INTERNATIONAL INSTRUMENTS FOR THE PROTECTION OF MONUMENTS,
GROUPS OF BUILDINGS AND SITES

Preliminary report drawn up in accordance with Article 10, 1 of the Rules
of Procedure concerning Recommendations to Member States and Interna-
tional Conventions covered by the terms of Article IV, paragraph 4 of the
Constitution.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>5</td>
</tr>
<tr>
<td>A. Purpose of a recommendation concerning the protection, at the national level, of monuments, groups of buildings and sites</td>
<td>8</td>
</tr>
<tr>
<td>1. Legal nature of the recommendation and obligations arising from its adoption by the General Conference</td>
<td>8</td>
</tr>
<tr>
<td>2. Contents of the preliminary draft, paragraph-by-paragraph commentary</td>
<td>9</td>
</tr>
<tr>
<td>B. Purpose of a convention concerning the international protection of monuments, groups of buildings and sites of universal interest</td>
<td>21</td>
</tr>
<tr>
<td>C. Conclusion</td>
<td>28</td>
</tr>
</tbody>
</table>

Annex I: Preliminary draft recommendation

Annex II: Preliminary draft convention
1. Resolution 3.342 adopted by the General Conference of Unesco at its fourteenth session authorized the Director-General: "to co-ordinate and secure the international adoption of appropriate principles and scientific, technical and legal criteria for the protection of cultural property, monuments and sites...".

2. At the same session, in resolution 3.3411, the General Conference authorized the Director-General: "to study the possibility of arranging an appropriate system of international protection at the request of States concerned, for a few of the monuments that form an integral part of the cultural heritage of mankind".

3. In pursuance of these two resolutions and in accordance with the work plan, a meeting of experts was held at Unesco Headquarters in Paris from 26 February to 2 March 1968, at which representatives from all interested international non-governmental organizations were present. In its conclusions, the meeting invited Unesco to continue its action aimed at:

   "establishing an effective system for the protection of monuments, groups and areas and sites at national level and at implementing an international system for the protection of monuments and sites of universal value and interest" (document SHC/CS/27/8).

4. The Programme and Budget for 1969-1970 adopted by the General Conference at its fifteenth session made it possible to continue this activity. The work plan for project 33.411 (paragraph 1181) stated that: "Unesco will study the possibility of making international arrangements for the protection of monuments and sites which are of universal interest; the study will cover the legal, scientific and practical implications of such arrangements, applied to monuments at the request of the governments concerned, the criteria such monuments should satisfy, the procedure for establishing such arrangements and the role likely to devolve upon Unesco".

5. In accordance with this work plan, a second meeting of experts (Category VI) was held from 21 to 25 July 1969 at Unesco Headquarters, and suggested in the conclusion of its report that the Director-General:

   "(a) prepare an International Recommendation ... which could be used in setting up or improving national systems for the protection of monuments, groups of buildings and sites; and

   (b) prepare an International Convention or have recourse to any other appropriate means favouring the establishment of an international system for the protection of monuments, groups of buildings and sites of universal interest, in accordance with the principles and conditions" laid down in its report and "drafted in a way that would facilitate the work of any regional bodies which might be led to draw up similar instruments" (document SHC/MD/4).

6. In pursuance of the above-mentioned resolutions of the General Conference and in accordance with the work plan approved at its fifteenth session, the Director-General prepared a preliminary study of the legal and technical aspects of possible international instruments for the protection of monuments and sites of universal value. This study was submitted to the 84th session of the Executive Board (document 84 EX/4).
7. Having examined this preliminary study, the Executive Board adopted the following decision (84 EX/Decisions 5.3):

"The Executive Board,

1. Considering Articles 2 and 3 of the Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution,

2. Having examined the Report and the preliminary study contained in document 84 EX/14,

3. Decides to include the following question in the Provisional Agenda of the sixteenth session of the General Conference: 'Advisability of establishing an international instrument for the protection of monuments and sites of universal value'.

8. In pursuance of this decision, the Director-General submitted the text of the preliminary study to the sixteenth session of the General Conference (document 16 C/19). The Conference adopted resolution 3.412, worded as follows:

"The General Conference,

Bearing in mind the Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution,

Having examined the preliminary study of the Director-General on the desirability of adopting an international instrument for the protection of monuments and sites of universal value (document 16 C/19),

1. Considers it desirable that international instruments be prepared to this effect;

2. Decides to entrust the Director-General with drafting an international convention and a recommendation to Member States within the meaning of Article IV, paragraph 4, of the Constitution;

3. Invites the Director-General to convene the special committee provided for in Article 10, paragraph 4, of the above-mentioned Rules of Procedure, which will be entrusted with examining and finalizing the drafts prepared by the Director-General with a view to their submission to the General Conference at its seventeenth session (1972)."

9. As was stated in the Report of the Programme Commission (16 C/105, Part C.3, paragraphs 148-155) "In addition to the draft international convention instituting the international arrangements for the protection of monuments, groups of buildings and sites, a draft international recommendation aiming at the standardization of national legislations should be drawn up and prepared at the same time for submission to the seventeenth session of the General Conference".

10. The work plan for this project (16 C/5 Approved, paragraph 3319) stated:

"In accordance with resolution 3.412, a preliminary report and also a preliminary draft recommendation concerning the protection of monuments and sites at the national level and a preliminary draft international convention instituting the protection of monuments and sites of universal value - these two drafts being complementary - will be drawn up for submission to Member States in July 1971. On the basis of the comments received from States, a final report concerning a draft recommendation and a draft convention will be prepared by the Secretariat. These draft proposals will be examined and put in final form by a committee (Category II) made up of technical and legal experts appointed by Member States, which is scheduled to meet in 1972. The drafts approved by this special committee will be transmitted to Member States in July-August 1972 and will be submitted to the General Conference at its seventeenth session".

11. With a view to implementing this resolution and in the light of the report and the above-mentioned work plan, the Director-General obtained the co-operation of two experts, Mr. Hanna Saba, former Assistant Director-General of Unesco for International Standards and Legal Affairs, and Mr. Robert Brichet, tutor at the University of Law, Economics and Social Sciences in Paris, who have both played a very active part in the preparation of the preliminary draft recommendation and convention which are herewith submitted to Member States for their comments and observations.

SHC/MD/17 - page 4
INTRODUCTION

12. The report takes into account the work of two meetings of experts as well as other work done under the auspices of Unesco such as the study concerning the International Fund for Monuments and Sites and the seminar on the conservation of stone monuments held in Venice from 22 to 27 June 1970.

It also takes into account the work of the Council of Europe, in particular:

(a) the seminars in Vienna (October 1965) on the reviving of monuments; in Bath (October 1966) on the principles and practice of active preservation and rehabilitation of groups and areas of buildings of historical or artistic interest; in The Hague (May 1967) on the active maintenance of monuments, groups and areas of buildings of historical or artistic interest within the context of regional planning;

(b) the outline law for the active protection of immovable cultural property in Europe adopted by the Consultative Assembly in 1970.

13. Lastly, the report takes into consideration the contributions of several States which, conscious of the need for a system to protect their monuments, groups of buildings and sites, against the grave dangers which threaten them, have adopted measures which have proved to be beneficial.

The nature of the problem

14. The various elements which make up the immovable cultural heritage - monuments, groups of buildings and sites - and the natural setting in which they are found, taken together constitute an immensely rich possession. This common heritage, shared by all countries, needs more protection from the grave dangers to which it is exposed at the present time, in order that its scientific, aesthetic, educational and recreational value may be preserved and enhanced.

15. In previous centuries age, neglect, vandalism, ignorance and natural catastrophes all took their toll; new measures are now necessary because in all countries today the very survival of both monuments and their natural surroundings is seriously jeopardized. The preliminary study submitted to the General Conference (document 16 C/19) analyses the present situation in this way:

"These phenomena - due to the actions of man and nature - are the results of population growth and social development, leading to the appropriation of more open country, to economic and industrial development entailing major public or private building enterprises, to agricultural and commercial expansion involving the opening up of virgin land, to the application of methods of exploitation endangering monuments, groups of buildings and sites. To these must be added such phenomena as an increasingly rapid deterioration of immovable cultural property due in particular to chemical causes, partly as a result of pollution of the atmosphere. Other dangers come from land or air transport, such as the vibration caused by heavy traffic or supersonic aircraft. Formidable dangers lie in the inadequacy of aesthetic and technical protection against a building activity which is not always regardful of existing monuments, groups of buildings and sites. Shortage of staff and funds, threats resulting from armed conflict and certain natural disasters are so many more perils to be faced by the competent authorities.

Some of these phenomena occur simultaneously, thus increasing the danger. For example, the rate of population growth is such that the existing world total of three thousand million inhabitants can be expected to rise to six thousand million in the year 2000; this increase will lead to
the dangers of overcrowding. At the same time there is the regrettable inadequacy, already mentioned, of the methods current in many countries for preserving their immoveable cultural heritage. There exists an alarming imbalance between the dangerous phenomena and the measures adopted by Member States to nullify their effects. In particular the turmoil caused by rapid and chaotic urbanization poses an acute threat to monuments and groups of buildings and at the same time endangers other values essential to the spiritual and social well-being of mankind. The industrial revolution, in fact, in upsetting the traditional order, uproots men from the natural environment in which everything contributed to the shaping of customs, beliefs and social equilibrium. Men are now transplanted in vast numbers to towns whose unplanned development produces immense urban sprawls incapable of satisfying the requirements of life on a suitably human scale.

16. It would be an illusion to think that all the responsibility for protection can be shouldered by a single organization. Protection should be planned according to co-ordinated rules based, as far as possible, on common fundamental principles, and should be the concern at the national and international level of bodies possessing the scientific, technical, legal, administrative and financial resources to be able to combat all the dangers mentioned and to carry out the necessary tasks in the proper way.

17. What matters most is that these tasks should be defined as clearly as possible so that Member States and the international community can be given specific responsibilities, which will enable them to act with maximum effect. This co-ordination of effort depends, in the first instance, on a detailed and searching analysis of the specific functions to be carried out at the national level and at the international level in relation to the responsibilities to be allotted, the obligations to be borne and the openings for action to be created.

Emerging from these few ideas may be seen the outlines of national protection and international protection. The two have points in common but they also have their own characteristics.

18. As to the nature and scope of national protection, it is vital that each State should be fully aware that it is fully responsible for ensuring, in conformity with its own legislation on the subject, the protection and development of all monuments, groups of buildings and sites on its territory. For this purpose, an active policy, based on the protection of the whole of the cultural and natural heritage should be adopted, with a view to its incorporation in development programmes. Protection services should be set up and permanent contact should be encouraged at all levels with the other major departments responsible for economic expansion and development. Lastly, all necessary measures should be taken to preserve and breathe new life into the national heritage.

19. As to international protection, its main aim is to stimulate the efforts of States so that they take all the necessary steps to safeguard their heritage. The international authority (Unesco) should therefore methodically develop its normative action for the benefit of all States by preparing new international instruments (recommendations and conventions) and getting them adopted, and by assessing the action taken by Member States in conformity with these instruments, instruments made necessary by the changing conception of scientific and cultural co-operation between nations.

Member States can also request international action in the form of studies and research and the preparation of rescue and development programmes. Thanks to the generosity of certain States, international support has, for more than ten years, been provided for a series of emergency operations to save and develop monuments, groups of buildings and sites of universal interest. The time has come to add a new dimension to international co-operation and replace the system which has already been described as "international charity" by one based on the idea of world-wide international solidarity. A sort of international Red Cross for monuments, groups of buildings and sites should be set up, within the limits of Unesco's capacity, to save this property in case of emergency in time of peace, like the regular Red Cross which has apparently arisen out of The Hague Convention of 1954 protecting cultural property against the dangers of armed conflict. It is unnecessary to add that such international solidarity can only be called upon in the case of those monuments, groups of buildings and sites which are of universal value.

20. The points which national and international protection have in common are essentially that they both protect the same things; that any effective action must be based on a better understanding of the general principles of conservation and development and detailed study of all the dangers which threaten the heritage; and that, consequently, effective measures must be adopted, in particular to
the work which needs to be done, taking all the economic and cultural considerations into account. Such planning could be done at all levels, local, regional, national and international. Lastly national and international protection both have their scientific, technical, administrative and legal aspects. A common strategy and methodology applicable, with slight variations, in all countries, therefore needs to be devised and constantly developed.

21. The rules applicable to protection do not have the same binding force at international as at national level. The sovereignty of States means that only national protection is binding with respect to the cultural or natural property situated in any given country and the international community can only express hopes or put forward recommendations concerning this property, leaving it to States to take such action as seems most appropriate. On the other hand, to provide international protection, the international authority can regulate these problems by international convention, establish such institutions as appear necessary and determine the assistance which it can give to States and the conditions under which it will be granted. Although both States and the international community have duties in regard to these monuments, groups of buildings and sites, the extent and subject of their responsibility are not the same in the two cases.

It was for this reason that the General Conference decided that two international instruments should be prepared:

(1) a recommendation concerning the protection of monuments, groups of buildings and sites at the national level, and

(2) an international convention concerning the protection of monuments, groups of buildings and sites of universal value.
A. PURPOSE OF A RECOMMENDATION CONCERNING THE PROTECTION, AT THE NATIONAL LEVEL, OF MONUMENTS, GROUPS OF BUILDINGS AND SITES

1. LEGAL NATURE OF THE RECOMMENDATION AND OBLIGATIONS ARISING FROM ITS ADOPTION BY THE GENERAL CONFERENCE

22. The Rules of Procedure concerning Recommendations to Member States and International Conventions, adopted by the General Conference at its fifth session and amended at its seventh session, state that recommendations are the instruments by which "the General Conference formulates principles and norms for the international regulation of any particular question and invites Member States to take whatever legislative or other steps may be required - in conformity with the constitutional practice of each State and the nature of the question under consideration - to apply the principles and norms aforesaid within their respective territories".

These principles and norms derive their force from the fact that they were adopted after detailed examination by the supreme organ of an international organization to which the vast majority of States belong. Their aim is to influence the development of national legislation and practice by laying down an international line of conduct. A recommendation is therefore not an instrument entailing reciprocal undertakings and establishing legal obligations of a contractual nature which must be strictly observed. In this respect, it differs from an international convention, the adoption of which is also covered by the terms of Article IV, paragraph 4 of the Constitution. It also differs from a convention in that it leaves States completely free to give effect to its provisions in whatever way best suits their particular situation.

23. The recommendation envisaged here, which would be an instrument formally adopted by the General Conference by a majority vote, is not, however, entirely without legal consequences. The adoption of a recommendation by the General Conference entails, in fact, for all Member States - and therefore even for those which did not vote in its favour - clear obligations of a constitutional and administrative nature.

The adoption of a recommendation by the General Conference obliges each Member State, by virtue of Article IV, paragraph 4 of the Constitution, to submit the recommendation to its competent national authorities within a period of one year from the close of the session of the General Conference at which it was adopted. Article VIII of the Constitution, which deals with the presentation of reports by Member States, also lays down that "each Member State shall report periodically to the Organization in a manner to be determined by the General Conference ... on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4".

The General Conference supplemented this last provision by a provision in the Rules of Procedure concerning Recommendations to Member States and International Conventions for the submission by Member States of special reports on the action they have taken in pursuance of conventions and recommendations adopted by the General Conference, and a stipulation that an initial special report relating to any convention or recommendation should be transmitted not less than two months prior to the first ordinary session of the General Conference following that at which such recommendation or convention was adopted. In addition, the General Conference may request Member States to submit, by prescribed dates, additional reports giving such further information as may be necessary.

These rules also provide that the General Conference shall consider the special reports submitted to it and "shall embody its comments on the actions taken by Member States ... in one or more general reports, which the Conference shall prepare at such times as it may deem appropriate"; these
reports must be transmitted to Member States, to the United Nations, to National Commissions and to any other authorities specified by the General Conference.

The purpose in making it obligatory for Member States to submit the recommendation to their competent national authorities is to ensure its widest possible implementation and application. Moreover, thanks to the reports, the General Conference and, subsequently, Member States themselves, will be able to assess the effectiveness of past activity, the extent to which the recommendation was implemented, the methods used in its application, the reasons why no action was taken on all or part of the recommendation, the difficulties encountered in its execution, the results obtained, etc. This information can provide the Conference with valuable limits as to the direction which its future activity in a given field should take.

Lastly, the publicity which it can give in its reports to the information received from Member States and to its own observations on the action taken on a recommendation offers a suitable means whereby the General Conference can contribute to the general implementation of the recommendations which it adopts.

2. CONTENTS OF THE PRELIMINARY DRAFT

24. The preliminary draft recommendation contains seventy paragraphs divided into seven chapters, Chapter V being further divided into four sub-chapters:

I. Definitions (paragraph 1)
II. National policy (paragraph 2)
III. General principles (paragraphs 3-11)
IV. Organization of services (paragraphs 12-19)
V. Protective measures (paragraph 20)
   Scientific and technical measures (paragraphs 21-29)
   Administrative measures (paragraphs 30-37)
   Legal measures (paragraphs 38-55)
   Financial measures (paragraphs 56-65)
VI. Educational and cultural activity (paragraphs 66-69)
VII. International co-operation (paragraph 70)

Paragraph-by-paragraph commentary

1. Definitions

25. The definitions proposed are the ones generally accepted by the two meetings of experts in 1968 and 1969 and adopted in the European outline law for the active protection of immovable cultural property in Europe. It should be noted that works of monumental sculpture have been counted in with monuments as, from the protection point of view, they should benefit from the same rules as monuments proper. The definitions, whilst precise, are couched in sufficiently wide terms to include all the property which it is hoped to protect, whatever the continent or the civilization to which it belongs. Where sites are concerned, all possible categories have been listed, including archaeological sites on land and under water and scientific and natural sites.

The attention of Member States is especially drawn to the fact that the definition of sites relates to the protection of immovable property both man-made and natural. The definition of natural sites derives from suggestions made in the appropriate circles prior to the Conference on the Environment which is to be held by the United Nations in Stockholm.
II. National policy

26. Bearing in mind the very great human, social, economic and cultural value of the monuments, groups of buildings and sites on its territory, each Member State should formulate, develop and apply a national policy aiming chiefly to ensure the protection and development of this property against all present and future dangers. All the scientific, technical and financial resources available at all levels should be co-ordinated and judiciously used to carry out this urgent task.

III. General principles

27. States must awaken to their responsibility, before their own citizens and also before the international community, for their immovable cultural and natural heritage. States have indisputable rights over the monuments, groups of buildings and sites which they have the privilege to possess on their territory, but there is an overriding right, as it were a moral right of the international community over property whose fate is of concern to all mankind. States therefore have at least a moral obligation to the international community to maintain their heritage in good condition. This confirms the principle of a heritage belonging to all mankind over and above the State (paragraph 3).

28. A distinction may sometimes be drawn between the relative merits of two monuments, but such judgements cannot be definitive since a small monument which has gone unnoticed at one period may later turn out to be an irreplaceable example of an influence or a particular school in that particular region. With the passage of time, buildings of great quality may have deteriorated to such an extent that they have become unrecognizable, yet, as has been shown in many cases, restoration may suddenly reveal their value.

Any tendency to classify separate features of the heritage by order of value and any tendency to underrate those monuments, groups of buildings and sites which might appear of secondary interest must be overcome. These tendencies are in fact dangerous and could lead to the neglect or even to the gradual destruction of this property. The world's heritage should be considered as a homogeneous whole (paragraph 4) created by man in his effort to adapt himself to the natural environment in which he lives (paragraph 4).

29. Protection of this heritage should take into account all its elements, including the areas to be protected, views of or from a monument, a self contained unit such as a small town, etc. Most States have made provision in their laws to protect individual monuments; fewer States provide protection for groups of buildings, including rural dwellings when they fit in harmoniously with the natural surroundings. In some instances the law protects townscapes, i.e. views of or in a town. It would be a notable step forward if all States were to introduce new provisions in their national legislation to provide protection of this kind (paragraph 5).

Paragraph 6 explains the ultimate purpose of such protection, which is the physical and spiritual development of man. The heritage, which is conceived on a human scale, corresponds perfectly with human needs. In many parts of the world, of course, satisfaction of the individual's material needs may seem more urgent than fulfilment of his cultural aspirations. In this connexion, however, it must be recalled that the economic and social value of a cultural heritage is considerable and constitutes an important environmental asset which requires adaptation to the needs of our time. Moreover, the urgency of material needs does not cancel out cultural and spiritual needs. The development of man's intelligence and sensitivity must run parallel with his physical development. Neither is conceivable without the other.

30. For all these reasons new bearings in the general policy of each State should lead to recognition of the fact that national expansion is not retarded by developing the cultural or natural heritage - often considered a heavy burden - but on the contrary may be aided by that heritage if we consider the full potential of its contribution. A corresponding new outlook must be created. It has an importance all its own, and is an essential premise to the adoption of favourable attitudes towards monuments, groups of buildings and sites.

31. The necessary corollary to this principle is that if it were impossible to integrate monuments, groups of buildings and sites into the social, economic and cultural life of the nation, they would be doomed to disappear. This integration must be effected by means of the instruments devised by modern economic systems, namely national, regional and local development plans (paragraph 7).
Paragraph 8 points out that where they do exist, preventive and corrective legal provisions intended to protect monuments and sites are largely a matter of prohibitions, restrictions and sometimes of measures designed to keep damage to a minimum. Such provisions are indispensable. It is indeed necessary to stipulate that a historical monument shall not be demolished or a modern construction built on to an historical monument, that a site must be restored, etc. States which do not have such regulations—and they are very few—should introduce them. But the processes of deterioration are imperceptible and pernicious, and the damage done in many cases proves to be irreparable. Consequently the system of passive protection characteristic of the regulations of the nineteenth century and first half of the twentieth must henceforth be supplemented by measures which actively integrate the immovable cultural heritage into the civilization of today and tomorrow, by giving it a part to play compatible with its original function. At a time when economic viability is a prime consideration with many States in drawing up plans and choosing courses of action, it would appear desirable to earmark funds for monuments, architectural groups and sites which would enable them to "earn their keep", a function which is often utilitarian or in any case one which it is possible to evaluate in economic terms. In the last analysis, a development plan provides the only suitable means of doing this.

32. The protection of monuments, groups of buildings and sites and their integration into life today and tomorrow implies, as indicated in paragraph 9, concerted action on the part of all public and private services concerned. States should outgrow the concept of a strictly specialized service with pitifully small resources taking usually piecemeal measures in a defensive struggle that is almost always doomed to failure from the outset. Those responsible for protecting cultural property need to be animated by a dynamic spirit that will bring about conditions for co-ordination between ministries and full co-operation with other departments whose activities may have some bearing on monuments, groups of buildings and sites.

33. A specialized service should have at its disposal all the scientific and technical resources that progress in all fields related to conservation can provide. The public authorities should also provide it with generous financial support so that it can make the large-scale investments which will ultimately make the cultural or natural heritage an economic proposition for the country as a whole (paragraph 10).

Lastly, the accomplishment of these tasks is not the concern of the administration alone; it is the privilege of the people at large, who should feel they share responsibility for the vestiges of their past and the environment in which they live, and should be concerned about the future of that past and that environment. A kind of public protection of the cultural or natural heritage should be instituted so that people can continually take an active part either in the financing of projects, albeit with modest contributions, in surveillance or research or in some activities to be carried out under the provisions made to develop the educational and cultural interest of the public (paragraph 11).

IV. Organization of services

34. Primary responsibility for the protection of monuments, groups of buildings and sites lies with specialized public services, as is indicated in paragraph 12. Where such services do not exist, States would be well advised to establish them within the framework of their constitutional provisions and in accordance with their particular situations. Besides the works traditionally assigned to any scientific and administrative service, specialized services of this kind should be organized in every State not only to combat the damage and deterioration of monuments, groups of buildings and sites, but should also try to determine the causes of such damage and deterioration.

The first task of such specialized services is to devise measures of all kinds—administrative, technical, scientific, legal and financial—which will contribute to the protection of monuments, groups of buildings and sites. This will be done in conjunction with other departments concerned (research, financial, etc.) (paragraph 13 (i)).

In order to enable such services to function properly, they must be able to recruit and train the technical and scientific staff they require. Research specialists should be engaged to study, in well-equipped laboratories, problems relating to the spread of damp in ancient buildings, the weathering of building materials such as stone, wood, brick, etc. Architects and construction engineers should be given post-graduate training either in their own country or abroad. Specialists in the human sciences should likewise be recruited since their co-operation is needed for preliminary studies and the actual integration of monuments, groups of buildings and sites (paragraph 13 (ii)).
V. Protective measures

41. Specialized services for the protection of monuments, groups of buildings and sites, organized along the lines that we have just indicated, could not be effective unless certain scientific, technical, administrative, legal and financial measures are taken by States (paragraph 20).

Scientific and technical measures

42. So as to avoid, as far as possible having to have recourse to the costly operations necessitated by the deterioration of monuments, States should ensure careful and constant maintenance of their cultural and natural heritage. In order to know when minor maintenance work has to be done, thus circumventing the need for subsequent large-scale conservation or even restoration work, property should be kept under regular surveillance by qualified agents.

As the permanent upkeep of monuments is one of the basic principles enshrined in the Venice Charter (May 1964), Member States should take all necessary steps to ensure that it is respected and so improve the present situation.

A conservation programme should gradually take in every part of the heritage as far as the technical and financial resources available permit. As a clear illustration of the form that such programmes could take it is worth recalling the "town schemes" introduced in the United Kingdom for the historic towns of Bath, York, Chichester and Chester, where major work has been carried out. Similarly, in France, over 40 protected areas in Lyons, Chartres, Sarlat, Rouen, Avignon, Aix-en-Provence, Besançon Uzès, Paris (the Marais) etc., were established under an enactment of 1962 (the "Loi Malraux"). The results already achieved show how much these pilot projects could contribute to the protection and development of monuments and sites (paragraph 21).

43. Whenever major operations have to be carried out, thorough studies should precede and accompany them. This point was made by the meetings of experts held in 1968-1969 and by the Seminar on the Conservation of Stone Monuments held from 22 to 27 June 1970 by Unesco in Venice. One of the conclusions of the Venice Seminar says expressly:

"It is incumbent on Member States ... to see to it that any important operation for the protection and display of immovable cultural property is preceded and paced by exhaustive scientific, historical and artistic studies".

Thus it would be essential to determine the age of the monument, the guiding architectural concept of its builders, the nature of the materials and methods used (paragraph 22).

44. Operating methods should be worked out so as to take into account the dangers that may recently have emerged and the pollution that may have developed as a result of intensive industrialization in certain areas. An exhaustive investigation should be carried out into the causes of deterioration, which is often due to changes in the hydrological conditions of the soil resulting either from climatic, physical and geological changes or from human activities accidentally affecting the foundations of the building or its immediate environment. A number of proposals for appropriate treatment could be advanced: drying the monument out, improving the imperviousness of the soil to water, reinforcing foundations and cracked walls, renovating pillars and ceilings, replacing damaged stones and so on (paragraph 23).

45. The main object of such research and studies would be to formulate a new methodology for coordinating techniques and resources in order to reinforce the protection of the world's cultural heritage. Such a methodology should have interlocking scientific, technical and artistic aspects. The Venice Seminar analysed the various tasks incumbent on monument architects and technicians when carrying out restoration work:

(a) compilation of the monument's "medical file";
(b) exhaustive analysis of the causes of its deterioration;
(c) study of the possible types of action and selection of a treatment, based on a careful examination of the various alternatives, which must not take away from the essential character of the monument in any particular;
46. The Venice Charter lays special emphasis on the fact that "the conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and colour must be allowed". The Venice Seminar enriched this concept by adding the following: "The architect's primary duty is to safeguard the authenticity of the monument and keep substitutions and additions to an absolute minimum. For him the stone is not simply a physical component but one with an architectonic value all its own" (paragraph 25).

47. "Architects should give close attention to the problems posed by monuments in their structural and functional aspects, and all that this implies". Damaged stones should be replaced only where the damage has reached such an advanced stage that it is manifestly prejudicial to the appearance and architectural quality of the monument. Flexible solutions should be patiently worked out for each individual case. At all events, new stones built into the fabric of the monument should be easily identifiable either by marking or by the use of different materials, by setting them slightly back from the original surface, or some other method (paragraph 26).

48. The need to respect the harmony established by time and man between monuments and their surroundings should be emphasized. Hence the practice of isolating monuments by demolishing their surroundings, without which they often lose much of their meaning, is to be condemned. Similarly, the moving, turning and raising of monuments should be done only with a view to preserving for future generations important features of the immovable cultural heritage threatened with destruction. Ideally, monuments should be preserved in their setting, which helps to bring out their historic and artistic significance (paragraph 27).

49. New dangers which have arisen, especially the vibrations caused by motor traffic in town centres, by air traffic and supersonic aircraft inflict considerable damage on stone buildings. Such damage makes it urgent that a code of practical rules for the preservation of ancient monuments be prepared. Some dangers, which have always been present, have been increased by modern conditions. Thus, seismologists think that explosions of any kind, nuclear or otherwise, and also the excessive weight of water impounded by dams may be instrumental in triggering off earthquakes, which are becoming increasingly frequent. Maps incorporating all the relevant data should therefore be made and detection and alarm systems should be devised for the benefit not only of people, but also of monuments and sites (paragraph 28).

50. Provision should be made for a sociological inquiry by specialists in the human sciences (sociologists, economists, ethnologists, specialists in biometrics and geographers) as a prelude to any operation aiming to integrate the immovable cultural heritage into the life around. Thorough studies should be carried out to show whether property which calls for rehabilitation can retain its initial function or whether some appropriate new function, if possible producing a certain return on the investment, should be sought. Practical means should be sought to integrate old structures, without suffocating them, into new, in conformity with the needs of present-day society and forecasts of their probable development.

The socio-cultural needs of a given environment should be accurately determined so as to enable man to work, to develop and to achieve fulfillment in it and so as to avoid serious errors which could lead to failure (paragraph 29).

Administrative measures

51. The meetings of experts held in 1968 and 1969 pointed out that each State should make an inventory of monuments, groups of buildings and sites so that protective measures can be taken in good time. This could be done using methods evolved either by individual States or by regional intergovernmental organizations like the Council of Europe. Particular attention should be paid to buildings which, without being of outstanding importance, are inseparable from their environment and contribute to its character, as well as to threatened sites. These protective measures should be compiled in a printed form easy to consult and regularly kept up to date, and could thus, for
example, be printed with a blank page for any additions. At regular intervals new issues would be brought out to replace the old ones (paragraphs 30 and 31).

52. As a means of facilitating operations for the integration of monuments, groups of buildings and sites, it would be desirable for States to prepare maps and carry out topographical studies covering such cultural property and, possibly, the protected areas relating to them, the views to be protected, and so on. Such documents would facilitate work on development plans and would guarantee that the latter take into account the need to protect the immovable cultural or natural heritage that has to be protected (paragraph 32).

53. The finding of new uses for monuments and groups of buildings that have lost their original function is a vital problem, since once abandoned, they are in danger of falling rapidly into ruin. Various uses may be imagined, and are listed in paragraph 33; in general, they should not be put to industrial use, although in fact a number of monuments have been saved by being used for - rather special - industrial purposes, e.g. liqueur factories and wine cellars (paragraph 33).

54. The idea that all the constituent parts of the immovable cultural or natural heritage of a State form a single whole should not rule out the establishment of priorities in the preparation of work programmes. The two concepts are not contradictory; one relates to a spatial criterion, while the other relates to a criterion of time (paragraph 34).

55. Groups of buildings of historical and artistic value should be declared "rehabilitation areas", the main feature of such a system being a permanent plan for their protection, development and rehabilitation. This would represent a considerable progress in the case of most States; though many of them have worked out measures of protection for individual monuments and sites, they have not yet worked out measures for the protection of groups of buildings as defined in the general principles of the present recommendation.

Local authorities and the inhabitants of the area concerned should be consulted during the investigation preceding the designation of a "rehabilitation area" and also when the permanent plan is being formulated (paragraph 35).

56. The permanent plan should cover land use, the lay-out of roads, building restrictions, buildings to be preserved and the conditions in which they are to be preserved. As concerns rehabilitation, the permanent plan should decide to what use the whole area shall be put and, where applicable, what shall be the links between the area under consideration and the new town around it. The transition must be smooth and clashes must be avoided (paragraph 36).

57. Any work carried out within the rehabilitation area should be subject to prior authorization which may be dependent on examination by an ad hoc advisory body. Authorization should be granted only if the work planned is compatible with the directions given in the permanent plan. The work in question could be either restoration or new building (after slum clearance or on vacant lots) (paragraph 37).

Legal measures

58. Many countries, employing the most varied legal procedures, have adopted legislation or regulations of an individual or collective nature to protect historic monuments and sites. Basically, these measures involve scheduling property of public interest, prohibiting its destruction or modification without the authorization of the specialized services, and making it obligatory to take counter measures against possible harm and damage to such property.

The States will be familiar with these preventive and corrective measures for the protection of cultural and natural property. Our aim is not to recapitulate them but to propose that the stipulations be applied to all groups of buildings and sites as far as is necessary and as far as is compatible with the circumstances. For example, it is scarcely possible to think in terms of expropriation for failure to carry out conservation work on a particular site, while on the other hand this procedure might be justified in the case of an archaeological site. Similarly, there would not be much point in taking possession of vacant land adjoining a protected site, but it might be useful in a case where a building standing on a protected site needs conservation work, without which it might spoil the site, and similar cases (paragraph 38).
59. Another question which arises is that of strengthening the usual legal measures by regulations essential for the protection of monuments, groups of buildings and sites, whether collectively or individually, against certain effects of modern civilization which are inevitable in some respects but which in view of the dangers to which they subject the immovable cultural or natural heritage must be controlled or even eliminated.

All the old and the new measures must be enforced not only on private owners but also public authorities when they are owners of immovable cultural property. Experience shows that in a number of countries such public authorities have a regrettable tendency to consider themselves exempt from such rules (paragraph 39).

60. Work on a monument or a site should be carried out under the guidance or at any rate under the supervision of the specialized services, depending on the degree of protection they enjoy and the nature of the work. No new building should be built on to an ancient monument because of the thrusts which might be set up or the damage that might be caused. The approaches to a protected monument should also be protected. These may vary in extent, but 500 metres seems a reasonable radius for the protected zone. Care should be taken to see that this measure is publicized in the proper way, since it may affect third parties, i.e. owners of buildings in the protected zone (paragraph 40).

61. The installing of modern conveniences in old buildings can help to rehabilitate them. While external features should not be modified, internal transformations should be possible, provided they do not drastically alter the characteristic features of ancient dwellings (paragraph 41).

62. The State should be able to order an owner to carry out such conservation work as may be deemed essential on a protected monument, while offering in return to contribute financially to the work. If for some reason the owner does not carry out the work, the State should have general powers to have the work done by its administrative services, the owner having to reimburse to the State that share of the costs which he would have paid had he carried out the work himself. In preparation for such a system, States might provide for administrative or legal appeal procedures and experts' reports. Similarly they might make provision for a procedure whereby an owner may relinquish to the State his title in a property, the expropriation procedure being initiated by the owner himself. Arrangements could also be made for repayment by widely-spaced instalments of moneys owing to the State for work carried out on an historic monument for a private individual (paragraphs 42-43).

63. The State should be able to carry out such conservation work on a protected monument as may be deemed essential. If the owner of a protected building, whoever he may be, or the owners of neighbouring buildings are opposed to such temporary occupation of the premises as may be necessary in order to carry out the work, the State should nevertheless be able to exercise the right of occupation. A corresponding procedure should be formulated and provision should be made to give adequate compensation for any wrong or injury inflicted (paragraph 44).

64. The rehabilitation of monuments and groups of buildings may require that they be transferred to individuals or corporate bodies capable of preserving them and of giving them an appropriate function. Such intentions can be foiled by ill will on the part of owners, which is why in exceptional cases the State should be able to expropriate protected monuments and transfer them subsequently to private individuals. To avoid various forms of collusion and fraud, it would be advisable for the transfer to be accompanied by a contract specifying the conditions binding upon the new owners. Similarly, previous owners should be able to put their case. Provision should be made for administrative or legal appeal procedures in order to avoid any infringement of title for reasons other than those indicated (paragraph 45).

65. The two meetings of experts in 1968 and in 1969 pointed out the most regrettable failings in national regulations. Consequently, States should take appropriate action to control bill-posting, neon signs and other kinds of advertisement, commercial signs, camping, the erection of poles, pylons and cables, television aerials, street furniture, indicator panels and so on. Motor traffic and parking should also be subject to specific controls. Some States and local authorities have taken praiseworthy action in these spheres, but this is far from being the general case (paragraph 46).
66. Once a building has been scheduled as protected, the protection should continue regardless of changes of ownership, the effect of this measure being comparable mutatis mutandis with that of actual easements. States should therefore take steps to publicize this fact, so that no purchaser is unaware that a building is under a protection order. To obviate any excuse of ignorance on the part of the purchaser, the seller should be under a formal obligation to inform the purchaser that the building is under protection (paragraph 47).

67. Certain easements, which vary from State to State, such as those relating to aqueducts, pipes and cables and so on, may be likely to affect a monument, a group of buildings or a site, in which case such easements should be applicable to cultural or natural property only with the agreement of the minister in charge of the immovable cultural or natural heritage of the State in question (paragraph 48).

68. The following two paragraphs contain provisions relating to underwater excavations, the regrettable destruction that has occurred on a number of underwater archaeological sites having provoked a number of States to take appropriate action. States which have sea coasts or stretches of water which may cover archaeological remains would do well to base their action on a number of fundamental principles giving them control over operations and, under certain circumstances, ownership of objects retrieved (paragraphs 49-50).

69. A certain number of offences prejudicial to a monument, a group of buildings or a site, together with the penalties with which they are punishable should be cited. Such penalties include, in exceptional cases, both a fine and imprisonment, but normally only a fine (paragraphs 51-52).

70. As criminal penalties, especially if only fines, do not have a great deterrent effect, it seemed greatly preferable to supplement them by very effective corrective measures, i.e. ordering offenders to restore a site to its previous state or, bring it into conformity with standards prescribed by the competent authorities as the case may be. This could either be in addition to the criminal penalties or independent of them. Further, as daily fines for delay in performance have proved very effective in countries that have adopted them, the procedure seemed worth recommending (paragraph 53).

71. Private individuals are not alone in violating rules for the protection of the immovable cultural or natural heritage of their country, since public authorities themselves are sometimes guilty of acts committed in ignorance of the laws or regulations. In the present recommendation stress has deliberately been laid on one particular aspect of protection, i.e. the need, even for public authorities to obtain authorization for any demolition, removal, restoration, repair or modification of any kind carried out to a protected monument or site (paragraph 54).

72. However, there are other possible and more subtle infringements, for example decisions violating the provisions of a development plan or the permanent plan for a designated rehabilitation area.

It would be desirable to make such decisions subject to an annulment procedure, which would vary from State to State according to their internal organization, and to make the public body guilty of infringement answerable for such decisions (paragraph 55).

Financial measures

73. It seemed essential to declare that it is the duty of the owner to protect his property, experience having shown that in principle the person most likely to look properly after a protected building, especially an historic monument, is the owner. Owners who do not look after their buildings are fortunately less common, than those who do (paragraph 56).

74. This is why the meetings of experts in 1968 and 1969 concluded that owners should be given incentives to do their duty, which, having regard to the nature of the work, is generally very expensive. Incentives may take the form of tax concessions both on capital and on income, for example, allowable deduction in certain circumstances of the total cost of maintenance and conservation work from the total amount of taxable income (paragraph 57).

75. In addition to tax relief, financial assistance might be given in the form of subsidies or other aid from public authorities, in exceptional cases, when several public authorities are contributing.
such financial assistance might cover the total cost (e.g., in the case of a monument of outstanding importance belonging to an owner without sufficient financial resources) but in normal circumstances would only cover part. Subsidies might be differentiated (details would have to be worked out) according to the nature of the work, the owner’s means, the value of the building in question and so on. To be really fair, a subsidy should cover the additional expenditure which the owner is officially obliged to meet because his building is legally protected (paragraph 58).

76. In return for the above financial advantages - tax deductions and subsidies - the State should impose on the owner a number of obligations, i.e., public access to parks, gardens and sites, visits to certain parts of an historic monument or group of buildings on certain days or over a certain period. By these means, the protected monument could be made to contribute to the work of educating the public (paragraph 59).

77. In most States the budgets of public authorities, and more especially the State budget, are inadequate to cover more than a very small part of total expenditure. Yet work on monuments, groups of buildings and sites involves a heavy outlay and is bound to increase in volume as time goes on. It is therefore essential that public authorities come to realize the situation and make appropriations in their budgets for the upkeep, conservation, restoration and possible development of their immovable cultural or natural heritage (paragraphs 60-61).

78. In view of the need to find funds for the protection of monuments, groups of buildings and sites and the desirability of avoiding the disadvantages of budgeting on a yearly basis, the system which is in very general use among public authorities, it would be desirable for States which have not yet done so to set up a "national monuments fund". This body should be able to receive gifts and bequests, which would flow more readily towards a legally established public agency with recognized objectives than towards the State, whose budget is used to cover all kinds of expenditure, not all of which are of interest to possible benefactors (paragraph 62).

79. Operations for the rehabilitation of monuments, groups of buildings and sites, and renewal and restoration in particular, require special funding in the form of loans on favourable terms. The public authorities should make provisions for such loans, since the owners concerned by these operations are generally people of modest means and with limited incomes and often unable to pay the cost of the work involved. Their departure would involve a change in the social environment in question, which would not be desirable (paragraph 63).

80. For similar reasons, it is to be recommended that compensation for rises in rent be paid to the poorer inhabitants of buildings or groups of buildings that have been restored to enable them to stay on in their accommodation when they do not have sufficient means to pay a rent that has been increased as a result of work carried out. To avoid abuses, such compensation should be temporary and calculated in relation to the income of the persons concerned (paragraph 64).

To help owners with the financing of work of any description on monuments, groups of buildings and sites, it would be desirable for States to encourage the setting up of a "loan fund" supported by public and private institutions; the function of this fund should be to provide loan cover for the balance of the cost of the work, i.e., not covered by subsidies and payable by the owner. If such aid is to be a real incentive and not a form of speculation as is often the case at present, the rate of interest must be low and repayment must be spread out over a long period, twenty years at least (paragraph 65).

Educational and cultural action

81. The integration of monuments, groups of buildings and sites into life as it is at present and as it will be in the future should not be seen as a sop to the opinions of an artistic, scientific and cultural elite, but rather as a duty incumbent on society at the present stage of development of our civilization to enable man to develop his possibilities to the full.

82. A patient and untiring effort should be made to create greater public awareness in all Member States of the social, economic, scientific, cultural and educational value embodied in the immovable cultural or natural heritage. A broad programme of action would be needed to predispose public opinion favourably towards projects that have been or will subsequently be prepared by the specialized services and to get it to use its influence with central, federal or local authorities to ensure that public funds are spent on protection just as they are on buildings, highways and education.
In this connexion, the press, television, radio, publications, other mass media, schools, universities and voluntary organizations can and do play a decisive rôle (paragraphs 66-69).

**International co-operation:**

83. Lastly, it would be highly important, in the interest of monuments, groups of buildings and sites, for Member States to co-operate in the assistance given by the competent international organizations, intergovernmental and non-governmental.

Among the intergovernmental organizations which take an active interest in immovable cultural or natural property, we may mention the Council of Europe, the Organization of American States, the League of Arab States, and particularly the International Centre for the Study of the Preservation and Restoration of Cultural Property (the Rome Centre). These organizations work to promote the development of a philosophy of active policies for the protection and rehabilitation of a heritage considered to be of regional or universal interest, while dealing with problems common to all their members.

As for the non-governmental organizations concerned, in particular the International Council of Monuments and Sites, the International Union of Architects, the International Union for Conservation of Nature and Natural Resources and the International Federation of Landscape Architects, they pursue similar ends by directing their research towards the causes of deterioration in monuments, groups of buildings and sites, and the development and application of effective counter measures.

Every Member State should co-operate with these organizations to exchange scientific and technical publication and information services, organize seminars and working groups on particular subjects and make study and travel fellowships available, to obtain facilities for its staff to be trained abroad, and co-ordinate its conservation, excavation, restoration and rehabilitation projects with those of its neighbours (paragraph 70).
B. PURPOSE OF A CONVENTION

84. As the Unesco General Conference decided at its sixteenth session, international protection of monuments, groups of buildings and sites should be the subject of an international convention.

The present preliminary draft convention is concerned with the protection of monuments and sites of universal value (the official title neglected to mention "groups of buildings", an omission which will have to be made good at the seventeenth session of the General Conference). It includes the following sections:

I. Definitions (Articles 1 and 2)

II. National protection and international protection (Articles 3-5)

III. Intergovernmental Committee for the Protection of Monuments, Groups of Buildings and Sites of Universal Value (Articles 6-10)

IV. Resources: International Fund for the Protection of Monuments, Groups of Buildings and Sites of Universal Value (Articles 11-18)

V. Conditions and arrangements for the granting of international protection (Articles 19-25)

VI. Educational programmes (Articles 26 and 27)

VII. Reports (Article 28)

VIII. Final clauses (Articles 29-38)

1. Definitions

85. The definitions of "monuments", "groups of buildings" and "sites" set out in Article 1 of the preliminary draft convention reproduce the terms contained in the preliminary draft recommendation. Article 2 however stipulates that international protection can be given only to monuments, groups of buildings and sites of universal value. Certain criteria (exceptional aesthetic or natural interest, unique evidence of a vanished civilization, irreplaceable masterpieces typifying a particular period, an historical past, a people, etc.), make it possible to identify which cultural property may be considered as having universal value.

Article 2 also defines international protection as comprising the establishment of a permanent system of protection whereby States Parties to the Convention wishing to rescue features of their immovable heritage of universal value, may, if necessary, obtain help from the international community in their efforts.

86. The institution of such a system follows on logically from previous international action. It is hardly necessary to recall that for the last decade Unesco has been involved, at the request of Member States, in a series of urgent and active operations to protect and develop outstanding monuments and sites.

Such efforts have aroused enthusiasm, produced favourable reactions everywhere and are considered as examples of the great value of the international co-operation which it is possible to achieve in our day.
It would thus seem that the time has come to regulate on an international basis the cases in which Unesco acting on behalf of the international community and for the benefit of all countries which have such needs or requirements, could take part in major undertakings essential to protect some universal cultural or natural heritage.

Such a system, which should be thought of as a kind of "Red Cross" organization for monuments, groups of buildings and sites of great value, should function regularly and permanently and should have means at its disposal for international co-operation both now and in future.

These means should be carefully assessed, without being either over- or under-calculated, and should be kept in mind during the important work of defining the operating limits of the proposed system, giving it stable structures, and establishing the procedure for granting international protection.

II. National protection and international protection

87. International protection can only be of a supplementary nature. It does not replace national protection. Thus Article 3 of the preliminary draft convention places States on whose territory the immovable cultural property is situated under a formal obligation to ensure its protection. They undertake to do this to the best of their available resources as well as by means of any international co-operation which they can obtain. Under the terms of Article 4 the States Parties to the Convention undertake a certain number of commitments to provide the most effective protection possible for the monuments, groups of buildings and sites on their territories. These commitments cover the entire immovable cultural or natural heritage, not only that which is of universal value. They have as their object:

(a) the adoption of a general policy whereby monuments, groups of buildings and sites would be given a function in community life and their protection incorporated in development programmes;

(b) the establishment of protection services provided with the necessary staff and operating resources;

(c) the development of studies and research into methods of protection;

(e) the adoption of the measures required for the upkeep, restoration and rehabilitation of the immovable cultural or natural heritage.

In view of the particular difficulties facing certain States, especially the developing States, certain qualifications are attached to the commitments in question. The measures to which they refer are to be taken as appropriate for each country and in conformity with the provisions of existing international conventions and recommendations.

88. Article 5 of the preliminary draft convention refers to the duty of the entire international community to contribute to the protection of immovable cultural or natural property of universal value.

Every form of scientific, technical, artistic and financial help which a State Party to the Convention may actually need and without which the protection of an immovable cultural asset of universal value in the country concerned would be jeopardized, should, as far as possible, be furnished under specific conditions by the international community.

Following the recommendations of the meetings of experts which stated in 1968 and 1969 that international protection should not imply the internationalization of such property or any form of extra-territorial status, the same article stipulates that help from the international community in the protection of immovable property cannot in any circumstances infringe upon the sovereignty of the States on whose territory the property is situated.
III. Intergovernmental Committee for the Protection of Monuments, Groups of Buildings and Sites of Universal Value

89. The 1968 and 1969 meetings of experts recommended that responsibility for the system of international protection should be entrusted to an international body, preferably Unesco. It should be operated by a secretariat with the assistance of experts and technicians who could be supplied by Member States and interested intergovernmental and non-governmental organizations. The preliminary draft convention takes up these proposals, filling in the details and making slight modifications. In order that the system of protection shall enjoy the broadest possible co-ordination of efforts, Article 6 provides for the establishment of an Intergovernmental Committee attached to Unesco and composed of 15 States Parties to the Convention elected by the States Parties to the Convention. This election could take place during the ordinary sessions of the General Conference of Unesco. It would perhaps be advisable to allow for the eventuality of the Convention coming into force more than one year before the opening of an ordinary session of the General Conference. In such an eventuality, it might be possible to consider calling a special meeting of States Parties who would be asked to elect the first members of the Committee. A transitional provision to this effect could be drafted.

The figure of fifteen members seemed to meet the need for a body of limited composition able to act effectively without its sessions being of undue length and it also seemed to satisfy the considerations of equitable geographical distribution. Article 7 deals with terms of office without suggesting a precise figure, and suggestions on this subject would be most useful. Whilst a shorter term of office would mean more frequent renewal, a longer term of office would make it possible for the experience acquired by the representatives of Committee Member States to be used more profitably. In any case, these representatives must be chosen from among prominent people qualified in the protection of monuments, groups of buildings and sites.

90. Article 8 provides that the Rules of Procedure to be adopted by the Committee shall permit observers from selected intergovernmental and non-governmental organizations to participate in its work. Measures could be adopted which would allow intergovernmental organizations such as the United Nations, FAO, the Rome Centre, etc., as well as international non-governmental organizations such as the International Council of Monuments and Sites (ICOMOS) the International Union for Conservation of Nature and Natural Resources (IUCN) etc., to participate with Unesco in the administration of the Convention. The Rules of Procedure will also lay down the conditions under which particularly well qualified private individuals or corporate bodies can participate in the Committee's activities.

These provisions correspond to the recommendations made by the 1968 and 1969 meetings of experts that the international body should benefit as fully as possible from the collaboration of experts and technicians. Lastly, and with the same aim in view, Article 8 provides that the Committee may, if it thinks necessary, establish appropriate consultative bodies.

Article 9 sets out the functions of the Committee, the principal tasks of which are to give its opinion on requests for assistance received from States Parties to the Convention and to draw up a short list of monuments, groups of buildings and sites of universal value which require major operations and which will enjoy international protection.

91. The idea of a short list does not simply spring from a wish to keep international action within reasonable bounds, but also from a wish to act effectively in the best interests of the universal cultural heritage. Here it should be made clear that those in charge of the national protection services in many Member States of Unesco have come to recognize their initial mistake, which was to try to protect all monuments, groups of buildings and sites at the same time without considering either the scientific and technical aspects of each problem or the skills which were needed and the volume of resources available. They have subsequently selected monuments, groups of buildings and sites which urgently need protection. Thorough studies have been carried out on these and the treatment they require, which has made it possible to plan operations, to develop effective methods of treatment, to engage the necessary specialist technicians and to seek various ways of financing these operations.

By drawing up a short list, it is also hoped to facilitate the establishment at the international level of a procedure for the rational step-by-step organization of the operations necessary for safeguarding monuments, groups of buildings and sites of universal value belonging to the various nations of the world.
92. The enthusiasm which this arouses can be sustained by drawing up a second list of property of exceptional interest which has been saved by international protection. This will put on record what has been achieved and will illustrate, by examples of past action, what could be achieved in the future.

To sum up, the short list will have several functions:

(a) to limit operations by the international authority to a reasonable number;
(b) to demonstrate to world opinion the reality of the danger threatening certain property;
(c) to contribute to the effectiveness of international fund-raising campaigns by identifying the property for which the public is being asked to contribute.

The Committee has an international fund at its disposal which it administers and in which the funds allotted for international protection are deposited. The Committee must also look for ways of increasing these funds.

93. Article 10 states that the Committee will be assisted by a secretariat appointed by the Director-General of Unesco. The secretariat will prepare the Committee's documentation and the Agenda of its meetings and will see that its decisions are carried out.

IV. Resources: International Fund for the Protection of Monuments, Groups of Buildings and Sites of Universal Value

94. We must now turn to the third part of the international protection system: the "International Fund for Monuments, Groups of Buildings and Sites of Universal Value", responsible for collecting and distributing the funds necessary for carrying out the work plan adopted by the Intergovernmental Committee. This idea is not new, since the project for establishing an international fund has come before Unesco periodically for the last twenty-two years.

When asked to discuss the legal and financial aspects of the problem, the experts at the 1969 meeting thought it was not desirable for the fund to be independent of Unesco since the Organization had a long experience of raising funds for cultural work. It therefore seemed to them that it would be more convenient to establish the fund within Unesco so that it could function harmoniously with the other bodies whose purpose it was to apply the international protection system.

95. Articles 11 and 12 therefore provide for the creation of the fund in conformity with the provisions of Unesco's Financial Regulations, in particular, Articles 6.6 and 6.7 thereof, which provide for the establishment of trust funds to be operated according to the conditions and procedure to be laid down in the special regulations of the fund in question. These trust funds enjoy the status and advantages accorded to Unesco in the Headquarters Agreement and in the Convention on the privileges and immunities of the Specialized Agencies.

96. Concerning the resources which the Intergovernmental Committee should have at its disposal, it should be stressed that the property to be protected is composed for the most part of imposing structures needing delicate work which has to be carried out with the greatest care. In these conditions, it is vital that the international community provide a stable, regular income to cover its work, allowing it to participate in a limited number of rescue operations. It is for this reason that the preliminary draft convention makes it obligatory for States Parties to make regular contributions, the amount of which is to be determined by the General Assembly of the Contracting Parties at sessions of the General Conference of Unesco.

Extra resources coming from gifts and voluntary contributions made by governments and international or national public authorities as well as from private institutions or individuals, will make it possible for the Committee to extend its activity. Studies undertaken show that there is every reason to view the prospects with optimism in this respect.

97. With this in view, Article 12 lists the Fund's various resources, which may come not only from governments but also from intergovernmental or non-governmental organizations, foundations, private firms, particularly those concerned with tourism or transport, which have a particular interest in the preservation of the cultural heritage, from individuals, etc.
98. Article 13 deals with contributions from States Parties to the Convention. These will take the form of regular payments, fixed at two per cent of their financial contribution to Unesco's budget. As well as this, voluntary payments may be made by States whether or not they are Parties to the Convention. Experience has shown that many States, without any previous commitment, have been willing to make large contributions on several occasions to save monuments, groups of buildings and sites of great value, in particular during the International Campaign to Save the Monuments of Nubia or the International Campaign for Florence and Venice. Such additional assistance may be expected from those countries which are economically most developed.

99. By the terms of Article 14, the Secretariat will keep in regular contact with governments and competent national authorities and also with all national or international organizations and institutions, whether public or private, concerned in the work of protection of monuments, groups of buildings and sites of universal value, to let them know the work which has to be done on particular property and ask for their assistance.

This direct approach to bodies which may be able to make an appreciable contribution to the International Fund is an essential means of sharpening their awareness of the particular problems presented by each programme. They will be more willing to make a financial contribution if they know exactly for what purpose it will be used. Whereas an appeal for a vague cause may give disappointing results, a personalized appeal for a precise task is capable of producing excellent results.

To encourage gifts and bequests of all kinds from individuals or corporate bodies, from profit-making or non-profit-making organizations, Article 15 commits States Parties to the Convention to make favourable tax arrangements with regard to such benefactions when made for the benefit of monuments, groups of buildings and sites.

100. Several countries have already made moves in this direction. They should now improve the system which they have established since the tax concessions at present granted are generally too small. States which have not yet taken such steps should introduce similar measures in their countries. It would be logical to make tax concessions in favour of benefactions for monuments, groups of buildings and sites of any kind, whether the immovable cultural or natural heritage of the country concerned or monuments of universal value, in the latter case, by means of contributions to the International Fund.

Among voluntary contributions, special mention should be made of those from big industrial or commercial companies as well as from all other public or private corporations, national or international, concerned by protection of monuments, groups of buildings and sites of universal value.

101. A recent survey carried out at the request of Unesco has shown that international organizations and certain major airlines might be interested in the activities covered by the Convention. The survey notes in particular that since important cultural or natural property is a great stimulus to tourism, organizations connected with tourism should be expected to contribute their share to the Fund.

The voluntary participation of other firms or individuals is to be welcomed, particularly the participation of foundations; it would be advisable to promote the establishment of such foundations.

102. For this reason, Article 16 provides that States Parties to the Convention shall undertake to promote by all means, in particular by administrative, legal and fiscal measures, the creation of national foundations. The task of these foundations will be to encourage gifts and bequests from individual or collective patrons who wish to make a financial contribution to some great operation for the protection of monuments, groups of buildings and sites of universal value.

These national foundations, whose tax position is very favourable in the United States but less so elsewhere, could have a dual purpose: they could assist the work of conservation in the country to which they belong and, by contributions to the International Fund, the work carried out on property of universal value.

103. Similarly, under the terms of Article 17, States Parties to the Convention undertake to assist by all means at their disposal in periodic international fund-raising campaigns. These campaigns, launched under the auspices of Unesco and appealing to public generosity, would benefit
from Unesco's prestige and from the prestige of such a worthy cause as the protection of the immovable cultural or natural heritage of universal value. The results of these campaigns should not be disappointing since the amount expected is not exorbitant and impossible to raise.

104. Under the terms of Article 17, States Parties also undertake to facilitate fund-raising by appropriate national organizations which, in this case, would be the auxiliaries of the International Fund in the country concerned. Each State Party to the Convention will be free to determine which national organizations shall be entrusted with this task, e.g. the National Commissions for Unesco, national protection societies or even specially established ad hoc bodies.

105. Lastly, Article 18 provides for the possibility of devoting part of the funds raised by these international campaigns to properties in the country concerned, even when they are not monuments, groups of buildings or sites of universal value and even if they do not appear on the short list.

V. Conditions and arrangements for the granting of international protection

106. The first step in the procedure for granting international protection is for a specific request to be made by a State Party to the Convention. Such a request, made under the terms of Article 19 by a State asking for international protection, has the merit of leaving to the State in question the responsibility of assessing the universal value of the monument, group of buildings or site under consideration.

It could happen, however, for religious, political or other reasons for instance, that a State might fail to give an immovable cultural asset of universal value, situated on its territory and in grave danger, the care which its conservation requires and that no request for international protection might be submitted to the Intergovernmental Committee. Article 19 of the preliminary draft convention provides that in such a case, the Committee might spontaneously offer its services to the State in question. The question arises, however, whether this facility should be extended to all property of universal value or whether, on the contrary, it should be limited to property situated on the territory of a State Party to the Convention, as a protection system which is, in principle, established only for the benefit of States Parties to the Convention would seem to imply. It would be most useful to have the opinion of governments on this important point.

107. Article 20 stipulates that the granting of international protection shall be conditional upon the Committee's including the property in question on its short list. This provision lists the cases of grave danger in which such a decision might be taken.

108. Article 21 states that the Committee will define the procedure under which it will consider requests. It authorizes the Committee, before coming to a final decision, to carry out such studies and consult such expert opinion as it may deem necessary in order to be in complete possession of the facts.

109. Article 22 lists the different forms which aid granted by the Committee could take. Apart from studies concerning the artistic, scientific and technical problems raised by the protection of property in danger, and the provision of experts and equipment, this aid will generally take the form of low-interest loans. However, in exceptional cases and for special reasons, non-repayable subsidies may be granted.

110. Article 23 stipulates that major projects requiring the extensive architectural work or archaeological excavations must be preceded by detailed scientific and technical studies. These must be carried out in an exemplary fashion and should promote, at the international level, new trends in research and the most recent methods and techniques of conservation and restoration. In addition, project studies should assist beneficiary countries to find ways of using the country's existing public and private resources in a rational and judicious manner, and should show them how to cope with various problems posed by different kinds of obstacles.

111. The fundamental principle laid down in Article 24 is that the financing of operations shall be borne only in part by the international community. In addition, and to reinforce this principle, the financial contribution of the beneficiary State must, with certain exceptions be substantial.
Lastly, as has been the rule in previous operations involving Unesco, Article 25 provides that the beneficiary State must undertake to act upon the adopted project within a definite time-limit. The property concerned must also be maintained in good condition in conformity with the scientific and technical principles of conservation which have been established.

VI. Educational programmes

112. One of the essential aims of the international provisions for the protection of monuments, groups of buildings and sites of universal value should be to educate, thus exerting an effective and lasting influence on the development of attitudes towards conservation of the world's natural and cultural riches. Any action undertaken by a State or by the international protection authority would be doomed to failure unless based on a change in attitudes, which is in turn linked to education.

All modern means of communication such as the press, radio and television should thus be used in this connexion so that world public opinion can be alerted when serious dangers threaten monuments, groups of buildings and sites of universal value.

113. Under Article 26 of the preliminary draft convention, the States Parties would enter into formal undertakings in this respect. They must likewise take all necessary steps to keep the public in their countries fully informed about rescue operations carried out with international co-operation.

114. Lastly, Article 27 lays special obligations on States which have benefited from international protection for the preservation of property on their territory. They must encourage visits to this property and for this purpose adopt national and international programmes of educational and cultural tourism.

VII. Reports

115. Article 28 provides that periodic reports shall be submitted to the General Conference, in which States Parties will indicate what measures they have taken in application of the Convention. It should be recalled that the submission of periodic reports by Unesco Member States concerning the action taken by them on conventions adopted by the General Conference is a constitutional obligation.

VIII. Final clauses

116. Articles 29 to 37 are the usual clauses appearing in all Unesco conventions.

The wording of the provisions of this chapter is mutatis mutandis identical in every particular with the provisions of the corresponding chapter of the "Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property", adopted by the General Conference at its last session.
C. CONCLUSION

117. The immovable cultural and natural heritage is something which is of great value to the community and is common to all countries. It should benefit, at national and international level, from increased protection against all the dangers which at present threaten its existence.

The preliminary drafts of two new international instruments prepared by the Director-General are intended to ensure that activities at these two levels are complementary. The preliminary draft international recommendation suggests that each Member State adopt a general policy appropriate to its own circumstances for the integration of monuments, groups of buildings and sites into development programmes, set up within their territory one or more specialized services, develop studies and research to improve operating methods, and take all the necessary scientific, technical, legal, administrative and financial measures to protect and develop all the elements of the immovable cultural and natural heritage.

118. The preliminary draft international convention defines rules that will enable the international community to introduce and apply a permanent system for protecting monuments, groups of buildings and sites of universal value when countries possessing such property are unable, by their own unaided efforts, to discharge their duties.

The adoption of these two new international instruments will add a new dimension to cultural co-operation between nations and will thus ensure the conservation and transmission to future generations of all the precious and representative elements of the world's immovable cultural heritage.
The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from to 1972, at its seventeenth session,

Considering that, in a society where living conditions are changing at an accelerated pace, it is essential for man's equilibrium and development to preserve for him a fitting setting in which to live and, to this end, to give monuments, groups of buildings and sites an active function in community life and to have an overall policy for combining the remains left by past civilizations with the achievements of our own time,

Considering that particularly serious dangers engendered by new phenomena peculiar to our times are threatening monuments, groups of buildings and sites, which constitute an essential feature of mankind's heritage and a source of enrichment and harmonious development for present and future civilization,

Considering that every country in whose territory there are monuments, groups of buildings and sites has an obligation to safeguard this part of mankind's heritage and to ensure that it is handed down to future generations,

Considering that the study, knowledge and protection of monuments, groups of buildings and sites in the various countries of the world are conducive to mutual understanding among the peoples,

Considering that monuments, groups of buildings and sites form a homogeneous whole, the components of which are indissociable, and that, if this heritage is to be safeguarded, it must be integrated into the social and economic life of each nation,

Considering that such integration into social and economic life must be one of the fundamental aspects of regional development and national planning at every level,

Considering that a policy for the protection of monuments, groups of buildings and sites, thought out and formulated in common, is likely to bring about a continuing interaction among Member States and to have a decisive effect on Unesco's activities in this field,

Noting that the General Conference has already adopted international instruments for the protection of the cultural heritage consisting in land and buildings such as the Recommendation on International Principles Applicable to Archaeological Excavations (1956), the Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites (1962) and the Recommendation concerning the Preservation of Cultural Property endangered by Public or Private Works (1968),

Desires to supplement and extend the application of the standards and principles laid down in such recommendations;

Having before it proposals concerning the protection, at national level, of monuments, groups of buildings and sites, which question appears on the Agenda of the session as Item ,

Having decided, at its sixteenth session, that this question should be made the subject of an international instrument, to take the form of a recommendation to Member States,

Adopts this day of 1972, the present recommendation.
The General Conference recommends that Member States apply the following provisions by adopting measures, in the form of a national law or otherwise, to give effect, within the territories under their jurisdiction, to the standards and principles laid down in this recommendation.

The General Conference recommends that Member States bring this recommendation to the attention of the authorities, services or bodies concerned with the protection of monuments, groups of buildings and sites, regional development planning, the protection of nature and the development of tourism, as well as of the authorities responsible for formal and informal educational activities.

The General Conference recommends that Member States forward to it, at the dates and in the form that it shall prescribe, reports on the action taken by them to give effect to this recommendation.
I. DEFINITIONS

1. For the purposes of this recommendation, the following shall be considered as:

(a) "Monuments" - architectural works or works of monumental sculpture of archaeological, historical or artistic interest;

(b) "groups of buildings" - groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape are of such historical or artistic interest as to warrant their protection and enhancement; and

(c) "sites" - topographical areas, whether the work of nature or the combined work of nature and man, whose homogeneous character and interest, from the historical, artistic, aesthetic, scientific, ecological, ethnographical, literary, legendary or other point of view, warrant their protection and enhancement.

More especially, areas where there survive traces of human industry or civilization shall constitute "archaeological sites on land or under water"; areas in which there are, or may be discovered, natural items of particular interest from the scientific standpoint, as regards geology, physiography, vegetation and fauna, for instance, shall constitute "scientific sites"; areas of country of special interest by reason of their beauty, or from the point of view of nature conservation or of education and recreation shall constitute "natural sites".

II. NATIONAL POLICY

2. Each State should formulate, develop and apply a national policy whose principal aim should be to co-ordinate and make use, at the national, regional and local level, of all scientific, technical, cultural and other resources available with a view to providing effective protection for its monuments, groups of buildings and sites, and seeing that they are continuously and actively developed, for the present and for the immediate and more distant future.

III. GENERAL PRINCIPLES

3. Monuments, groups of buildings and sites represent collective wealth, the protection and development of which impose responsibilities on the States in whose territory they are situated both vis-à-vis their own nationals and vis-à-vis the international community as a whole; Member States should take such action as may be necessary to meet these responsibilities.

4. The immovable cultural or natural heritage should be considered in its entirety as a homogeneous whole, comprising not only works of great intrinsic value, but also more modest items that have, with the passage of time, acquired cultural value.

5. None of these works and none of these items should be dissociated from its environment.

6. As the ultimate purpose of protecting and enhancing the immovable cultural and natural heritage is the development of man, Member States should give their work in this field a new direction, so that monuments, groups of buildings and sites may no longer be regarded as a check on national expansion but as a determining factor in such expansion.

7. The protection and development of monuments, groups of buildings and sites should be considered as one of the essential aspects of regional development plans, and planning in general, at the national, regional or local level.

8. Preventive and corrective regulations relating to monuments, groups of buildings and sites should be supplemented by others, designed to give each of the components of this heritage a function which will make it a part of the nation's social, economic and cultural life for the present and future.

9. An active policy for the conservation of monuments, groups of buildings and sites, and for giving them a place in community life, should be developed. Member States should arrange
for concerted action by all the public and private services concerned, with a view to drawing up and applying such a policy. Advantage should be taken in such activities of scientific and technical advances in all branches of study involved in the protection and development of immovable cultural or natural heritage.

10. Increasingly generous financial resources should be made available by the public authorities for the work of safeguarding and developing the immovable cultural or natural heritage.

11. The general public should be directly associated with the measures to be taken for protection and should be called on not only for financial support but also for suggestions and help, with particular reference to the surveillance of monuments, groups of buildings and sites, and regard for the immovable cultural or natural heritage.

IV. ORGANIZATION OF SERVICES

12. Although the diversity of constitutional provisions, traditions, psychological conditions and other factors make it impossible for all Member States to adopt a standard form of organization, certain common criteria should nevertheless be noted.

13. Specialized public services. Member States should, wherever they do not already exist, set up one or more specialized public services in their territory, in the conditions appropriate to each country, to be responsible for the efficient discharge of the following functions:

(i) developing and putting into effect measures of all kinds designed to protect the country's immovable cultural or natural heritage and to make it an active factor in the life of the community;

(ii) training and recruiting curators, administrators, laboratory research workers, architects and construction engineers, as well as specialists in the human sciences, sociologists, economists, ethnologists, geographers, geologists, agronomists, etc., to be responsible for working out protection and integration programmes and directing their execution;

(iii) organizing close co-operation among these various specialists by constituting panels to study the technical conservation problems of monuments and groups of buildings, taking into account the contributions of all the disciplines concerned;

(iv) using laboratories for the study of all the scientific problems arising in connexion with the conservation of monuments and groups of buildings;

(v) employing a permanent staff of skilled craftsmen, including masons, stone-cutters, sculptors, cabinet-makers, carpenters, etc., since the traditional crafts play such a large part in the conservation of immovable cultural property;

(vi) dealing with certain aspects of the sale and tenancy of ancient buildings in order to ensure that the new owners or tenants carry out the necessary restoration work and provide for the upkeep of the buildings in the best artistic and technical conditions.

14. Advisory bodies

The specialized services should be assisted by advisory bodies whose help is essential for the preparation of measures relating to monuments, groups of buildings and sites. Such advisory bodies should include representatives of the major preservation societies, besides representatives of the administrations concerned.

15. Co-operation among the various bodies

The specialized services dealing with the protection and development of monuments, groups of buildings and sites should carry out their work in liaison with other public services, particularly those responsible for town planning, major public works, regional development, the environment, territorial planning, and economic and social planning.
16. The specialized services responsible for monuments, groups of buildings and sites should be given equal status with the services concerned with town planning, economic growth and regional development. Continuing co-operation at all levels should be organized among them whenever large-scale projects are involved, and co-ordinating bodies should be set up for that purpose, so that decisions may be made in concert, taking account of the various interests involved. Provision should be made for joint planning from the start of the studies.

17. The co-ordinating bodies should in no way take the place of the advisory bodies, which should, in any case, be consulted.

18. Provision should be made for some procedure for settling any conflicts that may arise between the specialized services for the protection of monuments, groups of buildings and sites and other public services.

19. Competence of central, federal and local bodies

Considering the fact that the problems involved in the conservation of monuments, groups of buildings and sites are difficult to deal with, calling for special knowledge and sometimes entailing hard choices, and that there are not enough highly qualified staff available in this field, responsibilities in all matters concerning the devising and execution of protective measures in general should be divided among central or federal and regional or local authorities on the basis of a judicious balance adapted to the situation that exists in each State.

V. PROTECTIVE MEASURES

20. Member States should take all necessary scientific, technical, administrative, legal and financial measures to ensure the protection of monuments, groups of buildings and sites in their territories.

Scientific and technical measures

21. Member States should arrange for careful and constant maintenance of their monuments, groups of buildings and sites in order to avoid having to undertake the costly operations necessitated by their deterioration; for this purpose, they should provide for regular surveillance of such property by means of periodic inspections. They should also draw up carefully planned programmes of restoration and development work based upon pilot projects gradually taking in all monuments, groups of buildings and sites, depending upon the scientific, technical and financial means at their disposal.

22. Any work required should be preceded and accompanied by thorough scientific, historical and artistic studies. Such studies should be carried out in co-operation with specialists in geology, geography, botany, hydrography, technology, soil mechanics, etc., with the object of building up background data to be added to the studies of historical and typological source materials, photogrammetric surveys, archaeological analysis and the study of the techniques and materials used.

23. Member States should investigate effective methods of affording added protection to monuments, groups of buildings and sites that are threatened by new and unusually serious dangers. Such methods, based upon a knowledge of the processes of deterioration and dilapidation of the materials and structures of buildings and their surroundings, should take account of the interrelated scientific, technical and artistic problems involved and make it possible to determine the remedies to be applied.

24. The principal object of such investigations and studies should be to ascertain the present position with regard to the troubles affecting a monument or group of buildings, to analyse the causes of the facts observed, to study possible means of putting a stop to them, to apply the treatment recommended by the specialists, and to restore the monument or group of buildings to its former function or find it a new function better suited to it.

25. The purpose of the work done on such monuments, groups of buildings and sites should be to preserve their traditional appearance, and protect them from any new construction or remodelling which might impair the relations of mass or colour between them and their surroundings.
26. Substitutions for missing portions of a monument, while fitting into the structure as a whole, should be distinguished from the original portions by some form of marking, or by the use of different materials, or by setting the new surface slightly back from the original surface, or by any other appropriate method.

27. The harmony established by time and man between a monument and its surroundings is of capital importance and should in no case be disturbed or destroyed. The isolation of a monument by demolishing its surroundings should not be authorized; nor should the moving, turning or raising of a monument be contemplated save as an exceptional means of dealing with a problem, justified by pressing considerations.

28. Member States should take measures against the effects of shocks and the vibrations caused by motor vehicles. Regulations should allow for the possibility of prohibiting, in agreement with the services responsible for immovable cultural or natural property, flights by supersonic aircraft over certain regions at certain altitudes.

Measures should also be taken to prevent pollution and guard against natural disasters and calamities.

29. Since the circumstances governing the rehabilitation of groups of buildings are not everywhere identical, Member States should provide for a sociological inquiry in each particular case, in order to ascertain precisely what are the social and cultural needs of the community in which the group of buildings concerned is situated. Any rehabilitation operation should pay special attention to enabling man to work, to develop and to achieve fulfilment in the restored setting.

Administrative measures

30. In order that measures for the protection and integration of their monuments, groups of buildings and sites may be taken in good time, Member States should have them all surveyed and listed. Each Member State should draw up an inventory for the protection of its immovable cultural property, paying particular attention to buildings which, without being of outstanding importance, are inseparable from their environment and contribute to its character, as well as to sites threatened for any reason, such as population growth, economic development, major engineering works, etc.

31. The information obtained by such surveys of monuments, groups of buildings and sites should be collected in printed directories, which can easily be consulted and should be regularly brought up to date.

32. To ensure that monuments, groups of buildings and sites are effectively included in national, regional or local planning, Member States should carry out topographical and cartographical studies covering the cultural property in question.

33. Member States should give thought to finding new uses for groups of historic buildings no longer serving their original purpose. While industrial uses, except for crafts, should in general be excluded, other possible uses, for residential, academic, touristic, commercial, cultural, administrative and other purposes, might profitably be investigated for such groups.

34. It should be possible, while recognizing that monuments, groups of buildings and sites form an indissociable entity, to establish priorities for the execution of programmes of work to be done on them, taking into account all the circumstances involved.

35. Groups of buildings of historic or artistic interest should be declared "rehabilitation areas", with a permanent plan for their protection, development and rehabilitation. During the investigation preceding the designation of a rehabilitation area, the local authorities and inhabitants of the area should be consulted on the proposed measure.

36. The permanent protection, development and rehabilitation plan should be drawn up in the same conditions: it should take the place of a town-planning scheme for the area under consideration; it should stipulate the conditions for land use, the lay-out of roads, and building restrictions, besides specifying the buildings to be preserved and the conditions for their preservation. As regards rehabilitation, the permanent plan should stipulate the uses and, where appropriate, the new purposes
to which the group of historic or artistic buildings is to be put, and the links there are to be between the rehabilitation area and the surrounding urban development.

37. Any work which might result in changing the existing state of the buildings in a rehabilitation area should be dependent on authorization by the competent administration. Such authorization should be granted only if the work contemplated is compatible with the terms of the permanent protection and development plan.

Legal measures

38. Depending upon their importance, monuments, groups of buildings and sites should be protected, individually or collectively, by legislation or regulations, in conformity with the legal procedures of each country. For that purpose, protective measures laying down restrictions and obligations, prohibiting demolition or alterations, and designed to put an end to the damage and harm done to monuments, should also be applicable, where necessary, to groups of buildings and sites.

39. Preventive and corrective measures for protection should be supplemented by new provisions needed to promote the conservation of the immovable cultural or natural heritage and to facilitate the development of its components. To that end, enforcement of protective measures should apply not only to individual owners but also to public authorities when they are the owners of monuments, groups of buildings and sites.

40. No new building should be erected, and no demolition, deforestation, transformation or modification carried out, on any real estate situated in the vicinity of a protected building, if it is likely to affect its appearance, without authorization by the specialized services.

41. The installation in groups of buildings of the modern conveniences needed for the well-being of their occupants should be allowed. Interior transformations should be authorized, provided they do not drastically alter the characteristic features of ancient dwellings. Similarly, any work carried out for the improvement of sanitation, the clearing of drains, the removal of old buildings devoid of any historic or artistic interest, the clearing of open spaces and pathways from one building to another, should be authorized.

42. Should the conservation of a protected building be seriously endangered through the owner's failure to fulfil his obligations, the specialized services should order him to have the necessary work done within a specified time. The order should be accompanied by an offer to make a financial contribution to the cost of the work.

43. Should the owner not carry out the work deemed necessary, the specialized services should exercise their powers to have the work done by their own means. In such cases, the owner should reimburse to the State that share of the costs which he would have paid if he had carried out the work himself.

44. Failing agreement with the owners, the specialized services should have the right temporarily to occupy any protected architectural group and neighbouring buildings in order to carry out urgent work for the consolidation, repair or maintenance of such buildings.

45. Where required for the preservation of the property, the public authorities should be able to expropriate a protected building and transfer it, by mutual agreement, to public bodies or private persons, subject to terms and conditions to be specified by contract, after the previous owner has had the opportunity of putting his case.

46. Member States should establish regulations to control bill-posting, neon signs and other kinds of advertisement, commercial signs, camping, the erection of poles, pylons and electricity or telephone cables, the placing of television aerials, all types of vehicular traffic and parking, the placing of indicator panels, street furniture, etc., and, in general, everything connected with the equipment or occupation of monuments, groups of buildings and sites.

47. The effects of the measures taken to protect a monument, site or buildings forming a group should continue regardless of changes of ownership. Anyone alienating a protected building should inform the purchaser that it is under protection.
48. No legal easements that might affect a monument, group of buildings or site should be appli-
cable thereto except with the agreement of the specialized services.

49. Flotsam and jetsam which is of archaeological, historical or artistic interest, and the owner
of which is unknown should be the property of the State. Any person discovering such flotsam
or jetsam should declare it to the authorities nearest the place of discovery.

50. If the flotsam or jetsam is an isolated object, the specialized services should either give it to
the salvager or deposit it in a public collection, offering the salvager such compensations as
may be determined by amicable agreement or by expert opinion. If the find constitutes an archaeo-
logical site, recovery operations or work on the site should be carried out, in accordance with the
rules applicable to under-water archaeological excavations, either directly by the specialized ser-
vices or by the holder of a concession. The finder should have priority for the grant of such a con-
cession, if he can offer the necessary guarantees, or, failing him, any other undertaking which can
provide such guarantees. In the latter case, the finder should be entitled to compensation, to be
determined by amicable agreement or by expert opinion.

51. Any one who wilfully destroys, mutilates or defaces a protected monument, group of buildings
or site, or flotsam or jetsam of archaeological, historical or artistic interest, should be punish-
able by a fine or imprisonment or both.

52. Heavy fines should be imposed upon those responsible for any other action detrimental to the
protection or appearance of a protected monument, group of buildings or site, such as un-
authorized alterations to such property, the erection of a building in the vicinity of a monument or
in a protected group without authorization or in defiance of the regulations laid down.

53. To secure the material protection needed for a monument, a group of buildings or a site, Mem-
ber States should provide for coercive measures, under which an offender could be ordered
either to restore the protected property to its previous state or, where appropriate, to bring it into
conformity with the requirements laid down by the competent services. This might be either ac-
companied by or independent of penal measures. In either case, in the event of resistance, judges
should have power to impose a fine for every day that the offender persists in not complying with
such orders.

54. Public authorities owning monuments, groups of buildings or sites should be answerable in the
event of their failing to observe the legal provisions or regulations adopted to protect immov-
able cultural property, whether these be special rules for protecting monuments, groups of build-
ings and sites, or provisions in development plans.

55. Decisions by public authorities which infringe legal provisions or regulations concerning the
protection of monuments, groups of buildings and sites, should be referred, by the procedures
appropriate in each State, to some authority - if possible, a tribunal - having power to annul them.

Financial measures

56. The expenditure incurred in protecting, developing and rehabilitating privately-owned monu-
ments, groups of buildings and sites should, so far as possible, be borne by their owners.

57. Tax concessions should be granted to private owners on both capital and income, if they are
physical persons, in order to encourage them to carry out work for the protection, develop-
ment and rehabilitation of their properties.

58. Subsidies should be granted to private owners as an incentive to them to carry out work for the
maintenance, conservation, development, improvement of sanitation, and rehabilitation of the
immovable cultural property for which they are responsible. Subsidies should also be granted to
such owners to offset the additional expenditure which they are officially obliged to meet by reason
of the application of protective measures.

59. The financial advantages accorded to private owners should, where appropriate, be dependent
on their observance of certain conditions laid down for the benefit of the public, such as their
allowing access to parks, gardens and sites, tours through all or parts of the monuments or groups
of buildings, the taking of photographs, etc.
60. Central and local authorities should appropriate, in their budgets, a certain percentage of funds, proportionate to the importance of their monuments, groups of buildings and sites, for the purposes of maintaining, conserving and developing property of which they are the owners, and of contributing financially to such work carried out on other property by the owners, whether public bodies or private persons.

61. Special funds should be set aside in the budgets of public authorities for the protection of monuments, groups of buildings and sites endangered by large-scale public or private works.

62. To increase the financial resources available to them, Member States should set up "National Monuments Funds", as legally established public agencies, entitled to receive private gifts and bequests, particularly from industrial and commercial firms.

63. In order to facilitate operations for the rehabilitation of monuments, groups of buildings and sites, Member States should make special arrangements, particularly by way of loans for renovation and restoration work, and should also make the necessary regulations to avoid price rises caused by real estate speculation in the areas under consideration.

64. To avoid hardship to the poorer inhabitants consequent on their having to move from rehabilitated buildings or groups of buildings, compensation for rises in rent should be payable to enable them to keep their accommodation. Such compensation should be temporary and determined on the basis of the income of the parties concerned, so as to enable them to meet the increased costs occasioned by the work carried out.

65. Member States should facilitate the financing of work of any description for the benefit of monuments, groups of buildings and sites, by instituting "Loan Funds", supported by public institutions and private credit establishments, which would be responsible for granting loans to owners at low interest rates and with repayment spread out over a long period.

VI. EDUCATIONAL AND CULTURAL ACTION

66. Member States should undertake educational campaigns to arouse widespread public interest in, and respect for, monuments, groups of buildings and sites, and to give their people a better knowledge and understanding of the measures taken to make the immovable cultural heritage a part of the pattern of life today and tomorrow.

67. Without overlooking the great economic value of the immovable cultural heritage, measures should be taken to promote and reinforce the eminent cultural and educational value of that heritage, furnishing as it does the fundamental motive for protecting and developing it.

68. All efforts on behalf of monuments, groups of buildings and sites should take account of this cultural and educational value inherent in them as representative of an environment, a form of architecture on urban design commensurate with man and on his scale.

69. Steady efforts should be made to inform the public about what is being and can be done to protect the immovable cultural or natural heritage and to inculcate love and respect for the values it enshrines. For this purpose, the following media of information should be further developed:

(a) illustrated articles should be published frequently in the press to arouse the interest of the general public in conservation and rehabilitation projects;

(b) radio and television programmes should draw attention to shortcomings and report on progress made in the protection of the immovable cultural or natural heritage;

(c) guidebooks for tourists should be prepared, giving detailed information about each monument, group of buildings and site, and about its setting;

(d) detailed studies should be published on major pilot projects for the development of monuments, groups of buildings and sites, setting out particulars of each problem and the methods and means used for solving it;
(e) universities, institutes of higher education and life-long education establishments should organize regular courses, lectures, seminars, etc., on the history of art, architecture, the environment and town planning, including discussions about familiar notions and views and leading to the formulation of new ideas for the protection of a country's immovable cultural heritage;

(f) voluntary organizations should be set up to encourage national and local authorities to make full use of their powers with regard to protection, to afford them support and, if necessary, to obtain funds for them; these bodies should keep in touch with local historical societies, amenity improvement societies, local development committees and agencies concerned with tourism, etc., and might also organize visits to, and guided tours of, monuments, groups of buildings and sites for their members;

(g) information centres might be set up to explain the work being carried out on monuments, groups of buildings and sites scheduled for rehabilitation.

VII. INTERNATIONAL CO-OPERATION

70. Member States should co-operate with regard to the protection and development of monuments, groups of buildings and sites, by seeking aid, if it seems desirable, from international organizations, both intergovernmental and non-governmental. Such multilateral or bilateral co-operation should be carefully co-ordinated and should take the form of measures such as the following:

(a) exchange of information and of scientific and technical publications;

(b) organization of seminars and working parties on particular subjects;

(c) provision of study and travel fellowships, scientific, technical and administrative staff, and equipment;

(d) provision of facilities for scientific and technical training abroad, by allowing young research workers and technicians to take part in architectural projects and archaeological excavations;

(e) co-ordination, within a group of Member States, of large-scale projects involving conservation, excavations, restoration and rehabilitation work with the object of making the experience gained generally available.
The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from to 1972, at its seventeenth session,

Noting that monuments, groups of buildings and sites are increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction,

Considering that deterioration or disappearance of any item of cultural property or any natural environment constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that protection of this heritage at the national level often remains incomplete because of the scale of the resources which it requires and of the insufficient economic, scientific and technical resources of the country where the property to be protected is situated,

Considering that international action should not take the place of action by the State on whose territory the threatened property is situated, but only serve as an effective complement to it and that it should, consequently, be organized and subject to conditions of strict observation,

Recalling Unesco's Constitution which stipulates in Article I, paragraph (c) that "the Organization will maintain, increase and diffuse knowledge; by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions"

Considering that the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict provides for the protection of monuments and groups of buildings against the dangers arising from armed conflict,

Considering that some monuments, groups of buildings and sites of a cultural or natural character are of exceptional interest and therefore need to be preserved as part of the world heritage of mankind as a whole,

Considering that it is for mankind as a whole to ensure the preservation of sites, national parks, and ecological areas of universal value,

Considering that it is essential in view of the magnitude and gravity of the new dangers to adopt new provisions in the form of a convention establishing an effective system of collective protection for monuments, groups of buildings and sites of universal value, organized on a permanent basis in time of peace and according to scientific, modern methods of management,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this day of 1972 the present Convention:
I. DEFINITIONS

Article 1

For the purposes of this Convention, the following shall be considered as:

(a) "monuments" - architectural works or works of monumental sculpture of archaeological, historical or artistic interest;

(b) "groups of buildings" - groups of separate or connected buildings which, because of their homogeneity or their place in the landscape are of such historical or artistic interest as to warrant their protection and enhancement;

(c) "sites" - topographical areas, whether the work of nature or the combined work of nature and man, whose homogeneous character and interest, from the historical, artistic, aesthetic, scientific, ecological, ethnographical, literary, legendary or other point of view warrant their protection and enhancement. More especially areas where there survive traces of human industry or civilization shall constitute "archaeological sites on land or under water": areas in which there are, or may be discovered, natural items of particular interest from the scientific standpoint, as regards geology, physiography, vegetation and fauna, for instance, shall constitute "scientific sites": areas of country of special interest by reason of their beauty, or from the point of view of nature conservation or of education and recreation shall constitute "natural sites".

Article 2

1. For the purposes of this Convention, the international protection of monuments, groups of buildings and sites means the establishment of a permanent system of protection enabling States Parties to the Convention to obtain, if necessary, help from the international community in their efforts to protect features of their immovable cultural or natural heritage of universal value.

2. Such protection can be accorded only to such examples of the property defined in Article 1 as merit designation, by virtue of their exceptional aesthetic or natural interest or their great importance as unique evidence of vanished civilizations or as irreplaceable architectural masterpieces typifying a particular period, an historical past or the genius of a people, as monuments, groups of buildings and sites of universal interest.

II. NATIONAL PROTECTION AND INTERNATIONAL PROTECTION

Article 3

The States Parties to this Convention recognize that the duty of ensuring the protection, development and transmission to future generations of the property referred to in Article 2 situated on their territory is primarily theirs. To this end, they undertake to work to the utmost of their own resources and with any international assistance and co-operation, in particular financial, artistic, scientific and technical, which they may be able to obtain.

Article 4

To ensure as effective a protection and as active a development as possible of all monuments, groups of buildings and sites on their territory, as appropriate for each country and in conformity with the relevant provisions of existing international conventions and recommendations, they undertake in particular:

(a) to adopt a general policy which aims to give monuments, groups of buildings and sites a function in the life of the community and to integrate the protection of such property into development programmes;

(b) to set up within their territories, where such services do not already exist, one or more services for the protection and development of the immovable cultural heritage with a
highly qualified and sufficiently numerous staff and possessing all the means of discharging their functions;

(c) to develop scientific and technical studies and research and work out such operating methods as may be capable of counteracting the dangers that threaten their immovable cultural or natural heritage;

(d) to take all legal, scientific, technical, administrative and financial measures necessary for the upkeep, restoration and rehabilitation of this heritage.

Article 5

1. The States Parties to this Convention further recognize that the property referred to in Article 2 constitutes a universal heritage, which it is the duty of the international community as a whole to protect.

2. Accordingly, they undertake, in conformity with the following provisions, to give their scientific, technical, artistic and financial help in the international protection of such property, whilst fully respecting the sovereignty of the States on whose territory such property is situated.

III. INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION OF MONUMENTS, GROUPS OF BUILDINGS AND SITES OF UNIVERSAL VALUE

Article 6

An Intergovernmental Committee for the Protection of Monuments, Groups of Buildings and Sites of Universal Value, hereinafter called "the Committee", and composed of 15 States Parties to the Convention,

\[
\text{\( \text{elected by the States party to the Convention meeting in General Assembly during the ordinary sessions of Unesco's General Conference} \)}
\]

\[
\text{\( \text{elected by the General Conference of Unesco} \)}
\]

is hereby established within the United Nations Educational, Scientific and Cultural Organization.

Article 7

1. The term of office of States members of the Committee shall extend from the end of the ordinary session of the General Conference during which they were elected until the end of its subsequent ordinary session.

2. The term of office of seven members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the General Conference following that at which they were elected.

3. States members of the Committee shall choose as their representatives prominent persons qualified in the protection of monuments, groups of buildings and sites.

Article 8

1. The Committee shall adopt its Rules of Procedure which shall, in particular, permit observers from intergovernmental and non-governmental organizations designated by the Committee to participate in its work, and shall lay down the conditions under which particularly well-qualified private individuals or corporate bodies may participate in the Committee's activities.

2. The Committee may create such consultative bodies as it deems necessary for the performance of its functions.
Article 9

1. The Committee shall receive and consider requests for assistance for the protection of the monuments, groups of buildings and sites referred to in Article 2. It shall decide on the action to be taken on such requests, it shall determine, where necessary, the nature and scale of its assistance, and it shall make the necessary arrangements with the government concerned.

2. The Committee shall determine an order of priorities for its operations. It shall in so doing bear in mind the respective importance for the world's cultural heritage of the property requiring protection, of the need to give international protection to the property most representative of a natural environment or of the genius and the history of the peoples of all continents, and of the urgency of the work to be done.

3. The Committee shall establish and bring up to date every two years a short list of the most important monuments, groups of buildings and sites whose conservation entails major operations. This list, which shall contain indications as to the importance of the property and an estimate of the cost of rescue or restoration operations, shall be widely disseminated.

4. The Committee shall draw up, keep up to date, and disseminate a list of property saved as a result of its activity.

5. The Committee shall have at its disposal the resources of the International Fund the creation of which is provided for in Article 12. It shall seek ways of increasing these resources and shall take all useful steps to this end.

Article 10

The Committee shall be assisted by a Secretariat appointed by the Director-General of Unesco. The Secretariat shall prepare the Committee's documentation and the agenda of its meetings. It will see that its decisions are carried out.

IV. RESOURCES: INTERNATIONAL FUND FOR THE PROTECTION OF MONUMENTS, GROUPS OF BUILDINGS AND SITES OF UNIVERSAL VALUE

Article 11

1. An International Fund for the Protection of Monuments, Groups of Buildings and Sites of Universal Value, hereinafter called "the International Fund", to be administered by the Committee, is hereby established.

2. The International Fund shall constitute a trust fund, in conformity with the relevant provisions of the Financial Regulations of Unesco.

Article 12

The resources of the International Fund shall consist of:

(a) compulsory and voluntary contributions made by States Parties to the present Convention;

(b) contributions, gifts or bequests which may be made by:

(i) other States;

(ii) organizations of the United Nations system or other intergovernmental organizations;

(iii) industrial and commercial firms, in particular those which are concerned with tourism or transport and which are therefore interested in the conservation of the immovable cultural heritage;

(iv) public or private bodies or individuals;
(c) the interest from sums lent by the Fund to States as financial participation in protection work carried out on monuments, groups of buildings and sites of universal value;

(d) funds raised by collections and receipts from events organized for the benefit of the International Fund; and

(e) all such other resources as shall be determined in the Rules of Procedure of the International Fund.

Article 13

Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay regularly every two years to the International Fund contributions the amount of which shall be determined, on the proposal of the Committee, by the General Assembly of States Parties to the Convention meeting during the sessions of the General Conference of Unesco.

Article 14

The Secretariat shall regularly inform governments, competent national authorities, international governmental or non-governmental organizations, national institutions, associations and enterprises, individuals and corporate bodies concerned, of the programme of operations and the order of priorities established by the Intergovernmental Committee, and shall invite them to give their financial assistance to the work which is to be undertaken.

Article 15

The States Parties to this Convention undertake, by appropriate fiscal measures, to encourage gifts and bequests made for monuments, groups of buildings and sites by private individuals or corporate bodies and in particular by commercial or industrial concerns.

Article 16

1. The States Parties to this Convention undertake to promote by all means, and in particular by administrative, legal or fiscal measures, the establishment of national foundations or associations with the purpose of encouraging benefactions from collective or individual patrons who wish to make a financial contribution towards the protection of monuments, groups of buildings and sites.

2. The role of these national associations or foundations will be to participate in the financing of protection work on monuments, groups of buildings and sites in the country in question and also, by means of contributions to the International Fund, in action undertaken for the protection of monuments, groups of buildings and sites of universal value.

Article 17

The States Parties to this Convention undertake to assist by all means at their disposal in periodic international fund-raising campaigns launched under the auspices of Unesco, and to facilitate fund-raising by all appropriate national organizations.

Article 18

1. The periodic international campaigns will appeal to public generosity for those monuments, groups of buildings and sites of universal value which are in danger, a short list of which shall be established by the Committee in conformity with the provisions of Article 9, paragraph 3 of this Convention.

2. The periodic international campaigns may, at the same time, appeal to public generosity for the monuments, groups of buildings and sites of the country in question which do not appear in the list mentioned in the previous paragraph. In this case, only a portion of the receipts from these campaigns shall be paid to the International Fund.
V. CONDITIONS AND ARRANGEMENTS FOR THE GRANTING OF INTERNATIONAL PROTECTION

Article 19

1. Any State Party to this Convention may request international protection for immovable cultural or natural property situated on its territory which it considers to be particularly representative of its history or of the genius of its people and which it regards as being in grave danger. In such a case, it shall submit with its request, in addition to the indications and estimates provided for in Article 9, paragraph 5 of this Convention, all such information and documentation as will enable the Committee to come to a decision.

2. The Committee, or the Secretariat acting by virtue of the Committee's authorization and on its behalf, may offer its services to a State Party (or not party) to the Convention, if grave danger should threaten to cause the disappearance of a monument, group of buildings or site of universal value on the territory of the State and for which the State has not requested international protection.

Article 20

The granting of international protection to immovable cultural or natural property shall be conditional upon the Committee's including such property on the short list referred to in Article 9, paragraph 3 of this Convention. The Committee may not include the immovable cultural property in question on the list unless it is threatened with grave and specific dangers, such as the risk of disappearance due to increasingly rapid deterioration, major public or private works, serious damage due to unknown causes, abandonment for political or religious reasons, the outbreak or threat of armed conflict, disasters and cataclysms, serious fires, earthquakes, landslides, volcanic eruptions, change in water level, floods or tidal waves.

Article 21

1. The Committee shall define the procedure by which requests for international protection shall be considered and in particular the content of the request, which should mention the nature of the danger threatening the monument, group of buildings or site under consideration, the work which is necessary, supported by a report drawn up by one or more specialists, the cost of this work, its relative urgency, and proof that the resources of the requesting State do not allow it to meet the expenses unaided.

2. Requests invoking natural calamities and disasters should, by reason of the urgency of the work which they may involve, be given priority consideration among requests submitted by States Parties to this Convention.

3. Before coming to a decision, the Committee may carry out such studies and consult such expert opinion as it deems necessary.

Article 22

Assistance granted by the Committee may take the following forms:

(a) studies concerning the artistic, scientific and technical problems raised by the protection of property in danger;

(b) providing the State in question with experts capable of carrying out preparatory studies, skilled technicians and workmen to ensure that the approved work is correctly carried out and the necessary equipment which cannot be acquired on the spot;

(c) the granting of low-interest or interest-free loans;

(d) the granting, in exceptional cases and for special reasons of non-payable subsidies.
Article 23

When the request for protection involves the preparation of large-scale projects which require the organization of extensive works, the granting of aid shall be preceded by detailed scientific and technical studies. These studies must draw upon the latest trends in research based on the most recent methods and techniques for the conservation and restoration of cultural property, and must have as their aim the active integration of this property into the life of the community. The studies must also aim to find ways of making rational use of available national resources for the protection of monuments, groups of buildings and sites of universal value situated on the territory of the country in question.

Article 24

The financing of work necessary for the protection of monuments, groups of buildings and sites of universal value shall, in general, be borne only in part by the international community. The financial contribution of the beneficiary State must, with certain exceptions, be substantial.

Article 25

In return for the assistance granted by the Committee, the beneficiary States must undertake to act upon the adopted project within a definite time-limit and to continue to maintain the cultural property in good condition in conformity with the scientific and technical principles of conservation which have been established.

VI. EDUCATIONAL PROGRAMMES

Article 26

1. The States Parties to this Convention shall endeavour by all appropriate means, and in particular by educational and information programmes, to strengthen the attachment of their peoples to the immovable cultural riches of all countries and all civilizations.

2. They shall take the necessary measures to keep their public fully informed of the grave dangers threatening some of this property and of the rescue operations which have been carried out with international co-operation.

Article 27

The States Parties to this Convention which, thanks to international protection, have carried out important conservation work on immovable cultural or natural property on their territory, shall take all appropriate measures, such for instance as the adoption of national and international programmes of cultural and educational tourism, to make known the importance of the property that has been saved and the effectiveness of international co-operation.

VII. REPORTS

Article 28

The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

VIII. FINAL CLAUSES

Article 29

Reservations to this Convention shall not be permitted.
Article 30

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

Article 31

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited to accede to it by the Executive Board of the Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33

This Convention shall enter into force three months after the date of the deposit of the instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 34

The States Parties to this Convention recognize that the Convention is applicable not only to their metropolitan territories but also to all territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or accession with a view to securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and Cultural Organization of the territories to which it is applied, the notification to take effect three months after the date of its receipt.

Article 35

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall not affect the financial obligations of the denouncing State until the date on which the withdrawal takes effect.

Article 36

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 32 as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 31 and 32 and of the notifications and denunciations provided for in Articles 33 and 34 respectively.
Article 37

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 38

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this day of 1972, in two authentic copies bearing the signature of the President of the session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 31 and 32 as well as to the United Nations.