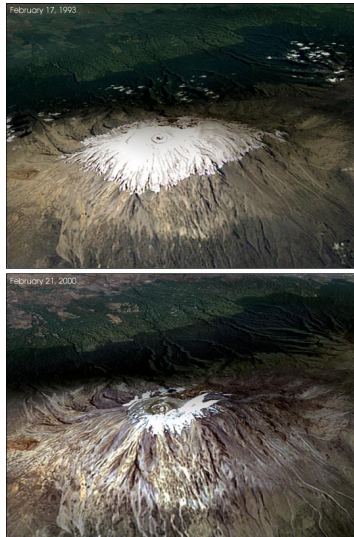


**Submission to the Ad Hoc Working Group on Long Term Cooperative  
Action Under the UNFCCC**

**State Parties Responsibilities to Reduce Emissions to Ensure the  
Protection, Conservation and Transmission of World Heritage to Future  
Generations**



**September 2009**



*"We can talk endlessly, but with limited results, about how climate change is severely threatening biological diversity worldwide. However, if we point out that a World Heritage site is under extreme pressure from climate change and may be irreversibly damaged, causing loss in biodiversity at the same time, our message and call to action may be heard more clearly.....the World Heritage Convention can contribute a voice that may break through the din when others cannot."*

**Executive Secretary  
Convention on Biological Diversity  
April 2008**

1. Article 4 of the World Heritage Convention (WHC) states:

*“Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.”*

(Emphasis added)

2. The duty to ensure the identification, protection, conservation, presentation and transmission of World Heritage to future generations belongs primarily to the State in which the World Heritage site is situated, however the duty itself is one by which the entire international community Parties to the World Heritage Convention are bound. In this context, the Submitters assert that this duty gives rise to a fundamental necessity for urgent action to be taken by Annex 1 Parties to the United Nations Framework Convention on Climate Change (UNFCCC) to affect cuts in their Greenhouse Gas (GHG) emissions, to a level which will ensure the protection, conservation, presentation and transmission to future generations of the World Heritage Areas threatened by climate change.

3. Article 6.1 of the WHC states:

*“Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is situated, and without prejudice to property rights provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.”*

(Emphasis added)

4. Article 6.3 of the WHC states:

*“Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention.”*

5. The continued release of GHG’s is a deliberate measure being undertaken to different extents by different States, which is causing direct damage and harm to World Heritage.

6. This raises important matters concerning the interaction between the

- a. The World Heritage Committee;
- b. The World Heritage Centre;
- c. The UNFCCC;
- d. The Ad Hoc Working Groups under the UNFCCC;
- e. The United Nations Environment, Social and Cultural Organisation;
- f. The United Nations Environment Program; and
- g. The Intergovernmental Panel on Climate Change.

It is critical to the survival of many World Heritage properties that these UN branches work closely with one another on this issue.

7. The UNFCCC has as its ultimate objective:

*“.....the stabilization of atmospheric greenhouse gas concentrations at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change....”*

8. The Kyoto Protocol imposes quantified greenhouse gas emissions reduction targets on parties listed in Annex B of that Protocol for the

period 2008-2012. There are currently no binding emissions reductions targets for any States beyond 2012.

9. The Bali Action Plan recognize that deep cuts in global emissions will be required to achieve the ultimate objective of the UNFCCC and emphasizes the urgency to address climate change as indicated in the Fourth Assessment Report of the IPCC<sup>1</sup>.
10. The Submitters strongly assert that compliance with the WHC and the protection of World Heritage must be a highly significant factor in the ongoing international negotiations and the processes of the AWG-LCA when determining GHG emissions reductions and CO<sub>2</sub>e stabilization targets. International and domestic legal measures concerning emissions reductions must be consistent with international legal obligations arising under the World Heritage Convention – to protect, conserve and transmit World Heritage to future generations.
11. There are currently at least 125 cultural and natural World Heritage Sites threatened by climate change<sup>2</sup>. 79 of these sites were listed as Natural or Mixed heritage and include sites along the following distribution in terms of biomes<sup>3</sup>:

16 coastal marine sites (among which 7 coral reefs);  
14 glacier sites and 7 mountainous sites;  
28 terrestrial biodiversity sites; and  
14 mixed biomes and other type of sites.

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<sup>1</sup> Decision -/CP.13 – Bali Action Plan;

<sup>2</sup> The Impacts of Climate Change on World Heritage Properties, Issues related to the state of conservation of properties inscribed on the World Heritage List , WHC-06/30.COM/7.1, p. 32

<sup>3</sup> Ibid

12. The climate change impacts identified by the international community for natural World Heritage properties are<sup>4</sup>:

- Glacial retreat and glacier melting (19 sites)
- Sea level rise (18 sites)
- Loss of biodiversity (17 sites)
- Species migration and tree-line shift (12 sites, 6 for tree-line shift)
- Rainfall pattern changes and occurrence of droughts (11 sites)
- Frequency of wildfires (9 sites)
- Coral bleaching (6 sites)
- Coastal erosion (4 sites)
- Sea water temperature and salinity change (1 site)
- Hurricane, storms, cyclones (1 site)

13. The climate threats for cultural World Heritage identified are<sup>5</sup>:

- Hurricane, storms, lightening (11 sites)
- Sea level rise (9 sites)
- Erosion (both wind and water driven) (8 sites)
- Flooding (7 sites)
- Rainfall increase (4 sites)
- Drought (3 sites)
- Desertification (2 sites)
- Rise in temperature (1 site)

14. Climate change is already and will continue to adversely effect the conservation of natural and cultural World Heritage properties and the ecological systems that sustain life<sup>6</sup>.

15. The international legal obligations under the WHC and under the UNFCCC must be consistent with one another. The obligations are on States and such obligations are not divisible.

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<sup>4</sup> Ibid;

<sup>5</sup> Ibid;

<sup>6</sup> Policy document on the impacts of climate change on world heritage, UNESCO 2008, document WHC-07/16.GA/10;

16. We hereby respectfully submit that Annex 1 Parties **must**:

- a. ensure that decisions concerning the reduction of GHG emissions and emissions reduction targets take the obligations under the WHC into consideration during negotiations under the UNFCCC as a matter of high priority and seriousness and ensure consistency between the respective Conventions;
- b. stabilize GHG concentrations in the atmosphere below 350ppm CO<sub>2</sub>e;
- c. ensure the global temperature increase is limited to well below 2°C above the pre industrial level;
- d. reduce GHG emissions by at least 40 per cent below 1990 levels by 2020; and
- e. reduce GHG emissions by at least 80 per cent below 1990 levels by 2050.

**Australian Climate Justice Program  
The Wilderness Society  
Friends of the Earth Australia  
Pro Public Nepal  
Foro Ecologico del Peru  
Friends of the Earth International  
Cairns and Far North Environment Centre  
The Australian Conservation Foundation  
The Climate Action Network Australia  
Gundjeihmi Aboriginal Corporation – Kakadu  
Greenpeace International  
Humane Society International**