate change by either: (a) establishing a new category of list, or (b) creating a subset of the In Danger List and use this recognition to generate resources to assist with mitigation and adaptation at the property level, especially for properties in the Global south.
- Enable properties in similar ascertained or potential danger from climate change to be inscribed in batches.

### Assessing and monitoring Outstanding Universal Value in a changing world

- Acknowledge that climate change is likely to cause change rather than loss of the OUV of most properties, at least for many decades.
- Develop robust ways to assess how the OUV of a property is changing and use attribution science to determine what changes are associated with climate change drivers or other direct human pressures.
- Actively recognise properties with OUV in climate transition to trigger actions to support property level mitigation and adaptation.

Overall, these ideas will help the Convention to achieve its universal aspirations and address the threat of climate change by evolving from a property-by-property approach to one that addresses collective challenges. More detailed outputs from the Roundtable will be published in the coming weeks.

### Participants

The Hon Dr Annabelle Bennett AC FAA FAAL (**Chair**), Chancellor, Bond University

Honorary Professor Bill Campbell AO FAAL, College of Law, Australian National University

The Hon Penelope Figgis AO, Vice Chair for Oceania, IUCN World Commission on Protected Areas

Ms Chrissy Grant, Chair: Wet Tropics Management Authority and International Indigenous Peoples' Forum on World Heritage

Dr Evan Hamman, School of Law, Queensland University of Technology

Associate Professor Scott Heron, College of Science & Engineering, James Cook University

Professor Lucas Lixinski, Faculty of Law & Justice, UNSW Sydney

Professor Richard Mackay AM, Mackay Strategic Pty Ltd, Deakin University, ICOMOS World Heritage Advisor

Professor Brendan Mackey, Griffith University

Emeritus Professor Helene Marsh AO FAA FTSE, Secretary Biological Sciences, Australian Academy of Science

Mr Stephen Oxley, Consultant, former head of Australia's delegation to the World Heritage Committee

The Hon Justice Brian J Preston FAAL, Chief Judge, Land and Environment Court of New South Wales

Associate Professor Ottavio Quirico, Law School, University of New England and Centre for European Studies, Australian National University

Associate Professor Anita Smith, Archaeology and History, La Trobe University

Professor Erika Techera FAAL, University of Western Australia

Dr Greg Terrill, Consultant, former head of Australia's delegation to and a member of the World Heritage Committee

The Hon Penny Wensley AC, former Australian Ambassador for the Environment and to the UN, Geneva and New York

Professor Kerrie Wilson, Pro Vice-Chancellor (Sustainability Strategy), Queensland University of Technology