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# World Heritage

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## UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

### CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

World Heritage Committee  
Thirty-third session  
Seville, Spain  
22-30 June 2009

**Item 7B of the Provisional Agenda: State of conservation of World Heritage properties inscribed on the World Heritage List**

#### SUMMARY

This document contains information on the state of conservation of properties inscribed on the World Heritage List. The World Heritage Committee is requested to review the reports on the state of conservation of properties contained in this document. In certain cases, the World Heritage Committee may wish to decide to discuss in detail the state of conservation reports which are submitted for adoption without discussion.

**Decision required:** The World Heritage Committee may wish to adopt the draft Decision presented at the end of each state of conservation report.

The full reports of reactive monitoring missions requested by the World Heritage Committee are available at the following Web address in their original language:  
<http://whc.unesco.org/en/sessions/33COM/>



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# I. REPORTS ON THE STATE OF CONSERVATION OF PROPERTIES INSCRIBED ON THE WORLD HERITAGE LIST

## NATURAL PROPERTIES

### AFRICA

#### 1. Dja Wildlife Reserve (Cameroun) (N407)

##### Year of inscription on the World Heritage List

1987

##### Criteria

(ix) (x)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**29 COM 7B.2; 30 COM 7B.4; 31 COM 7B.5**

##### International Assistance

Total amount provided to the property: USD 81,700 for Technical assistance and training activities.

##### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 60,000 from the Netherlands Funds-in-Trust to UNESCO. The Dja Faunal Reserve benefited from part of the USD 193,275 in 2008 and a part of USD 118 725 in 2009, allocated within the framework of the Central Africa World Heritage Forest Initiative (CAWHFI) to the South-eastern Cameroon region.

##### Previous monitoring missions

March 1998: UNESCO monitoring mission; June 2006: World Heritage Centre/IUCN reactive monitoring mission

##### Main threats identified in previous reports

- a) Lack of implementation and full approval of management plan;
- b) Industrial mining activities proposed adjacent to the property;
- c) Industrial farming proposed in the buffer zone;
- d) Threats from commercial hunting; deforestation around the property.

##### Illustrative material.

<http://whc.unesco.org/en/list/407>

### Current conservation issues

At its 29th session (Durban, 2005), the World Heritage Committee requested the World Heritage Centre and IUCN to undertake a mission to the Dja Faunal Reserve to monitor the state of conservation of the property and to review the threats to its integrity, in particular from hunting and deforestation, as well as from mining in the area adjacent to the property. A joint World Heritage Centre/IUCN reactive monitoring mission was undertaken in 2006 and recommended phasing out of forest operational permits adjacent to the property, and ensuring that the highest environmental standards are applied in all mining concessions outside but near to the property. At its 31st session (Christchurch, 2007), the World Heritage Committee requested the State Party to report on progress in implementation of the recommendations of the joint 2006 World Heritage Centre/IUCN reactive monitoring mission.

On 4 April 2009, a report on the state of conservation of the property was submitted by the State Party. The report provides some information on the implementation of the recommendations of the mission and on progress made in implementing the decision of the World Heritage Committee.

#### a) *Management Plan and financial autonomy*

The State Party confirmed that the management plan of the property had been approved in October 2007 and launched in November 2008. The State Party reported that the European Union-funded ECOFAC programme (Ecosystèmes Forestiers d'Afrique centrale) is providing part of the funding needed to implement the management plan. The State Party has previously reported that ECOFAC IV is funding a feasibility study for the establishment of a sustainable funding mechanism for the property. The strategy and discussion are reportedly underway, but no additional information on progress towards establishing such a mechanism was provided.

#### b) *Establishment of a Conservation Coordination Unit and of village committees for the Reserve*

The State Party reports the recruitment of additional staff. Four head of unit positions have been established for ecological monitoring and training, anti-poaching, awareness-raising and development, and administrative and financial services. The State Party reports that equipment is being provided to the property, including five vehicles, 12 all-terrain motorcycles, and tents and uniforms. In addition, eco-guards receive regular allowances and rations.

However, the State Party did not provide information on the impacts of the law enforcement activities on the state of conservation of the property.

#### c) *Delimiting the boundaries of the property*

The report mentions that a process of zoning is planned. Zones will be legally defined in the periphery of the property, including the strictly protected zone, buffer zone and a general use zone of the Biosphere Reserve. GEOVIC mining concession

In 2007, the World Heritage Committee was informed that the State Party had been advised, based on public consultation, to request the GEOVIC mining company to conduct a new wildlife risk assessment as the original assessment underestimated the ecological impacts of the proposed mining activities. The GEOVIC mining concession is outside the property but close to it in the Lomié Sector. The support infrastructure to the mine such as roads and airport could be located adjacent to the property and increase accessibility to the property, resulting in higher levels of threats. The State Party notes that the Ministry of Environment and Forests does not have sole responsibility to ensure a thorough Environmental and Social Impact Assessment (ESIA) of mining projects. The State Party notes that funding is being sought to carry out the assessment. However, no information was provided on the timeframe for the completion of the assessment or the status of activities of GEOVIC, the mining company. Online media reports claim that the infrastructure development for the project is

underway and the cobalt ore extraction may begin in 2010. The State Party should provide detailed information on risk reduction of this activity on the Outstanding Universal Value and integrity of the property.

d) *Activities with neighbouring communities: economic and education*

The State Party also recognizes the need for socio-economic development of the communities neighbouring the property to ensure its effective protection. While no information was provided in the State Party's report on such activities. A number of projects are underway through ECOFAC, and NGO's such as the Dja Periphery Community Engagement Project implemented by Living Earth Cameroon, with technical assistance from NGOs..The World Heritage Centre and IUCN consider that the report does not give detailed evaluation on the implementation of the recommendations of the 2006 mission, and note limited progress by the State Party to fully implement them. There is also no information provided on the threat noted previously from industrial farming in the buffer zone of the property.

Information is also required on the operations of the mining concessions and associated infrastructure, near the property, and the operations and activities of the GEOVIC mining company. The World Heritage Centre and IUCN are extremely concerned about the lack of information needed to evaluate the potential impact of the mining activities on the Outstanding Universal Value and integrity of the property, and the possible impacts from other threats.

IUCN also notes the importance of the State Party working more closely with local communities and identify alternative sources of income to those which threaten the Outstanding Universal Value and integrity of the property and its biodiversity in particular.

**Draft Decision: 33 COM 7B.1**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.5**, adopted at its 31st session (Christchurch, 2007),*
3. *Regrets that, in its report, the State Party did not consider a number of the threats to the property that have been noted in previous decisions;*
4. *Expresses its concern that mining activities are progressing near the property and its buffer zone, in advance of consideration of the Environmental and Social Impact Assessment (ESIA);*
5. *Urges the State Party to ensure that the operations of the mining concessions adjacent to the property, including those operated by the company GEOVIC are fully assessed prior to activity commencing or further permissions being given, and requests the State Party to submit the ESIA to the World Heritage Centre as soon as possible, for consideration prior to any permissions for mining being granted;*
6. *Also requests the State Party to invite a joint World Heritage Centre / IUCN monitoring mission to the property, in order to evaluate the state of conservation of the property, the implementation of the recommendations of the 2006 mission and the threats from mining proposals and industrial farming that might affect the property;*

7. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property in relation to the above mentioned threats, and including information on the Outstanding Universal Value and integrity of the property, for examination by the World Heritage Committee at its 34th session in 2010.

### 3. Mount Kenya (Kenya) (N 800)

Year of inscription on the World Heritage List

1997

Criteria

(vii) (ix)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**27 COM 7B.4; 28 COM 15B.4; 32 COM 7B.1**

International Assistance

Total amount provided to the property: USD 25,000 for Technical cooperation

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

January 2003: joint UNESCO / IUCN monitoring mission ; October 2008: joint UNESCO/ IUCN monitoring mission

Main threats identified in previous reports

- a) Illegal forest resource extraction;
- b) Community-wildlife conflict;
- c) Poaching;
- d) Excisions from the property.

### Illustrative material

<http://whc.unesco.org/en/list/800>

### Current conservation issues

Mount Kenya National Park was inscribed under natural criteria (vii) and (ix) as one of the most impressive landscapes of Eastern Africa with its rugged glacier-clad summits, Afro-alpine moor lands and diverse forests, which illustrate outstanding ecological processes.

A mission was requested by the World Heritage Committee at its 32nd session (Quebec City, 2008) to review the state of conservation of the World Heritage property. The World Heritage Committee was especially concerned by reports of fencing between local community cropland and the property to prevent wildlife conflict on the boundaries of the property, as well as other issues such as (1) the delay in finalising a management plan; (2) reports of land excision from the property; (3) fire risks; (4) adaptation to climate change and the retreat of glaciers; (5) managing human-wildlife conflict; and (6) the need to maintain wildlife migration corridors.

The State Party did not submit a state of conservation report as requested by the World Heritage Committee at its 32nd session. However, a joint UNESCO/IUCN reactive monitoring mission visited Kenya from 21 to 24 October 2008 to assess the state of conservation of the Mount Kenya World Heritage property, and in particular examine issues of concern raised by the World Heritage Committee.

During the three day field visit, the mission carried out an aerial reconnaissance and visited lower-lying parts of the forest/national reserve which serve as a buffer zone to the property. The mission concluded that the effectiveness of the management of the property appeared to be higher than at any time since the property was listed, and that most of the concerns of the World Heritage Committee were already being addressed by the management authorities. The World Heritage property covers about half the broader Mount Kenya protected area, and is limited to the upper reaches of the mountain. Consequently, most of the issues facing the broader ecosystem (which were brought to the World Heritage Committee's attention at its 32nd session) have only indirect impact on the Outstanding Universal Value and integrity of the property. Fencing of the lower boundary of the forest/national reserve to protect local community cropland from wildlife, for example, has not encroached on the boundaries of the property, as previously thought.

In respect of the specific issues raised in the 2008 state of conservation report, the mission found that:

- Work on the controversial fencing programme (which is intended to mitigate crop damage problems by creating a barrier between the forest/national reserve and neighbouring communities) has been halted while a comprehensive Environmental Impact Assessment is carried out.
- The Hombe forest section of the Mount Kenya Forest/National reserve was never settled or excised from the reserve, although it is located in an area destined for commercial forestry plantation development, and most of the natural forest has been cleared. The area is located at the lower limits of the forest/national reserve, quite distant from the World Heritage property.
- Implementation of the management plan has suffered from issues regarding institutional coordination, but these appear to have now been largely overcome with the bringing together of the Wildlife and Forest Services into one Ministry. A comprehensive new draft management plan has been prepared, and will be subject to public consultation and should be completed during 2009.

- Two new water bowsers have recently been purchased and fire fighting capacity has modestly improved. There is a need to further enhance site management capacity, particularly that of the Kenya Forest Service, which manages much of the buffer zone.
- Climate change, the retreat of the glaciers and the development of wildlife migration corridors are intimately linked to the broader ecosystem approach to site management that the authorities have initiated by drafting the 'Mount Kenya Integrated Ecosystem management plan 2009-2019'. However, little on-the-ground management action has been undertaken to secure and enhance degraded habitats in important areas, such as the 'neck' of remaining forest leading to the Imenti and Thegu forests.

There are concerns for the long-term conservation of the property's values in relation to climate change. Glaciers are melting and some have completely disappeared. The State Party is encouraged to ensure comprehensive monitoring of climate change and implement management practices that support ecosystem adaptation. The mission strongly endorsed the recommendation of the 2003 joint UNESCO/IUCN monitoring mission to extend the property so as to include as much as possible of the lower-lying undisturbed natural forest. Such an extension could increase the resilience of the ecosystem by enhancing the wildlife and vegetation to adapt to climate change by migrating, possibly to higher elevations. A comprehensive list of recommendations has been developed and is presented within the mission report (<http://whc.unesco.org/en/sessions/33COM/documents>). The most important recommendations are presented in the draft decision.

The NGOs *Earth Justice* and the *Australian Climate Justice Program* sent to the World Heritage Centre and IUCN a petition, on 29 January 2009, entitled "The Role of Black Carbon in Endangering World Heritage Sites Threatened by Glacial Melt and Sea Level Rise". The petition "calls on the World Heritage Committee to take action to protect the Outstanding Universal Values of World Heritage Sites most vulnerable to global warming". In particular, this petition highlights properties protecting glaciers, although it does not mention specifically Mount Kenya (the nearby Mount Kilimanjaro is mentioned), the issue of "black carbon" is relevant also to this property.

The World Heritage Centre and IUCN are satisfied by the progress made by the State Party in addressing threats and management issues in the property; however, it is noted that the Outstanding Universal Value of this property is affected by climate change. The World Heritage Centre and IUCN encourage the State Party to discuss approaches to climate change adaptation with other State Parties, which also have Mountain World Heritage properties affected by melting glaciers and changing mountain vegetation zones.

The World Heritage Centre and IUCN also welcome the efforts of the State Party to clarify the boundaries and zoning of the property and enlarge the National Park. They recommend the State Party to evaluate, in cooperation with the Centre and IUCN, and reflect these changes in the boundaries of the property by proposing an extension.

**Draft Decision:      33 COM 7B.3**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.1** adopted at its 32nd session (Quebec City, 2008),

3. Regrets that the State Party did not submit a report on the state of conservation of the property, as requested by the World Heritage Committee at its 32nd session;
4. Notes with satisfaction the findings of the mission that the Outstanding Universal Value and integrity of the property is intact and that the effectiveness of its management is considered to be at its highest level since the inscription of the property on the World Heritage List;
5. Requests the State Party to carry out the following recommendations of the joint 2008 UNESCO/IUCN reactive monitoring mission:
  - a) Complete the Environmental Impact Assessment of the fence between the local community cropland and the forest reserve as soon as possible, and develop a comprehensive fencing plan for the property; ensure that barriers to minimise human-wildlife conflict in the periphery of the national reserve and adjacent forest reserves are compatible with maintaining the Outstanding Universal Value and integrity of the property; and maintain the present moratorium on further fence construction until an approved fencing plan is in place,
  - b) Clarify, agree and formalise arrangements between Kenya Wildlife Service and Kenya Forest Service for the joint management of the property, defining the respective roles of each authority,
  - c) Finalise by **1 February 2010** the alignment, documentation and on-the-ground demarcation of the proposed internal boundary between forestry plantation zones and natural forest,
  - d) Finalise by **1 February 2010** the management plan for the property, according to the new Kenya Wildlife Service protected area planning guidelines, ensuring full consultation with key stakeholders and local communities,
  - e) Maintain and enhance protection activities aimed at eliminating subsistence hunting, illegal logging, forest fires etc. within the site and adjacent reserves. In particular, strengthen the capacity of the Kenya Forest Service in the region, so that it can effectively manage the buffer zone of the property;
6. Notes with concern the reported impacts of climate change on the property and recommends the State Party to exchange experience with other States Parties and experts, including experts of the World Commission on Protected Areas (WCPA), working on mountain World Heritage conservation and climate change, to explore appropriate and practical adaptation and mitigation strategies for maintaining the Outstanding Universal Value and integrity of the property in the long term;
7. Encourages the State Party to consider and assess with the support of the World Heritage Centre, IUCN and local stakeholders the feasibility of extending the boundaries of the property to include undisturbed forested areas;
8. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a copy of the management plan, together with copies of any more specific monitoring reports that have been completed on the values of the property;
9. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a detailed report on the state of conservation of the property and progress in implementing the recommendations of the 2008 joint UNESCO/IUCN mission, for examination by the World Heritage Committee at its 35th session in 2011.

## 9. Ngorongoro Conservation Area (United Republic of Tanzania) (N 39)

### Year of inscription on the World Heritage List

1979

### Criteria

(vii) (viii) (x)

### Year(s) of inscription on the List of World Heritage in Danger

1984-1989

### Previous Committee Decisions

**29 COM 7B.1; 30 COM 7B.2 ; 31 COM 7B.2**

### International Assistance

Total amount provided to the property: USD 10,000 provided for a scientific study of vehicle congestion in the Ngorongoro crater in 2001 and USD 19, 294 provided for the preparation of a nomination file for the extension of the Ngorongoro World Heritage property in 2004.

### UNESCO Extra-budgetary Funds

N/A

### Previous monitoring missions

April 1986: IUCN mission; April-May 2007: UNESCO/IUCN reactive monitoring mission; December 2008: UNESCO/IUCN reactive monitoring mission

### Main threats identified in previous reports

- a) Increased human pastoral population;
- b) Immigration; Poaching;
- c) Spread of invasive species;
- d) Tourism pressure;
- e) Encroachment and cultivation

### Illustrative material

<http://whc.unesco.org/en/list/39>

### Current conservation issues

At its 30th session (Vilnius, 2006), the World Heritage Committee expressed its concern regarding a number of issues in the property, in particular: a) the issue of local communities within the property and the associated impacts of cultivation, b) problems of road developments and traffic congestion, c) planned lodge developments, in particular on the crater rim, d) invasive species, e) infrastructure development within the conservation area and f) the lack of tourism development strategies and requested a joint monitoring mission to the property. In 2007, a joint mission visited the property and developed a number of recommendations to address these issues. At its 31st session (Christchurch, 2007) the World Heritage Committee requested the State Party to implement the recommendations of the mission and requested another mission be undertaken to the property in 2008 to review their the progress in implementation.

On 4 February 2009, a report on the state of conservation of the property was submitted by the State Party. The report provides some information on the implementation of the recommendations of the 2007 mission.

As requested by the World Heritage Committee at its 31st session (Christchurch, 2007), a joint UNESCO/ IUCN reactive monitoring mission visited the property from 1 to 6 December 2008. The detailed findings and recommendations of the mission are contained in the report of the mission, which is available for reference on the website of the World Heritage Centre, <http://whc.unesco.org/en/sessions/33COM>. The mission reviewed the progress in the implementation of the recommendations of the 2007 monitoring mission:

a) *Continue and complete by June 2008 the process of voluntary relocation of immigrant populations*

As of September 2008, 150 immigrant households totalling 538 (of a total immigrant population established at 2000 individuals in 2006) are reported by the protected area authority, the Ngorongoro Crater Conservation Authority (NCAA) to have been relocated through a voluntary process, and some have left on their own initiative to their former villages. The process has been hampered by a lack of willingness of the targeted populations and NCAA states that more awareness raising activities are needed. They hope to make "substantial progress" by 2011. In a meeting with the mission team, Maasai representatives stated that relocation was only partially voluntary and requested a more transparent process. The mission team recommends that cooperation with the local communities and other stakeholders be increased and that the voluntary relocation process is accelerated and a date agreed to conclude it. . Also, the process for voluntary relocation and the timing of the relocation activities should be decided and communicated through public consultation.

b) *Carry out and complete by June 2008 a census and carrying capacity census, based on the needs of the Maasai population and an assessment of the ecological impacts of the populations*

Based on a human population census conducted in 2007, the resident population is estimated at 64,000 individuals, an increase of 4,000 compared to the 2002 census. No new carrying capacity study was implemented as requested by the 2007 mission. A previous carrying capacity study estimated the carrying capacity at 25,000 people, based on an estimated grazing capacity of 254,000 large herbivore units (cattle and wildlife). However, it is clear that this figure is contested by the Maasai community, some of whom even contest the concept of carrying capacity. While there might be some discussion on the exact numbers, in the view of the mission team, it is clear that the carrying capacity of large parts of the property has been already surpassed. Many areas visited by the mission team are overgrazed, in particular around the villages and water points. In addition, increasing areas of the property are in agricultural use. While agriculture was prohibited at the time of inscription of the property, in 1992, the Government decided to temporarily lift this ban, taking into account problems with food security. Since then the area under agriculture has increased rapidly. The mission observed that the agricultural techniques used are very basic and result in soil erosion and a rapid degradation of the land under cultivation, creating the need for further increases in cultivated areas. The General management plan still regards cultivation as an illegal activity in the property. However, in spite of its increasing importance, the management plan foresees no interventions to curb it or manage it. The mission team is extremely concerned by the lack of progress on this issue and believes the increasing numbers of people residing within the property and their impact on the natural resources through agriculture and overgrazing is the most important threat to the Outstanding Universal Value and integrity of the property.

c) *Implement the recommendations of the Environmental Impact Assessment on traffic congestion in the crater*

So far, NCAA has focussed on recommendation 8 of the EIA, namely the development of alternatives for the use of the crater: nature trails have been developed in several parts of the property, a visitor centre and several roads are under construction to facilitate access to other visitor attractions. However, so far none of the other recommendations have been implemented. According to NCAA, it was necessary to first develop the alternative options in order to make restrictions on the crater visit more acceptable to the tour operators. In the mean time, visitor numbers have continued to rise with 508,734 visitors in the 2007/2008 season, compared to 380,235 visitors in the 2006/2007 season. The mission is therefore extremely concerned by the lack of progress on this issue.

d) *Close and rehabilitate all existing gravel pits in the property*

Some gravel pits were closed, including the one inside the crater. NCAA explained to the mission team that sourcing gravel from outside the property would accelerate the problems of introduction of invasive species, which are common in the agricultural areas around the property. While the mission team understands this concern and believes it can be acceptable to keep some gravel pits open in the property, they should be confined to areas with minimal impact on the natural values of the property. The mission notes that the gravel pit on the crater rim near Sopa lodge, which is currently in use for the rehabilitation of the road to Empakai, is damaging the scenic values and integrity of the property and should be closed immediately.

e) *Freeze any new lodge development in the property, in particular on the crater rim*

Following the recommendations of the 2007 mission, the proposal for a new lodge development on the crater rim (the Kempinski lodge) was not approved and NCAA is continuing to observe a moratorium on new lodge development on the rim. However, contrary to Decision **31 COM 7B.2**, the State Party has not frozen all new lodge development and several lodges and tented camps are currently being planned in other parts of the property (5 to 9 depending on the source of the information). Currently the process for allocating a number of new lodge/tented camp sites is underway. NCAA stated that these proposed developments will be subject to an EIA. Already some proposals were said to have been abandoned following a negative EIA. Representatives of the Maasai communities expressed reservations to some of the current lodge developments, which they fear will limit their access to water in certain areas and will not bring direct benefit to them. They also complained that they were consulted only very late in the process.

f) *Develop a proactive tourism strategy to guide future activities in relation to tourism within the conservation area*

The mission received a copy of the tourism strategic plan developed in 2006 by NCAA. However, this strategic plan is mainly looking at ways and means to promote the tourism product of the property and increase the number of visitors to the property. The mission considers this not adequate as clearly the main management issue is how to manage the increasing visitor numbers in the property without damaging its values, rather than further increasing visitor numbers. While the management plan recognizes the issue of management of visitor pressure, and recognizes the need to optimise revenue within the Limits of Acceptable Use (LAU), there are no concrete activities foreseen in the plan other than the diversification of the tourism product foreseen to address this issue.

g) *Ensure that existing lodges are best practice models in relation to environmental protection*

So far, only two lodges are reported to have completed an environmental audit. NCAA informed the mission that efforts are underway to complete this process with the other lodges, as soon as possible.

h) *Continue existing programmes for control of invasive species, in particular to eradicate Azolla filicoides*

NCAA is continuing the existing control programmes on invasive species through controlled burning and other measures. *Azolla* remains the main threat, as it has infested the fresh water bodies in the crater. For the moment, manual removal remains the only strategy to address this. A workshop on the management of invasive species was organized in 2008 to raise awareness of the threats by invasive species.

- i) *Complete as quickly as possible the programme to relocate NCAA and lodge staff as well as other major infrastructure outside the property*

Very little progress was made on the implementation of this recommendation. During the 2007 mission, NCAA announced that the entire process of relocating the 360 families of NCAA employees would be completed by June 2008. So far, only 4 flats are being finalized, which can accommodate 24 families and another four flats are being constructed in 2009. NCAA now states that the process might be completed by 2012 if it can ensure the necessary funding. No progress was made on the relocation of lodge staff. Moreover, the mission team found that a new office complex for NCAA was built on the crater rim, in total contradiction with the above mentioned recommendation. No EIA was submitted to the World Heritage Centre or made available to the mission team. The mission was informed that there is a lot of resistance against the relocation of staff and infrastructure, not only by the people directly concerned but also by local decision makers, as it is perceived as a first step towards the relocation of the communities living in the property.

- j) *Explore alternatives to limit or remove cattle grazing in the crater*

NCAA reported to the mission that while cattle grazing is no longer allowed in the crater, cattle salt licking is still allowed for a limited number of families. NCAA has taken measures to provide Maasai with other salt resources and also constructed artificial dams in two villages to ensure water availability during the dry season. While they report that the number of people and cattle going into the crater has diminished, the practice is still happening as it is culturally strongly anchored.

- k) *Explore and implement a range of innovative financing mechanisms*

The ability of the NCAA to generate and retain its own revenue provides it with a unique opportunity to respond effectively to the wide range of management challenges it faces. The income of the NCAA has risen dramatically in recent years as visitor numbers have increased and fees for entry and other uses in the property have been raised several times. For 2007/2008, the total revenue of NCAA was reported to amount to more than 35 Billion Tanzania Shilling (equivalent to 26 Mio USD), a doubling since 2005/2006.

Faced with this increasing income, NCAA developed an investment policy in 2006. However, several stakeholders, including leaders of the Maasai community complained to the mission of a lack of transparency in the financial management. The mission team requested detailed information on how the income earned by the NCAA was allocated but, to date, such information has not been provided. The mission team believes that as a public entity, NCAA should make its accounts public so that the many stakeholders in the property can see how the Authority is using the resources earned for the management of the property.

In addition, the mission recommends the NCAA, resident populations and the State Party to develop benefit-sharing mechanisms that encourage a sense of ownership of, and responsibility for, the conservation and sustainable use of the property's natural resources.

- l) *Develop a high level technical forum between NCAA, TANAPA and the Wildlife Department to ensure better management of the Ngorongoro-Serengeti ecosystem*

Following this recommendation, a "Serengeti Ecosystem Forum" (SEF) was established between the management authorities of the Serengeti National Park (managed by TANAPA), NCAA and the adjoining game reserves (managed by the Wildlife Division) and other stakeholders such as the Frankfurt Zoological Society. The Memorandum of Understanding

was signed in August 2008. However, no regular meetings have taken place since. The mission team welcomes that the Forum was established and recommends that through the forum; an overall management vision for the ecosystem is developed, taking into account the management of the World Heritage values of both properties.

The mission team is further concerned with the growing tension between NCAA and the resident Maasai communities. Community leaders met with the mission and indicated that they considered the mechanisms and processes included in the General management plan with regard to the involvement of resident communities in the management of the property are not being actively pursued by NCAA management. The mission recommends that NCAA prioritize the initiation of a dialogue with resident communities to ensure their active participation in the decision-making processes and governance of the property. It is also noted that a re-nomination of the property has been submitted to consider cultural criteria, but unfortunately, Maasai community leaders informed the mission team that they were not aware of this. It is anticipated that the re-nomination will be considered by the World Heritage Committee at its 34th session.

The mission team confirmed the assessment of the 2007 mission that while the Outstanding Universal Value of the property has been maintained, it is under increasing pressure and NCAA is facing many important management challenges to maintain the integrity of the property.

While some progress was made, the World Heritage Centre and IUCN are concerned that many of the recommendations of the 2007 mission are not yet fully implemented and in some cases, decisions were made going against the recommendations.

The World Heritage Centre and IUCN feel that the most important conservation challenge for the property is to achieve the two main management objectives as stated in the 2006 GMP: “to maintain a dynamic multiple land-use system, which perpetuates the historic balance of people and nature” whilst at the same time “to conserve the biodiversity and ecological integrity of the Serengeti ecosystem and Ngorongoro highlands”. The World Heritage Centre and IUCN consider that human pressure on the ecosystem, as a result from the increasing resident population leading to over grazing and increasing agricultural use of the land and increasing tourism pressure are already affecting the integrity of the property and threatening its Outstanding Universal Value. Urgent action is therefore needed to address both issues.

To address the tourism pressure issue, it is important that all eight recommendations of the EIA on traffic congestion in the crater are implemented urgently. The World Heritage Centre and IUCN believe that visitor pressure in the crater can only be managed by putting a clear maximum limit on the number of vehicles allowed in the crater per day (proposed at 100 in the EIA). A transparent reservation system should also be put in place. The measures should be framed as part of an overall tourism strategy for the property to guide the further development of the tourism industry, prioritizing the quality of the tourism experience, not the quantity of visitors and tourism facilities. The mission recommends that this strategy is developed for the entire Serengeti Ecosystem in conjunction with Tanzania National Parks as part of the recently signed Memorandum of Understanding.

The World Heritage Centre and IUCN recommend that the tensions and conflict surrounding the management and use of resources within the property be addressed through improved stakeholders engagement. The issue of the population pressure has to be addressed based on the ecological carrying capacity of the system and taking into account the needs of the Maasai communities. They reiterate the recommendation of the 2007 mission to carry out a comprehensive scientific study on the carrying capacity of the property and the impacts of the resident populations. Based on the results of this study a dialogue should be started between NCAA, Maasai community leaders and other stakeholders to develop a joint strategy to address this issue, including the issue of increasing agricultural use in the property. The World Heritage Centre and IUCN anticipate that if this issue is not addressed

urgently and if the current degradation patterns are not stopped, the Outstanding Universal Value of the property will be jeopardised.

**Draft Decision: 33 COM 7B.9**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **31 COM 7B.2**, adopted at its 31st session (Christchurch, 2007),
3. Notes with concern that while progress was made on certain issues, many of the recommendations of the 2007 mission are not yet fully implemented and in some cases, decisions were made against the recommendations;
4. Also expresses its concern that human pressure on the ecosystem, resulting from a growing resident population is leading to over grazing and increasing agricultural use of the land and increasing tourism pressure, is already affecting the integrity of the property and threatening its Outstanding Universal Value;
5. Urges the State Party to implement all the recommendations of the 2007 reactive monitoring mission, and in particular to:
  - a) Implement all the recommendations of the Environmental Impact Assessment relating to vehicle congestion within the crater, in particular putting a clear maximum limit of 100 vehicles allowed in the crater per day,
  - b) Develop an overall tourism strategy for the property to guide the public use of the property, prioritizing the quality of the tourism experience, not the quantity of visitors and tourism facilities,
  - c) Implement as quickly as possible a census and scientific study of the carrying capacity within the conservation area, based on the needs of the Maasai population and assessment of the ecological impact of the human populations on the ecology of the property;
6. Also urges the State Party to engage in a dialogue between the Ngorongoro Crater Conservation Authority (NCAA), Maasai community leaders as well as other stakeholders, based on the results of the scientific study, to develop a joint strategy to address the issue of human population impact on the ecology of the property, including the issue of increasing agricultural use in the property;
7. Requests the State Party to ensure the active participation of resident communities in decision-making processes and develop benefit-sharing mechanisms to encourage a sense of ownership of, and responsibility for, the conservation and sustainable use of the property's natural resources;
8. Also requests the State Party, in consultation with the World Heritage Centre and Advisory Bodies, to develop a Statement of Outstanding Universal Value including the conditions of integrity, for examination by the World Heritage Committee;
9. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed report on the state of conservation of the property and on progress in

*the implementation of the recommendations of the 2007 and 2008 monitoring missions, for examination by the World Heritage Committee at its 34 session in 2010.*

## **10. Serengeti National Park (United Republic of Tanzania) (N 156)**

### Year of inscription on the World Heritage List

1981

### Criteria

(vii) (x)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**30 COM 7B.7; 31 COM 7B.10**

### International Assistance

Total amount provided to the property: USD 42,000 in 1990 under Technical cooperation.

### UNESCO Extra-budgetary Funds

N/A

### Previous monitoring missions

No monitoring missions, but various activities under the “*Enhancing Our Heritage*” project have been undertaken, including a field visit in September 2005.

### Main threats identified in previous reports

- a) Potential impacts of a hydro-electric project in Kenya;
- b) Poaching;
- c) Reduced and degraded water resources.

### Illustrative material

<http://whc.unesco.org/en/list/156>

### Current conservation issues

Serengeti National Park was inscribed under natural criteria (vii) and (x). With its vast plains comprising 1.5 million ha of savannah, and the annual migration of large herds of herbivores (wildebeest, gazelles and zebras), followed by their predators, the property is one of the greatest natural wonders in the world.

The World Heritage Committee requested at its 31st session (Christchurch, 2007) a state of conservation report to review progress in addressing concerns relating to threats affecting the property, in particular the proposed lodge development in Bilila and its associated

environmental impact particularly on scarce water resources. The World Heritage Committee requested the State Party to provide information on progress in implementing the Environmental Impact Assessment (EIA) of the Lodge, copies of the hydrological studies recommended in the EIA, information on water mitigation measures and visitor management.

On 2 March 2009, a report on the state of conservation of the property was submitted by the State Party. The report provides information on planned changes to the boundaries of the property and its buffer zone, a statement of integrity, protection, staffing and capacity needs, visitor information and factors affecting the property. The World Heritage Centre and IUCN welcome the efforts of the State Party to clarify and to enlarge the boundaries of the National Park. They recommend the State Party to evaluate, in cooperation with the World Heritage Centre and IUCN, and reflect these changes in the boundaries of the property by proposing an extension.

The State Party noted threats from poaching, a decline in the flow of the Mara River, and unregulated fires. In addition, IUCN has received reports of invasive species spreading in the property. The State Party also reported on some aspects of the work it has undertaken following the World Heritage Centre/IUCN/United Nations Foundation “*Enhancing Our Heritage*” (EoH) project. The Second Assessment for Serengeti via this project was produced in December 2007. Through this project, the State Party identified and has monitored several indicators: these included an assessment that improvements were noted for Acacia woodland and recovery of Black Rhino populations. The following indicators show deteriorating status: the flow and quality of the Mara River, riverine forests, conservation of Terminalia woodland and the health of wild dogs populations. The status of migratory routes for wildlife, another indicator, was considered to be unchanged and stable.

Information on progress made in implementing the decision of the World Heritage Committee is provided as follows:

a) *Water Resource Management*

The State Party reported that technical reports are complete and available for the Bilila Lodge visitor facilities and that construction of a well would only be permitted after assurance and certification of adequate water provision. The State Party did not report specifically on the Environmental Impact Assessment for the lodge nor provided any detailed technical reports requested by the World Heritage Committee.

The State Party has suspended the proposed expansion of water use at Bologonja springs until an Environmental Flows Assessment has been carried out. At this time there are insufficient funds for the assessment and to carry out the project.

The State Party is working with the State Party of Kenya and a variety of stakeholders on transboundary and joint initiatives on the sustainable use of water in the Mara River Basin. The reported factors affecting the Mara River include deforestation upstream in Kenya, high river sediment load from erosion, over-extraction of water, and pollution. The State Party reports that the community is supporting a transboundary Water User’s Forum. IUCN notes that there are a large number of stakeholders and initiatives in the region such as WWF’s Eastern Africa Regional Programme Office which are supporting efforts to reconcile the competition for Mara River’s water resources. Particular transboundary efforts are being encouraged to harmonize water demands in Tanzania and Kenya between the communities and ecosystems. In particular, improved approaches to managing water and water users are needed.

b) *Visitor Management*

The State Party report does not provide information on the carrying capacity of visitors in the property. The 2006-2016 management plan has divided the property into three zones: High Use, Low Use and Wilderness Zone. Under this zoning scheme, further visitor facilities development is permitted in the low use zones. The IUCN recall that plans for these developments should be shared with the World Heritage Centre prior to permission being granted for them. The management authority for the park has also designed alternative game viewing circuits to control congestion, developed a code of conduct, and increased patrols to reduce off-road driving. Visitation is also currently limited by the availability of accommodation.

c) *Poaching*

The State Party reports that poaching continues to increase and its control requires additional rangers and more patrolling. The State Party is also trying to raise conservation awareness and education in adjacent local communities.

d) *Invasive Species*

IUCN received reports on invasive species, including *Argemone mexicana* and *Datura stramonium* being present in the property. Those reports indicate that the extent of these invasive species has not degraded the Outstanding Universal Value of the property at this time. However, it is recommended that action is taken to remove these invasive species to avoid the risk of further spread and increase in the cost for removal.

e) *Fibre Optic Cable*

The World Heritage Centre and IUCN received reports of a planned fibre-optic cable to be laid through the property. This was understood to involve the laying of approximately 759 km of cable, from Arusha to Musoma and Mwanza, via the Ngorongoro and Serengeti National Park World Heritage properties. Information received also stated that an Environmental Impact Assessment (EIA) would be carried out as required under the new Environmental Management Act No. 20 of 2004. Though the consultation period for the EIA was to have ended on 31 August 2007, no further information on this project and the EIA have been received. The World Heritage Centre and IUCN note that planning for the project began in April 2006, and was not brought to the attention of the World Heritage Centre during the joint UNESCO/IUCN reactive monitoring mission in 2007 to Ngorongoro. The monitoring mission undertaken to Ngorongoro, in December 2008, investigated on a potential optical cable route in the property. The Ngorongoro Conservation Area Authority confirmed the existence of the project but noted that the EIA had concluded that the proposed work on the laying of the cable was acceptable as it would follow the existing road, and after the works the environment would be restored to original condition. Once the cable is in place there should be a positive visual impact since there would no longer be a need for lines above ground.

The World Heritage Centre and IUCN urge the State Party to provide additional information on the fibre-optic cable project, in particular the outcome of the EIA.

f) *Bilila Lodge*

The State Party has yet to submit to the World Heritage Centre the water resource studies, or progress on implementation of the recommendations of the EIA for the Bilila lodge development as requested previously by the World Heritage Committee in Decisions **30 COM 7B.7** and **31 COM 7B.10**, respectively in 2006 and 2007. The World Heritage Centre and IUCN reiterate their recommendation that the State Party provide further information on the mitigation measures to be implemented and a timetable for their implementation, and how the park management is ensuring sustainable levels of visitors and preventing overcrowding, particularly in sensitive areas. The State Party is requested to provide copies of these studies to the World Heritage Centre and IUCN as soon as possible.

The World Heritage Centre and IUCN encourage the State Party to ensure that all development and activities conform to the objectives of the General management plan of the

property and are conducted or designed without adversely affecting the values for which the property was inscribed on the World Heritage List.

**Draft Decision: 33 COM 7B.10**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.10**, adopted at its 31st session (Christchurch, 2007),*
3. *Urges the State Party to ensure that the water resource studies recommended by Environmental Impact Assessment studies are carried out as quickly as possible; and to provide copies of these studies to the World Heritage Centre;*
4. *Notes the steps taken towards transboundary collaboration on integrated water resource management of the Mara River between the State Party of Tanzania and the State Party of Kenya and encourages the States Parties to enact necessary policies to ensure that the Outstanding Universal Value and integrity of the property are not degraded due to insufficient water resources;*
5. *Also encourages the State Party to consider and assess with the support of the World Heritage Centre, IUCN and local stakeholders the feasibility of extending the boundaries of the property ;*
6. *Expresses concern over the potential impact of installation of optical cables through the property; and urges the State Party to ensure that the results of the Environmental Impact Assessment for the fibre optic cable are submitted to the World Heritage Centre as soon as possible;*
7. *Requests the State Party to implement the recommendations of the Environmental Impact Assessment with the objectives of the management plan of the property to maintain the Outstanding Universal Value and integrity of the property;*
8. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, an updated report on the state of conservation of the property including information on planned fibre optic cables route, water management measures and progress in implementing the Environmental Impact Assessment recommendations.*

## ASIA-PACIFIC

### 12. The Sundarbans (Bangladesh) (N 798)

#### Year of inscription on the World Heritage List

1997

#### Criteria

(ix) (x)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

#### **32 COM 7B.10**

#### International Assistance

Total amount provided to the property: USD 75,000 post cyclone emergency assistance.

#### UNESCO Extra-budgetary Funds

USD 32,590 from Switzerland following a Special Appeal by the Sector for External Relations of UNESCO.

#### Previous monitoring missions

2007: World Heritage Centre mission

#### Main threats identified in previous reports

Loss of monitoring capacity due to cyclone damage

#### Illustrative material

<http://whc.unesco.org/en/list/798>

#### Current conservation issues

The November 2007 cyclone had devastated most of the property's management infrastructure, eliminating its capacity to carry out management and monitoring activities effectively. Beyond the serious ecosystem damage caused by the extremely high winds, and impacts on wildlife, the loss of management capacity left the property vulnerable to poaching of marine and terrestrial fauna and flora for commercial and subsistence purposes. The State Party submitted a request for International Assistance to the World Heritage Centre in April 2008. An additional appeal was launched in Switzerland by UNESCO's Sector for External Relations, raising USD 32,590. According to the UNESCO country office project report, the International Assistance funds helped support the acquisition of 12 patrol vessels (each with a small cabin and 25-35 HP engines), and the restoration of 6 field stations designed to lodge park staff during field patrol duties.

The State Party submitted a state of conservation report on the property on 9 March 2009 to the UNESCO Office in Dhaka. The State Party reports that the UNESCO Special Appeal

funds (USD 32,590) helped repair 11 boats, restore 2 field stations and a wildlife sanctuary shed, and corroborates the information provided by the UNESCO country office on the work carried out with the support of International Assistance from the World Heritage Fund. The report notes that the financial support received from UNESCO was sufficient to restore or replace only a fraction of the damaged or destroyed infrastructure. Many other field stations remain unusable, particularly in the eastern part of the property, and radio-communications towers remain out of service. The State Party notes that though it has begun restoration measures on the basis of a long term recovery, external support is needed to address many funding gaps. These include the restoration of field offices and housing, building of cyclone shelters, reconstruction of roads and jetties, acquisition of patrol boats, restoration of tourism and radio communication infrastructure, and the carrying out of monitoring work to gauge the cyclone's impact on wildlife populations, including the conservation status of tigers, within the property.

The State Party reports that an Integrated Protected Area Co-management project, financed by USAID, was launched in November 2008 with the objective of reducing unsustainable exploitation of forests and wetlands. The property is one among many other protected areas in the country benefiting from this support.

The State Party is proposing a larger restoration and climate change adaptation project for the benefit of the property. Entitled "Rehabilitation of Sidr's Damage and Climate Change Resilient Afforestation", this multi-million dollar proposal would seek to implement, among others, those measures required to restore lost and damaged infrastructure within the property, and the restoration of community nurseries and green belts in the high risk settled areas in the coastal zone which surround the property.

The World Heritage properties of The Sundarbans, Bangladesh and Sundarbans National Park, India were mentioned in a petition, addressed to the World Heritage Centre and IUCN in January 2009, drawing attention on the impact of black carbon climate change and the potential for World Heritage properties around the world to be affected. This issue is addressed within the introduction of Document *WHC-09/33.COM/7B*. A letter was sent by the World Heritage Centre to the States Parties concerned in March 2009 to inform them of this petition. The report highlights the risk of increased flooding and increased salinity from sea level rise and notes that a 25cm rise in sea level could result in a loss of 40% of mangroves in the Bangladesh Sundarbans.

On 22 April 2009 the World Heritage Centre received a response to this letter from the State Party. The State Party noted that the World Heritage Committee "...should try to influence the UNFCCC (and its subsidiary agreement Kyoto Protocol) to explore the possibility of including black carbon as an active agent for climate change". The letter also states that in the present scenario "Sundarbans World Heritage site may be included in the 'List of World Heritage in Danger' by black carbon". IUCN considers that the World Heritage Committee has an important role to bring to the attention of UNFCCC the threat to the Outstanding Universal Value and integrity of World Heritage properties from the impact of climate change, and to recognize the need for and encourage action to reduce emissions, including of black carbon.

The World Heritage Centre and IUCN encourage the international community to provide the assistance requested by the State Party to help to 'understand, mitigate and adapt to the impacts of black carbon.' The State Party is encouraged to closely monitor the changes in sea level in the property and the potential impact of climate change. The State Party may also benefit from engagement with other States Parties with properties whose Outstanding Universal Value and integrity are at risk from the impact of Climate Change in coastal areas.

**Draft Decision:      33 COM 7B.12**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.10**, adopted at its 32nd session (Quebec City, 2008),
3. Notes the efforts made by the State Party, with the support of the World Heritage International Assistance Fund and the UNESCO Special Appeal fund, in restoring damaged or destroyed infrastructure;
4. Commends the State Party for its efforts in developing a longer term response through a 5 year rehabilitation project for the property, as requested in Decision **32 COM 7B.10**;
5. Takes note of the further needs for the restoration of the property and its management capacity and urges the international community to treat the State Party request for financial support in the implementation of its recovery plan with the utmost priority;
6. Requests the State Party to put in place a programme of ecological monitoring, including the impact of climate change on the Outstanding Universal Value and integrity of the property;
7. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a report on the state of conservation of the property, including on progress made in restoring damaged infrastructure for examination by the World Heritage Committee at its 35th session in 2011.

**13. Kaziranga National Park (India) (N 337)**

Year of inscription on the World Heritage List

1985

Criteria

(ix) (x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**26 COM 21B.10; 32 COM 7B.12**

International Assistance

Total amount provided to the property: USD 100,000 (Technical co-operation, 1997 and 1998).

### UNESCO Extra-budgetary Funds

Total amount provided to the property: The property has benefited from the UNF funded World Heritage India programme from 2008. The project interventions cover the following main areas: enhance management effectiveness and build staff capacity; increase the involvement of local communities in the management of the World Heritage site and promote their sustainable development; and raise awareness through communications and advocacy.

### Previous monitoring missions

1997: World Heritage Centre mission; February 2002: IUCN mission;

### Main threats identified in previous reports

- a) Poaching of rhinos;
- b) Development of a railway adjacent to the property;
- c) Possible upgrading of the highway crossing the property;
- d) Insufficient infrastructure, budget and staffing.

### Illustrative material

<http://whc.unesco.org/en/list/337>

### Current conservation issues

Kaziranga National Park was inscribed on the World Heritage List in 1985 for its large population of one-horned rhino, tigers, elephants, panthers, bears and many birds, and its representation of the Brahmaputra floodplain and grassland ecosystem undisturbed by man. At its 32nd session (Quebec City, 2008), the World Heritage Committee was provided a brief report on the property after the joint World Heritage Centre / IUCN reactive monitoring mission to Manas National Park was able to spend a short time in the Kaziranga National Park discussing its state of conservation. The World Heritage Committee recognised that the property was well managed, and that efforts were underway to extend the property, but requested information on progress in curbing poaching, providing sufficient staff and funding, and Environmental Impact Assessment of the planned upgrade to the NH37 national highway crossing the property. Additional threats were reported from isolation of the property and fragmentation of the broader ecosystem from agricultural development, interbreeding of wild buffalo with domesticated cattle, invasive species, and overgrazing.

On 20 March 2009, a report on the state of conservation of the property was submitted by the State Party. The report provides an update on management activities.

Following the recommendations of the informal visit to the property in 2008, the report notes that the Government of Assam is reviewing a proposal to give the status of a Wildlife Sanctuary to a part of the North Karbi Anglong reserve forest and that the final notification is expected shortly.

The report confirms that funding of the property comes from the Government of Assam through its schemes relating to the development of National Park and Wildlife Sanctuaries and other wildlife areas, as well as from the Central Government through the Project Elephant and Project Tiger financing mechanisms. Concerning the timely delivery of central funds to the property, the report notes that at the time of the State party report, the first instalments for the budget year 2008/09 had been released. With regard to the planned upgrading of the NH-37 highway, the report notes that the National Highway Authority has proposed three alternatives. These include 1) an alternate route via NH37A and NH52 to Bokaghat, 2) improvements to NH37 with animal passes, and 3) retaining NH37 along Kaziranga as a two lane highway. The Chief Wildlife Warden has supported the 1st option of the alternate route as the preferred option. The State Party did not provide further information

on the Environmental Impact Assessment, as requested by the World Heritage Committee, nor information on when the final decision would be made.

Efforts to curb poaching are reported to include the provision of adequate rifles and ammunition to the additional 120 Armed Home Guards, and the phased recruitment of staff. The State Party has established 55 Eco-development Communities in villages neighbouring the property. These are community groups which aim to build capacity and promote sustainable development in local communities. The State Party reports on improved collection of intelligence on poaching activities, and the Assam Forest Protection Force is establishing headquarters on the southern periphery of the property. Media reports on poaching in the property indicate that 8 rhinos were poached in 2008, in addition to the 24 poached in 2007. Further reports in March 2009, indicated that several cases had been registered against two poachers who had also been involved in assaulting park staff. These media reports also stated that seizures of rhino horns were not being adequately monitored and that this has the potential to contribute to the on-going illegal trade in rhino horns and poaching of rhinos. IUCN also notes the media reports in February 2009 of tigers being poisoned by villagers and encourages the State Party to investigate human-wildlife conflict and measures to reduce these conflicts.

IUCN has received reports from a local NGO, Aaranyak that a healthy tiger population exists within the property. IUCN also notes that the 2007 Enhancing Our Heritage Management Effectiveness evaluation had identified a number of threats to the property such as the extensive settlements on the southern boundary of the property, invasive species such as water hyacinth, overgrazing by buffalo, potential dam construction, and traffic regulation on the NH 37. IUCN also notes that the management plan of the property is due for review in 2009 and encourages the State Party to report on the review of this plan. Plans by the Governments of India and Assam to develop dams in Assam and on the Brahmaputra River were noted in the 2007 Enhancing Our Heritage Management Effectiveness report for Kaziranga and in the article by V V.B. Mathur, Ashok Verma, Nigel Dudley, Sue Stolton, Marc Hockings and Robyn James of the

UNF-UNESCO Enhancing Our Heritage Project Team <http://whc.unesco.org/uploads/activities/documents/activity-331-8.pdf>. The annual flooding of the property, 50% in September 2009 (according to The Telegraph, Calcutta India, 2 September 2008) is an integral part of the ecosystem process within the property.

The World Heritage Centre and IUCN are concerned that the current budget of the property remains inadequate. To strengthen ongoing monitoring of the biodiversity and ecosystem values of the property, the State Party is encouraged to report on trends in key wildlife species and ecosystems to help to monitor the impact of poaching and broader ecosystem fragmentation. The State Party is also encouraged to increase its engagement with local communities, particularly on the southern border of the property where most poaching is said to originate.

**Draft Decision:      33 COM 7B.13**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.12**, adopted at its 32nd session (Quebec City, 2008),

3. Welcomes the efforts of the Government of Assam to upgrade the conservation status of a part of the North Karbi Anglong reserve forest to a Wildlife Sanctuary, which would support the protection of the values of the property;
4. Encourages the State Party to report on trends in key wildlife populations, in order to allow effective monitoring of the Outstanding Universal Value and integrity of the property, and to assess the impact of poaching, and monitor the implementation of the recommendations of the 2007 Enhancing Our Heritage Management Effectiveness Evaluation Report;
5. Requests the State Party to increase efforts to prevent poaching, by ensuring adequate financial and equipment support to the anti-poaching activities in the property and by engaging the local communities;
6. Notes the proposed alternatives to the planned upgrading of the NH37 and reiterates its request to prepare and to submit to the World Heritage Centre an Environmental Impact Assessment taking into account the three options identified and their potential impact on the Outstanding Universal Value and integrity of the property, in accordance with Paragraph 172 of the Operational Guidelines, before a final decision is taken;
7. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a report on the state of conservation of the property, in particular on the question of the approval and location of the alternative route to the highway NH37, efforts to curb poaching, results of monitoring, for examination by the World Heritage Committee at its 35th session in 2011.

## 15. Tropical Rainforest Heritage of Sumatra (Indonesia) (N 1167)

### Year of inscription on the World Heritage List

2004

### Criteria

(viii) (ix) (x)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**30 COM 7B.12; 31 COM 7B.16; 32 COM 7B.14**

### International Assistance

Total amount provided to the property: USD 66,600 in July 2005 for Emergency Assistance on rehabilitation of management facilities of the Gunung Leuser National Park, which is a part of the property

### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 1,800,000 for the 3-year UNF/UNFIP Project (2005-2007) - Partnership for the Conservation of Sumatra Natural Heritage.

### Previous monitoring missions

2006: UNESCO / IUCN reactive monitoring mission; 2007: World Heritage Centre/IUCN reactive monitoring mission; February 2009: World Heritage Centre/IUCN reactive monitoring mission.

### Main threats identified in previous reports

- a) Agricultural encroachment;
- b) Illegal logging;
- c) Poaching;
- d) Road construction;
- e) Institutional and governance weaknesses.

### Illustrative material

<http://whc.unesco.org/en/list/1167>

### Current conservation issues

At the time of inscription in 2004, the IUCN evaluation report recognized roads and road building as an immediate and present threat to the property which also facilitated poaching, encroachment and illegal logging. IUCN recommended inscribing the property on the List of World Heritage in Danger at the same time as inscribing the property on the World Heritage List. This proposal was not accepted, but continued loss of forest cover, encroachment and declines in populations of wildlife led to discussions of Danger Listing in 2006 and 2007, following two further reactive monitoring missions. The World Heritage Centre/IUCN reactive monitoring mission of 2007 noted that the efforts of the State Party had not been able to halt the various human activities degrading the Outstanding Universal Value and integrity of the property and that further consideration of the inscription on the List of World Heritage in Danger should occur after a further mission in 2009 and based on progress reported by the State Party.

No state of conservation report was received from the State Party in 2009. The report below is based on the findings of the joint UNESCO / IUCN reactive monitoring mission which took place in February 2009.

The mission recognized the efforts of the State Party in the face of extensive threats within and adjacent to each of the three components of the property: Bukit Barisan, Gunung Leuser and Kerinci Seblat. The mission noted that the Emergency action plan (EAP) proposed by the 2007 mission has not been fully implemented but considered that it was not realistic to expect that the EAP be completed in only two years.

The mission observed park authorities and partners have continued to make improvements in relation to issues noted by the 2007 reactive monitoring mission in Gunung Leuser National Park (GLNP), including boundary demarcation and signage of the national park, prosecution of illegal logging and encroachment. Further progress in addressing threats to GLNP requires political recognition and support at the highest levels. Many threats are caused by factors outside the jurisdiction of the property; thus solving these issues requires cooperation between all national and local stakeholders. Higher level and more integrated inter-agency working is needed to address the need for relocation of displaced peoples, land-use management, local socio-economic development, and law enforcement.

Threats observed by the mission in Kerinci Seblat National Park (KSNP), related mainly to encroachment, illegal logging and road construction. Although all of the road construction projects have been halted, as reported by the 2007 mission, the 2009 mission observed that some forest roads are accessible by cars or motorcycles and have been extended locally, since 2008. The mission also came across evidence of very recent illegal logging and agricultural encroachments deep inside the property. As in the case for GLNP, these issues cannot be controlled by action only of the forest service, and therefore need stronger political support and commitment at all levels. Most of the pressures on the integrity of KSNP come from outside its boundaries, where the park authorities have no legal competence to intervene directly. The mission met local stakeholders at district level, who had a negative perception towards the property, and considered its presence impeded economic development. However, progress was noted by the mission where positive measures were taken to stop the expansion of encroached areas and to restore degraded forests. Local NGOs, committed to wildlife research and monitoring, and forest restoration and the promotion of alternative livelihoods are also actively involved in KSNP. The mission also identified traffic on existing public roads having a negative impact on wildlife and affecting the connectivity between the Southern and the Northern parts of KSNP. The mission concludes that amongst the three cluster sites, KSNP is the most exposed to external pressures and threats.

The 2009 mission assessed changes to the state of conservation of Bukit Barisan National Park (BBNP) with difficulty as it was not visited by the mission in 2007. The 2009 mission was impressed by the high degree of integrity of the Southern part of this cluster. In contrast, large areas located in the North-Eastern part of BBNP have heavily suffered from encroachment and the mission considered that these areas no longer have Outstanding Universal Value. The mission noted that this situation already partly existed at the time of the inscription of the property, and considered that there are areas that should not have been included in the property at that time and should now be excised from the property, especially noting that the conditions in these areas have continued to deteriorate since inscription. The mission also concluded that the State party should be urged to propose the nomination of a buffer zone to secure the proper conservation of the property. The mission considered that this could include areas situated outside the property and that such a status might also be an appropriate solution for the areas inside the property, where the conditions of integrity are not fulfilled as noted above.

The 2009 mission noted some progress in addressing illegal logging, road construction, as well as in implementing the Emergency action plan, experimental restoration of degraded forests and improving boundary demarcation and signage of the property. The mission was impressed by the work done by the park authorities in cooperation with local NGOs and other stakeholders, to conserve the wildlife and promote local sustainable development. Despite these improvements, the property continues to face severe threats to the values for which it was inscribed; it remains under heavy pressure from encroachment that continues to expand along most of the perimeter of the property. A scientific restoration plan of degraded areas is required and should be coordinated at national level. Furthermore, improved monitoring of the integrity of the property in relation to wildlife values, encroachment, logging and invasive species, is needed and should be integrated with monitoring for all the three components of the property and designed at the scale of the entire property allow long-term monitoring. Key aspects of the Emergency action plan drawn up by the State Party remain to be completed. The 2009 mission highlights the need for higher level and more integrated approach to addressing the threats to the property and illegal activities that are not being controlled adequately. The key points of action recommended by the mission are summarized in the draft decision below.

The 2009 mission again considered the inscription of the property on the List of World Heritage in Danger. It concluded that the level of threats to the Outstanding Universal Value and integrity of the property remain critical. It also noted the strong opinion of the State Party expressed to the mission that inscription of the property on the List of World Heritage in Danger would create a negative perception and could hinder efforts to restore the integrity and effective protection and management of the property. The mission considered on balance that the benefits of inscription of the property on the List of World Heritage in Danger were outweighed by the possibility that such inscription could reduce political will to act in relation to the conservation concerns facing the property.

The World Heritage Centre and IUCN note that there has been some progress in some aspects of the management of the property, but that critical issues of encroachment continue and represent a clear danger to the Outstanding Universal Value of the property. The World Heritage Centre and IUCN also note with concern the lack of integration between the components of the property and that no comprehensive state of conservation report, including all three components of the property, is available. IUCN notes with only 10% of Sumatra's natural forest ecosystem remaining, and the majority of this now found predominantly within the property, failure to protect its Outstanding Universal Value and integrity will lead to permanent fragmentation of the habitats of the key species within the property including the Sumatran tiger, rhino, orangutan and elephant.

The World Heritage Centre and IUCN note that is the third monitoring mission to visit the property in the four years since its inscription on the World Heritage List, and that each mission has confirmed the assessment of IUCN at the time of inscription that the levels of threats to the property meet the requirements for inclusion of the property on the List of World Heritage in Danger. Based on the State Party's view to the mission regarding the List of World Heritage in Danger, the World Heritage Centre and IUCN regret that the State Party continues to regard the inscription of the property on the List of World Heritage in Danger as a criticism, rather than a means to strengthen international support for the property, as intended within the Convention. In the present situation, and based on the findings of the three missions that have taken place to the property, the World Heritage Centre and IUCN consider that the conditions for the property to be inscribed on the List of World Heritage in Danger are clearly met, as a means to promote and assist the immediate action required by the State Party in order to respond to the issues of concern. The World Heritage Centre has written to the State Party to express this view and to also emphasize the positive intended role of the List of World Heritage in Danger to assist properties in addressing critical threats to their Outstanding Universal Value and integrity. The findings of the 2009 mission would provide a basis for the definition of the required corrective measures and the Desired state of conservation for the removal of the property from the List of World Heritage in Danger.

The World Heritage Centre and IUCN consider that additional support should be provided to assist the State Party to follow up on the recommendations of the 2009 mission, and that close attention should be paid to this matter by the World Heritage Centre and the regional office of UNESCO. The State Party should also be invited and supported to submit a request for international assistance, to support the implementation of the Committee's recommendations. IUCN considers that this could most effectively be done within the application of a management effectiveness assessment process such as that of the UNESCO/IUCN/UNF Enhancing Our Heritage project.

**Draft Decision:      33 COM 7B.15**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.14**, adopted at its 32nd session (Quebec City, 2008),
3. Notes that some progress has been made by the State Party in implementing the Emergency action plan, to improve the management of the property and address illegal logging and other illegal activities;
4. Notes with extreme concern that the property continues to face heavy pressure from illegal activities, including encroachment, which are a major threat to the integrity of the property, and which represent an ascertained danger to the property in relation to the provisions of paragraph 180 of the Operational Guidelines, as confirmed by three monitoring missions since 2004;
5. Calls upon the State Party to take decisive action to secure the conservation of the property, including the demonstration of support from the highest national political level and from the World Heritage National Working Group, to achieve the actions needed to address the severe threats in the property;
6. Requests the State Party to strengthen its efforts to implement the Emergency action plan and to involve all relevant ministries and other stakeholders at both national and local levels;
7. Urges the State Party to update and further detail the Emergency action plan, to extend the timeframe to ten years and to address the following issues in particular:
  - a) Establish an effective and prioritised monitoring system to assess the status and trends of key factors affecting the Outstanding Universal Value of the property, including wildlife populations, invasive species, deforestation, poaching, wildlife trade and any anticipated climate change impacts in all components of the property. This system should, as a priority, map in detail and monitor the encroachments in and around the property and assess their changes and impacts since the inscription of the property,
  - b) Assess the feasibility to relocate and restore endangered species such as tiger and rhinoceros, following the relevant IUCN advice and guidelines, in cooperation with the relevant IUCN species specialist groups,
  - c) Improve coordination with socio-economic development programmes and institutions to promote sustainable socio-economic activities in and neighbouring the property and ensure that they are fully compatible with maintaining the Outstanding Universal Value and integrity of the property,
  - d) Close and remove all illegal roads and develop appropriate regulations and infrastructure on existing legal public roads to reduce the negative impacts of traffic on wildlife and to ensure ecological connectivity,
  - e) Halt the establishment of new provinces, districts and sub-districts in the property in the property, which add to the complexity of its management and increase threats from development,
  - f) Support and strengthen the human resource capacities of the NPS situated in the Property, in the field of social science and resource economy,

- g) *Provide law enforcement agencies with adequate resources for expanding their law enforcement activities to encroachment and poaching,*
  - h) *Develop and implement an ecosystem-based restoration plan of the degraded forests in the property and neighbouring landscape,*
  - i) *Establish an appropriate buffer zone to secure the conservation of the property;*
8. *Takes note of the recommendations made by the current and previous reactive monitoring missions (2006, 2007, 2009), to consider the extension of the property by including habitats considered as critical for the key species of the property, and also takes note that the 2009 mission concludes that there are some areas in the property that do not have Outstanding Universal Value;*
  9. *Invites the State Party to submit an International Assistance Request to provide support for the implementation of the above recommendations, and also requests the World Heritage Centre to support the State Party in the elaboration of such a submission if requested;*
  10. *Further requests the State Party to invite a joint World Heritage Centre/IUCN mission to the property in 2011 to assess the progress made in the implementation of the measures noted above;*
  11. ***Decides to inscribe the Tropical Rainforest Heritage of Sumatra (Indonesia) on the List of World Heritage in Danger;***
  12. *Requests furthermore the State Party to develop, in consultation with the World Heritage Centre and IUCN, a draft Statement of Outstanding Universal Value including the conditions of integrity, a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger and the relevant corrective measures, based on the findings of the 2009 and previous reactive monitoring missions to the property, for examination by the World Heritage Committee at its 34th session in 2010;*
  13. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations of the 2009 UNESCO / IUCN Centre mission and the further concerns raised above, for examination by the World Heritage Committee at its 34th session in 2010.*

## **17. Sagarmatha National Park (Nepal) (N 120)**

Year of inscription on the World Heritage List

1979

Criteria

(vii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**29 COM 7B.a; 30 COM 7B.15; 31 COM 7B.19**

International Assistance

Total amount provided to the property: USD 71,995 Technical Cooperation.

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

December 2002: IUCN monitoring mission

Main threats identified in previous reports

- a) Pressure and degradation from increasing tourism and mountaineering;
- b) Airstrip development;
- c) Climate change;
- d) Development of tourism resort in core area.

Illustrative material

<http://whc.unesco.org/en/list/120>

Current conservation issues

The World Heritage Committee requested this report in response to growing concerns related to tourism development within the property, and associated impacts on the property's natural resources. The State Party did not submit a state of conservation report, as requested by the World Heritage Committee at its 31st session (Christchurch, 2007). The Committee had requested the State Party to report on 1) the outcome of the decision of the Supreme Court of Nepal in relation to the Kongde View Resort; 2) the impact of any development on the Outstanding Universal Value and integrity of the property; and 3) consultation with stakeholders on mitigation measures before any development operations begin.

High visitation is leading to pressures on natural resources which threaten the Outstanding Universal Value and integrity of the property. In its 2008 National Report on the Implementation of the Ramsar Convention on Wetlands, the State Party noted 'that garbage and sewage left by visitors is difficult to dispose of and such pollution pressures represent a potential threat, as does overgrazing and deforestation caused by mountaineering expeditions seeking firewood.' The large and growing numbers of visitors support a growing tourism industry and migrant worker population which require energy sourced traditionally by fuel wood. IUCN has also received reports of crowding at lodges and key bridges leading to queues and sometimes the need for trekkers to return to their last stop. There is a need for the State Party to investigate and report on means to control tourism and visitor numbers during peak periods to ensure that the integrity of the property is maintained; in particular, regarding the implementation of the Tourism for Rural Poverty Alleviation Project and the 2006-2011 Sagarmatha National Park Management and Tourism Plan.

While micro-hydro power installations are replacing fuel wood for some purposes, there is still a need to enforce control of firewood collection, and to ensure that re-growth is in

balance with harvested amounts. The World Heritage Centre and IUCN encourage the State Party to implement a scientifically based monitoring programme for the firewood collection system in consultation with the local communities, and the Sherpa population in particular, and tourism industry.

The World Heritage Centre has received information from the UNESCO Kathmandu office about the Kongde hotel-resort. It appears that part of structure has already been built and, while construction has been stopped as a result of the issue being brought to the Supreme Court of Nepal, the hotel is operational. There is no update from the State Party on the outcome of the court case. IUCN has also received first hand reports that the Kongde View Resort has been constructed and is operational and work has commenced to establish a trail from near Thame across of the north face of Kongde to the resort. This trail and the main access trail from the Dudh Koshi to the resort pass through a core wildlife habitat area. It is understood, however, that tourism access to the resort is primarily by helicopter. The World Heritage Centre and IUCN consider detailed assessment and monitoring is required in relation to the potential impact of tourism pressures on the Outstanding Universal Value and integrity of the property. An assessment of the impacts of the number of visitors, and activities such as helicopter flights should be included in such an assessment.

The World Heritage Centre and IUCN recognise that the threats facing the property have largely been incorporated in the 2006-2011 Sagarmatha National Park Management and Tourism Plan. However, IUCN has received reports that the strategies in the management plan have not been fully implemented and that the management presence within the property is limited. It would be important for the State Party to ensure sufficient staffing and resources to conduct and support patrolling, visitor services, education and awareness-raising, and boundary inspections.

The current management plan of the property recognises the importance of the property for cultural and spiritual values. Community groups and NGOs are involved in ensuring community participation in the management of the property. Reports from some of these organisations recommend more equitable distribution of tourism profits through a community-based approach to tourism; and the restoration and sustainable use of forest and other natural resources, use of local materials, and development of code of conduct for hotels and lodges and tourists. IUCN also notes that a management and tourism strategy includes 'managing mining of rock, sand, and turf,' and requests the State Party to clarify the extent and location of these activities. IUCN notes that mining is incompatible with maintaining the Outstanding Universal Value and integrity of a World Heritage property.

Threats from Glacial Lakes Outbursts are recognised by the State Party and local communities, however, little preparedness is in place. The EU/UNDP 2008 report on 'Regional Glacial Lake Outburst Floods (GLOFs) Risk Reduction Initiative in the Himalayas: Preparatory Assessment Report Nepal' notes a number of immediate needs where urgent action is required including 1) engaging and convincing local residents of the need for disaster preparedness (...) related to tourism, and 2) developing a Disaster Risk management plan. Few households in the Imja and Dudh Koshi river valleys have taken any action to prepare and reduce risks.

The World Heritage Centre and IUCN also note that the property was included in the petition submitted to the World Heritage Centre by the NGOs Earth Justice and the Australian Climate Justice Program, on 29 January 2009, entitled "The Role of Black Carbon in Endangering World Heritage Sites Threatened by Glacial Melt and Sea Level Rise". The petition 'calls on the World Heritage Committee to take action to protect the Outstanding Universal Values of World Heritage Sites most vulnerable to global warming.' In particular, this petition highlights properties protecting glaciers including Sagarmatha National Park. The World Heritage Centre has passed a copy of the 2009 Earth Justice and Australian Climate Justice Program Black Carbon petition to all States Parties whose properties were mentioned within it for comment.

The World Heritage Centre and IUCN encourage the State Party to implement adaptive management measures to optimise the ability of the ecosystem and resident wildlife to adapt to changing conditions. Resilience should be maintained by ensuring ecosystem connectivity and genetic diversity and reducing threats and pressures that could increase vulnerability to these rapid changes. Pressures that can reduce the ability for ecosystems to adapt include pollution and habitat fragmentation.

**Draft Decision: 33 COM 7B.17**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.19**, adopted at its 31st session (Christchurch, 2007),*
3. *Regrets that the State Party did not submit a report on the state of conservation of the property, as requested by the World Heritage Committee at its 31st session;*
4. *Reiterates its request to the State Party to provide information on the Kongde View Resort and the Supreme Court decision, and any other developments within the property and to carry out consultation with stakeholders on mitigation measures before any development operations begin, as requested by the World Heritage Committee at its 30th session (Vilnius, 2006);*
5. *Requests the State Party to strengthen the implementation of its strategies to achieve the objectives of the property's management and tourism plan, and prioritise the following:*
  - a) *Protecting endangered species and habitats,*
  - b) *Clarifying the extent and location of mining of rock, sand, and turf,*
  - c) *Reducing pressure on forest and rangelands from wood gathering,*
  - d) *Controlling environmental pollution,*
  - e) *Monitoring the state of conservation of the property;*
6. *Invites the State Party to exchange experience with other States Parties and experts, including experts of the World Commission on Protected Areas (WCPA), working on mountain World Heritage conservation and climate change, to explore appropriate and practical adaptation and mitigation strategies to maintain the Outstanding Universal Value and integrity of the property in the long term;*
7. *Also requests the State Party to submit to the World Heritage Centre by **1 February 2010** a detailed report on the state of conservation of the property including progress on the issues outlined above, in particular on the measures that will be taken to maintain the Outstanding Universal Value and integrity of the property in the face of climate change and growing tourism pressure, for examination by the World Heritage Committee at its 34th session in 2010.*

## 19. East Rennell (Solomon Islands) (N 854)

### Year of Inscription on the World Heritage List

1998

### Criteria

(ix)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**28 COM 15B.12; 29 COM 7B.10; 31COM 7B.21**

### International Assistance

Total amount provided to the property: USD 26,350 for the preparation of management plan in 2006

### UNESCO Extra-budgetary Funds

N/A

### Previous monitoring missions

March – April 2005: UNESCO/IUCN monitoring mission

### Main threats identified in previous reports

- a) Mining;
- b) Logging;
- c) Over-exploitation of coconut crab and marine resources;
- d) Invasive species.

### Illustrative material

<http://whc.unesco.org/en/list/854>

### Current conservation issues

As noted previously by the World Heritage Committee the State Party has produced a management plan and established a community organisation with the responsibility for the administration and management of the property. East Rennell is protected as a conservation area on customary land under customary law, and is not protected under national law, as there is no national legislation to designate protected areas. A draft World Heritage Protection Bill was outlined by an international consultant at the time of inscription, and the State Party has reported that it lacks the funds and expertise to finalize the draft Bill. The World Heritage Committee also noted with concern that the draft World Heritage Protection Bill, to support the protection of the property as well as other potential World Heritage properties, has not yet been passed into legislation, and that additional financial and technical capacity are needed. It has called upon the international donor community to provide further financial and technical support for the conservation and management of the property, and recommended the State Party to consider requesting International Assistance

from the World Heritage Fund to implement the actions necessary to secure the protection and management of the property.

The State Party had earlier also received assistance from the World Heritage Fund to develop a management plan in 2006. During the process of producing the plan, the State Party identified a lack of appropriate protective legislation and capacity within the government to manage the property sustainably. The management plan identifies several potential threats to the property, as noted above.

At the time of drafting of this report, the State Party had not submitted a report on the state of conservation of the property, as requested by the World Heritage Committee at its 31st session. Information received by the World Heritage Centre and IUCN suggests that there has been more action and focus on the property over the last two years. It is understood that a new association to strengthen and implement World Heritage activities in relation to East Rennell has replaced two opposing East Rennell World Heritage Trust Boards. Two Australian NGOs (Live and Learn Environmental Education & Australian Volunteers International) are reported to have provided technical assistance to the State Party to hold eight public meetings and many other discussions across the four East Rennell villages, based on the East Rennell management plan. It is reported that four communities agreed to dissolve the two conflicting Boards, form an association and elect a new committee to represent the people of East Rennell. The States Parties of Australia and New Zealand are reported to have provided assistance to the property to support this activity.

IUCN also understands that the Live and Learn Environmental Education have placed two volunteers with the management authority to assist in capacity building, and that WWF has also received some support from Australia for a capacity building project related to communities, and working with the management board.

The World Heritage Centre and IUCN consider that the passing of the World Heritage Protection Bill into legislation remains a critical need for assuring long term conservation of the property. Although reports in the media are positive, no objective assessment of the state of conservation, Outstanding Universal Value and integrity of the property is possible without detailed information from the State Party.

**Draft Decision:      33 COM 7B.19**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.21**, adopted at its 31st session (Christchurch, 2007);*
3. *Regrets that the State Party did not submit a report on the state of conservation of the property, as requested by the World Heritage Committee at its 31st session;*
4. *Notes the establishment of a single management association for the property, but expresses its concern that there is no confirmation about the finalisation of the World Heritage Protection Bill, nor up to date information on the other issues facing the property;*
5. *Reiterates its recommendation that the State Party seeks international assistance from the World Heritage Fund for the establishment of a more effective protection and management system for the property;*

6. *Requests the State Party to submit to the World Heritage Centre, by the **1 February 2010**, a detailed report on the state of conservation of the property together with information on the status of the World Heritage Protection Bill and previous requests of the World Heritage Committee, for examination by the World Heritage Committee at its 34th session in 2010.*

## EUROPE AND NORTH AMERICA

### 29. Western Caucasus (Russian Federation) (N 900)

#### Year of inscription on the World Heritage List

1999

#### Criteria

(ix) (x)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

**28 COM 14B.16; 31 COM 7B.32; 32 COM 7B.25**

#### International Assistance

N/A

#### UNESCO extra-budgetary funds

N/A

#### Previous monitoring missions

April 2008: World Heritage Centre / IUCN reactive monitoring mission

#### Main threats identified in previous reports

- a) Lack of management plan ;
- b) Weakening of conservation controls and laws;
- c) Impacts of proposed tourism infrastructure development for Olympic Games;
- d) Road construction;
- e) Deforestation.

#### Illustrative material

<http://whc.unesco.org/en/list/900>

#### Current conservation issues

The state of conservation report was requested by the Committee at its 32nd session (Quebec City, 2008) in relation to the above threats and in particular the impact of infrastructure development for the 2014 Winter Olympic Games. Experts and NGOs raised concerns that infrastructure development could impact the Outstanding Universal Value and integrity of this property which was inscribed as “the only large mountain area in Europe that has not experienced significant human impact, containing extensive tracts of undisturbed mountain forests unique on the European scale.” The area planned for construction is adjacent to the property and within the Sochi National Park Strict Nature Reserve which was recommended for inclusion in the property by the IUCN Evaluation in 1999. The

developments represent a potential threat to the integrity of criterion (ix) ecosystem by affecting hydrology and habitat connectivity to winter feeding grounds, and criterion (x) biodiversity particularly endemic plants and threatened wildlife through disturbance from proximity to these developments.

In June 2008 the State Party relocated a part of the infrastructure development away from the boundary of the property, nearby but still within the Sochi National Park. The World Heritage Centre and IUCN have received repeated appeals from NGOs regarding the location and planning of development for the 2014 Winter Olympic Games and associated infrastructure.

On 30 January 2009 a report on the state of conservation of the Western Caucasus World Heritage property and brief expert opinion summaries of developments associated with the Winter Olympic Games were submitted to the World Heritage Centre. The reports provided some information on the progress made towards implementing the recommendations of the 2008 joint World Heritage Centre/IUCN reactive monitoring mission. However, the State Party did not submit the following documents which were also requested: all new infrastructure planning and Environmental Impact Assessment documents, copy of the management plan, policy on tourism development, tourism strategy and tourism plan. The summary reports provided by the State Party were expert opinions of the impact studies which did not include any maps and did not demonstrate how developments would mitigate potential impacts on the Outstanding Universal Value and integrity of the property. The State Party also did not respond to the letter from the World Heritage Centre dated 7 November 2008 relating to concerns raised by NGOs.

The assessment for key conservation issues for the period 2008 to 2009 is as follows:

*a) Property and buffer zone boundaries*

The April 2008 joint World Heritage Centre/IUCN mission identified a lack of clarity on the buffer zones of the property. In particular, certain of the component reserves, nature monuments and national parks which make up the property have buffer zones while others do not. Some, but not all of these buffer zones are recognized as buffer zones of the World Heritage property. The mission team reported that the delimitation of the property was ongoing and would be completed in 2008. In response to the need for clarification, the Caucasus Reserve Directorate submitted proposals on the establishment of a new conservation zone to the Ministry of Natural Resources and Ecology of the Russian Federation in May 2008. The proposal has been returned to the Caucasus Reserve Directorate for amendment. The endorsement of the amended proposal is planned in 2009.

The State Party stated that laws “on organization of protected zone of Caucasus state biospheric wildlife preservation” within the Krasnodar Territory were cancelled in 1994 and consequently, conservation zone of the reserve was cancelled on the territory of the adjacent Sochi State Wildlife Reserve. In the Adygei Republic conservation within the buffer zone of the property was cancelled in 1998 and in the Karachi-Cherkess Republic there has never been a legal resolution in the conservation zone of the property.

*b) Management plan*

IUCN requested the State Party to “advise on mechanisms proposed for ensuring the integrated management of this [property] including the preparation of a management plan” in its Evaluation report in 1999. The State Party has yet to submit a management plan as requested again by the Committee at its 31st session (Decision **31 COM 7B.32**). The 2008 joint World Heritage Centre/IUCN reactive monitoring mission noted that a plan was being prepared only for the strict nature reserve and recommended a master management plan for the entire property which should focus on maintaining the Outstanding Universal Value and

integrity of the property. The State Party did not provide any new information on progress in preparing a management plan for the entire property.

*c) Research and monitoring*

The State Party stated that a 1999-2008 wildlife comparison had been conducted and reported that there were no negative trends or decrease in biodiversity. However, the State Party did not provide any results of this study. IUCN has also received reports that the monitoring within the property is limited to the northern slope of Greater Caucasus and requests information to be provided on the monitoring programme for wildlife and habitat within the entire property.

*d) Illegal logging*

The Kurdijipskiy Forestry Enterprise stopped all forestry activities and removed equipment in November 2008. Forestry regulations are now being prepared to prohibit tree-felling. It will be necessary to monitor the recovery of the affected areas. IUCN encourages the State Party to use satellite or aerial photography to monitor forest cover and illegal activities within the property.

*e) Transportation infrastructure*

The 2008 joint World Heritage Centre/IUCN mission identified several proposed transport routes under planning. IUCN has received reports that the Federal target programme "South of Russia" (2008-2012) that was adopted by a Decision of the Government of the Russian Federation №10 of 14 January 2008 finances tourist infrastructure projects in the Adygei Republic. This Programme includes the construction of a highway "Guzeripl settlement - Lagonaki Plateau", which, according to reports and photographs sent to IUCN began after the joint World Heritage Centre/IUCN reactive monitoring mission with significant asphalted completed by November 2008. Another route "Dakhovskaya village – Lagonaki Plateau" falls inside the property and the buffer zone of the Caucasus Biosphere Reserve. It is reported that this road is to access the planned ski resort on Lagonaki Plateau and photographs are available for part of the asphalted road inside the property. IUCN and the World Heritage Centre urge the State Party to amend the "South of Russia" Programme to ensure that no road or other infrastructure construction takes place in the property.

The State Party reported that the construction of the road to Lunnaya Polyana has been stopped. An earth road remains for use by citizens and the Forestry Department. However, an unpaved area within the property is being used for parking by vehicles as photographic documentation in 2008 illustrate. Information received by IUCN indicates that the unpaved road was still being used as of November 2008 to access illegal cleared areas where a new and illegal villa is understood to be being built, contrary to the legal protection of the property.

*f) Recreational use and development*

The World Heritage Committee has also requested a Tourism strategy and plan. These documents have not been provided and would assist in the planning surrounding developments for the Olympic Games and other tourism infrastructure.

The State Party reported that activities in the Lagonaki plateau are limited to backpacking along five regulated tourist routes up to a limit of 40,000 people-days per year and that there are no plans for any recreational development in the areas of the Lagonaki Plateau or Fisht-Oshten mountain pass. However, IUCN has received reports that the project 'Development

of the Mountain Ski Complexes in Lagonaki Plateau' has been included in the Federal Target Program 'South of Russia 2008-2012' adopted by Decision Nr. 10 of the Russian Government from 14 January 2008.

*g) Developments for 2014 Winter Olympic Games*

The State Party reported that the property is not directly affected by any construction of Olympic objects. However, IUCN has received reports of road building plans within the property. These plans include 2 km of road which access the Gazprom resort VIP-complex on the left bank of the Achipse River and are understood to be lie within the property. The plans which include this road were adopted by the Ministry of Regional Development on 31.12.2008 No. 324. A second road within the property along the Azhu River is shown in the 'General Plan of Sochi District' and to be developed by Olympstroy governmental corporation.

No information has been provided by the State Party on assessments of the possible impacts of projects on the Outstanding Universal Value and integrity of the property from any construction projects of the 2014 Winter Olympics facilities and infrastructure. However, the State Party states that "project documentation shall compulsorily contain the materials of assessment of objects impact on specially protected natural territory, as well as materials of object discussion by state ecological examination with citizens and public organizations (associations)." As of February 2009 the public organisations in Sochi had not been given an opportunity to comment on the State Environmental Assessments.

Summary information provided by the State Party on "Extract from the Opinion of the Expert Commission for the State Environmental Expert Review of Design Documentation" of several construction projects do not include any maps and provide little information on assessment of threat or risk to the Outstanding Universal Value and integrity of the property or how any risk or threat will be mitigated.

The joint World Heritage Centre/IUCN mission requested that all developments be prevented in very sensitive areas such as the Grushevy ridge. However, the State Party reports that the biathlon complex will remain on the southwestern part of the Grushevy Ridge, within the Sochi National Park adjacent to the property.

The World Heritage Centre and IUCN note that some positive steps taken on a few of the 2008 monitoring mission recommendations but note that many remain unfulfilled or only partially fulfilled. In particular, that the biathlon is still to be located on Grushevy ridge and this will require careful monitoring and mitigation. No information was provided on the ecological monitoring in place in the property and the State Party should be requested to share ecological monitoring programme information and baseline data that will be used to monitor the potential impact of the activities outside the property but within the Sochi National Park that are close to the World Heritage property.

The World Heritage Centre and IUCN urge the State Party to halt all illegal activities within the property, including the construction of roads, car parking facilities, illegal villas and to ensure that no construction works take place within the property. It is recommended that the State Party implement enforcement patrols and use satellite and aerial photography to enable the monitoring of this large property. The completion and implementation of the master management plan, tourism policy and strategy, and tourism plan will greatly aid the State Party to harmonize the development plans and programmes in the buffer zone and areas neighbouring the property. The World Heritage Centre and IUCN consider that there should be a mission organised to verify the progress in relation to the above points, which is likely to be required during 2010.

**Draft Decision:      33 COM 7B.29**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.25**, adopted at its 32nd session (Quebec City, 2008),
3. Urges the State Party to resolve as soon as possible the legal protection regime for the property, delimitation of its buffer zones and regulations concerning buffer zones management; and encourages the State Party to increase control and patrolling of the property to discourage illegal activities with the property and to increase awareness-raising with local communities and stakeholders to ensure that appropriate legal protection is enforced;
4. Requests that the State Party to provide results of its monitoring activities including the 1999 - 2008 comparative wildlife study;
5. Regrets the State Party has not provided any maps indicating the location of 2014 Winter Olympic Games and other infrastructure developments in the property and in the Sochi National Park adjacent to the property and also requests that maps and detailed information be provided on the location and an assessment of potential impacts on the Outstanding Universal Value and integrity of the property be provided before any construction begins; and also encourages the State Party to ensure that the Olympic Games and related infrastructure development do not threaten the property;
6. Further requests the State Party to ensure that the Outstanding Universal Value and integrity of the property is taken into account in the Environmental Impact Assessments and that these documents, including maps are made public and that mitigation to any threats to the Outstanding Universal Value and integrity of the property are incorporated in the planning of all infrastructure and tourism development activities neighbouring and within the property;
7. Requests furthermore the State Party to review the plans and programmes relating to the 'South of Russia 2008-2012' Federal Target Programme together with plans and programmes of the Krasnodar Territory, Adygei Republic and Karachai-Cherkess Republic to ensure compatibility with the protection of the Outstanding Universal Value and integrity of the property;
8. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations of the 2008 World Heritage/IUCN Centre mission and the further concerns raised above, for examination by the World Heritage Committee at its 34th session in 2010;
9. Finally requests the State Party to invite a joint World Heritage/IUCN reactive monitoring mission to carry out a timely assessment of progress in implementing the above recommendations before the 35th session of the World Heritage Committee in 2011.

## LATIN AMERICA AND THE CARIBBEAN

### 33. Belize Barrier Reef Reserve System (Belize) (N 764)

#### Year of inscription on the World Heritage List

1996

#### Criteria

(vii) (ix) (x)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

**32 COM 7B.33**

#### International Assistance

N/A

#### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 80,000 in support of public use planning and site financing strategy development for the Blue Hole Natural Monument (2008-2009)

#### Previous monitoring missions

March 2009: joint World Heritage Centre / IUCN reactive monitoring mission

#### Main threats identified in previous reports

- a) Mangrove cutting,
- b) Sea bottom dredging for resort development;
- c) Sale of lands.

#### Illustrative material

<http://whc.unesco.org/en/list/764>

#### Current conservation issues

The property is composed of seven protected areas, mostly consisting of marine areas with many small mangrove islands. Its Outstanding Universal Value is closely associated with intact marine and littoral forest ecosystems, including mangroves and related marine and terrestrial wildlife communities. The World Heritage Centre and IUCN learned of extensive mangrove cutting and infilling in early 2008 in Pelican Caye from NGOs in the region, within one of the protected areas, triggering a reactive monitoring mission in March 2009. In October 2008, the World Heritage Centre and IUCN were further informed of the impending sale of 3,000 hectares of land within the property, to private developers. The sale was cancelled after major public protest. The mission visited five and carried out an overflight of the remaining two components of the property. The World Heritage Centre received the state of conservation report from the State Party on 18 February 2009.

Based on information gathered during the mission, the State Party report, and from other sources, the main observations can be summarized as follows:

a) *Sale, lease and development of mangrove islands*

Of the seven protected areas comprising the property, four are marine reserves which include many small mangrove islands. The mission observed a significant amount of commercial development on these islands (boutique resorts, sports fishing camps), some of which had existed prior to inscription, but others that had been allowed to proceed subsequent to inscription. The State Party continues to sell and lease public lands within the property for on-going hotel development, and there may be concern that some existing developments are expanding without clear authorization. The State Party manages marine reserves with the understanding that mangrove islands (known locally as Cayes) within the reserves are not considered protected areas. Under these circumstances, requests for outright sale or lease of mangrove islands are regularly entertained. The mission visited Pelican Caye (also known as Cat's Caye or Big Cat Caye), within the South Water Cayes component of the property. Approximately 60% of this caye has been deforested and filled with sand and coral dredged within a few metres of the islands. Approximately 5% of the disturbed area has been replanted with mangrove seedlings, with the support of the Smithsonian Institution and the World Wildlife Fund.

This same Caye is the subject of active on-line marketing campaigns by different agents (see [http://www.belizereal-estate.com/island\\_props/big\\_cat\\_caye/index.html](http://www.belizereal-estate.com/island_props/big_cat_caye/index.html); or <http://www.yumbalisi.com/pages/belize.html>). The Belizean Department of the Environment website currently posts a development proposal on Pelican Caye for review. <http://www.doe.gov.bz/documents/LLES/Yum%20Balisi/Cover.pdf>.

The mission learned that several dozen such transfers of public lands for development purposes had occurred since inscription. As a result, the Outstanding Universal Value of the property has been substantially affected by the on-going development on the Cayes. A letter from the World Heritage Centre addressing the urgency in addressing this issue was sent to the State Party immediately following the mission. No response had been received at the writing of this report.

The property's Outstanding Universal Value is strongly linked to terrestrial ecosystems and to their interaction with their marine counterparts. Because terrestrial ecosystems represent a proportionately tiny surface of the property, it is crucial that no further development be permitted inside the property boundaries and that any management or visitation infrastructure should be kept to a strict minimum. The moratorium on mangrove cutting, announced to the World Heritage Centre in early 2008, has now expired and has not been re-instated. The mission was informed of a draft law under preparation to regulate future mangrove cutting in the country. Existing private or leased lands within the property should be strictly managed to ensure minimal impacts, with the long term objective of reducing their presence and restoring previously disturbed lands.

b) *Absence of overall policy and regulatory framework for the management of the property*

There is poor coordination between the various governmental agencies responsible for the overall management of the property, resulting in the absence of any one body taking the lead on the application of the *World Heritage Convention*. The management of the property is technically carried out by the Department of Fisheries or the Department of Forestry, depending on the type of protected area in question. The Department of Mines gives dredging permits within the property in the absence of formal consultation process with the

former two departments. The GEF (Global Environment Facility) funded Coastal Zone Management Authority (CZMA) was mothballed when GEF funds were exhausted in 2007, but recently revived, though in a much reduced capacity, with the support of national funds. Though its mandate is one of coordination, it remains critically under-resourced and is not in a position to carry out this mandate. The CZMA's World Heritage Coordination Committee has remained active throughout this period and has played an important role in raising World Heritage related concerns at the national level. A National Protected Areas System Plan was adopted in 2005, but ignores the management implications of the World Heritage status of the property.

Management is mostly done by a variety of NGOs. These also raise most of the necessary funds. Though this co-management approach has proven to be quite successful in many regards (fund-raising, monitoring, visitation management), important weaknesses exist in this arrangement, showing signs of undermining the integrity of the property. In particular, there is no national legal framework providing policy or regulatory direction for co-management agreements (though one is said to be in development). In the absence of such a framework, NGOs have little guidance and few constraints regarding the nature and extent of their responsibilities, nor do they benefit from clear guarantees on the part of the State Party in regards to national level responsibilities. Without a co-management framework, the State Party is poorly equipped to set out clear expectations on management objectives and to evaluate performance in a harmonized fashion.

In their efforts to cover management costs, some NGOs are turning to questionable fund-raising strategies with an undue focus on expanding tourism infrastructure and visitation rates within the property. The terrestrial surface of nearly 40% of Half Moon Caye Natural Monument, and almost all that of Laughing Bird Caye National Park are completely disturbed by NGO operated tourism and management infrastructure. Tourism infrastructure proposals with very significant development budgets for Bacalar Chico have been prepared in the name of fund-raising for conservation. Though the NGOs managing these sites are to be commended for their dedication to conservation and results oriented work carried out to date and, the lack of overall guiding principles is leading to situations which threaten the property's integrity. The accountability of NGOs needs to be clarified and improved.

c) *Illegal Fishing*

The marine reserves are zoned into different categories, including no-take zones, allowing for various fishing activities to take place. The mission was consistently informed of the difficulties in monitoring and controlling fishing activities within these zones. The widely dispersed nature of the property and the expense involved in carrying out systematic marine patrol activities in remote waters will pose on-going challenges in management. No-take zones were relatively few and small, reducing their effectiveness as protection and replenishment areas for heavily exploited fin fish, conch and lobster.

d) *Introduced species*

Though the Outstanding Universal Value of the property is tied in large part to the intact littoral forest ecosystems, the mission observed alien tree species such as *Casuarina equisetifolia* in many locations. Though these are formally identified in "The Revised Bacalar Chico National Park & Marine Reserve management plan", along with other species found in the Park, they are not singled out as alien species. Rats were reported as abundant on Half Moon Caye – though these could be easily eradicated given the relatively small size of the island. Similarly, the Red Lionfish (*Pterois volitans*) a venomous coral reef fish from the

Indian and western Pacific Oceans, has recently been observed for the first time in Belizean waters. Its impact on native fish communities (or on snorkelers and scuba divers) is yet to be determined, and control is likely to be a major challenge. A systematic consideration of alien species in management planning throughout the property is strongly recommended.

The mission team participated in the preparation of a possible draft Statement of Outstanding Universal Value for the property while on site. Though the statement was formally submitted to the World Heritage Centre, it was received too late in the year to be formally considered at the 33rd session of the World Heritage Committee. The World Heritage Centre and IUCN will work with the State Party in the coming months in the review and finalization of the draft for examination by the World Heritage Committee.

The World Heritage Centre and IUCN note with concern the lack of protection of the property. The ongoing damaging activities, particularly in the terrestrial areas of the property, and the absence of overall policy and regulatory framework for the management of the property has facilitated the erosion of its integrity. Furthermore, the threats from illegal fishing, sale and development of land, and invasive species threaten the ecosystem and biodiversity values of the property. This ascertained danger observed during the mission, and identified by concerned stakeholders, provides sufficient evidence for the inscription of the property on the List of World Heritage in Danger. The State Party is encouraged to develop a Desired state of conservation for the removal of the property from the List of World Heritage in Danger, which together with a Statement of Outstanding Universal Value should help the State Party to implement the recommendations of the joint 2009 World Heritage Centre / IUCN reactive monitoring mission. The State Party is further encouraged to communicate these recommendations and the reason for addition to the List of World Heritage in Danger with relevant stakeholders, in particular, engagement with government agencies involved in patrolling, law enforcement, and issuing tourism permits. The addition of the property onto the List of World Heritage in Danger could assist the State Party to communicate the severity of the threats to the property to the public and help to promote improved management and protection.

**Draft Decision:      33 COM 7B.33**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.33**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes with great concern that the moratorium on mangrove cutting has expired and that the State Party has been facilitating the on-going sale, lease and development of lands within the property, resulting in ascertained danger to its Outstanding Universal Value;*
4. *Further notes the weak institutional coordination mechanisms in regards to the management and protection of the property's Outstanding Universal Value;*
5. *Requests to the State Party to implement the necessary legal measures guaranteeing the permanent cessation of the sale and lease of lands throughout the property, and*

the cessation of mangrove cutting, coral dredging and other associate real estate development activities;

6. Urges the State Party to implement the following additional corrective measures:
  - a) Ensure that development rights on existing private or leased lands within the property are clearly defined and strictly controlled with a view to conserving the Outstanding Universal Value and integrity of the property;
  - b) Develop and implement a restoration policy for lands having been disturbed by unauthorized activities;
  - c) Establish a clear institutional coordination mechanism ensuring that the conservation of the property receives priority consideration within relevant governmental decision-making processes.
  - d) Develop a co-management legal framework under which the respective responsibilities the State Party and conservation NGOs can be effectively established, monitored and evaluated in relation to the conservation of the property.
  - e) Systematically consider and address the threat of introduced species within the management plans for the property.
  - f) Make publicly available the information on land ownership for all lands within the property, including mangrove islands, in easily accessible format, to ensure transparency in land use and allocations.
  - g) Develop and implement a medium-term plan to increase the no take zones within marine reserves, establishing ecologically effective protection and replenishment areas for otherwise heavily exploited fin fish, conch and lobster.
7. Also requests the State Party, in consultation with the World Heritage Centre and IUCN, to finalize the draft Statement of Outstanding Universal Value, including the conditions of integrity, and to provide a draft proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the World Heritage Committee;
8. Requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property, including measures taken to permanently stop the sale and lease of lands within it for development, the impacts on the integrity of the property from real estate development activities and addressing the recommendations of the World Heritage Centre / IUCN monitoring mission noted above, for examination by the World Heritage Committee at its 34th session in 2010;
9. Decides to inscribe the Belize Barrier Reef System (Belize) on the List of World Heritage in Danger.

## **MIXED PROPERTIES**

### **EUROPE AND NORTH AMERICA**

#### **41. Ibiza, Biodiversity and Culture (C 417rev)**

Year of Inscription on the World Heritage List

1999

Criteria

(ii)(iii)(iv)(ix)(x)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**23 COM B.1**

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

N/A

Main threats identified in previous reports

N/A

Illustrative material

<http://whc.unesco.org/en/list/417>

Current conservation issues

At the time of the inscription the marine component of this mixed property was threatened by a large EU funded project aiming to reorganise and expand the port of Ibiza. At that time, and after reviewing the 1994 Environmental Impact Assessment, prepared for this project, IUCN concluded that the potential impacts on the marine component of this property could be addressed through a number of mitigation measures.

In March 2008 IUCN was contacted by representatives from the governments of Ibiza and Formentera to seek clarifications on the specific areas included within the natural component of this mixed property, as the natural values of this property were never mentioned or promoted for tourism marketing of the property. IUCN and the World Heritage Centre clarified this matter and requested the representatives from the governments of Ibiza and Formentera to contact the Ministry of Culture of Spain, focal point of the State Party to further clarify issues on this matter.

In August 2008, IUCN received information on a proposed project to further expand the port of Ibiza, which it was suggested had the potential to cause serious impacts on the marine component of the property. This information was made available by IUCN to the State Party, through the Ministry of Culture, for clarification and discussion with the government of Ibiza during a World Heritage seminar that took place in Formentera in September 2008. On 23 January 2009 the Centre transmitted to the State Party for comment information it had received on 30 December 2008 concerning the harbour structures. This was followed by a letter from the Centre to the State Party dated 27 February 2009 with additional information. Through letter dated 1 April 2009, the State Party of Spain responded to these communications and provided information on this issue that had been notified to the Ministry of Culture. They provided a reply by the authorities from Ibiza, the port authorities responsible for the project, and the Declaration on the Environmental Impact (Resolution dates 17 June 2008).

From December 2008 and in 2009 there were several communications and press articles on the proposed project for expanding the port of Ibiza, noting its potential impacts on the marine component of this property. As part of this process IUCN received information from a number of sources noting that:

- In 2001, soon after the inscription of the property on the World Heritage List, the Direction of Maritime Activities of the Ministry of Public Works and the Economy (Ministerio de Fomento) approved the discharge of dredging materials resulting from the Port's construction in marine areas that were not far from the marine component of the property. This action was not considered in the Environmental Impact Assessment (EIA) prepared for this project in 1994, which proposed that all dredging material was to be used inland for the construction of dikes to avoid any impacts to the marine environment.

- The revised project for the expansion of the port proposes to discharge 660.000 m<sup>3</sup> of polluted dredging materials to marine areas, which could potentially impact the integrity of the marine component of the property not only by increased sedimentation but also because the dredging materials will contain a highly invasive marine algae that could potentially affect the population of *Posidonia sp.* that is a key species of this natural World Heritage property.

- A number of media articles have also suggested that alternative and less damaging option was possible, but it was never considered in favour of the proposed large project. There is information that indicates a steady decrease in maritime traffic that would support the need for a more rational and smaller expansion of the port.

- There is concern regarding the conservation of the *Posidonia* prairies due to increased impact from land-based sources of pollution from the Port of Ibiza. This concern was noted following the proposal of re-floating the shipwreck "Don Pedro" that sank close to the boundaries of the Natural Park of Ses Salines that forms an integral part of the World Heritage property.

- According to a number of experts and reviewers the point above is aggravated by the fact that there is no management plan for the marine component of the World Heritage property to guide its conservation and management and to ensure that any proposed activities in its surroundings would not affect its values and integrity.

The State Party provided with its official report documents prepared (in late 2008) by the Port Authority of Ibiza as well as by the local government of Ibiza. In summary, the State Party report notes that the potential impacts to the marine component of the property have been

addressed - thus concerns on the conservation of the values and conditions of integrity of the property are unfounded. This information has been reviewed by IUCN and the following issues were noted:

- Most of the documents made available by the State Party are mainly addressing “direct” impacts to the values and integrity of the property without any objective assessment of the indirect and cumulative impacts to the marine ecosystems. Therefore the information provided by the State Party is considered insufficient and there is a need for an independent review of the EIA document prepared for this project, in view of the revisions that have been made to the plan that was originally foreseen.
- The information provided by the State Party explains that the project for the port expansion is approved and supported by the Special Plan for Infrastructure Development of the Port of Ibiza; however according to the information received by IUCN, this plan was objected to by the College of Architects of the Balearic Islands and the court verdict was against the approval of this plan; thus there appears to be doubts whether this project is in line with the Special Plan for Infrastructure Development of the Port of Ibiza.
- In both the letters from the Heritage Department of the Government of Ibiza and from the Port Authority of the Balearic Islands the values of the Posidonia prairies are referred to as “generic” in the context of the World Heritage property, which is considered to include mainly the cultural component of this mixed property. This demonstrates that there is a lack of understanding over the nature of this site, which is inscribed as a mixed property in view of its natural and cultural values. The direct, indirect and cumulative impacts on the natural values of the marine component of the property are a significant factor that need consideration.

The World Heritage Centre and the Advisory Bodies consider that there is conflicting information in relation to the potential impacts of the proposed project on the Outstanding Universal Value and integrity of this property and on the potential impacts on the property. Therefore a reactive monitoring mission will be required to clarify these issues.

**Draft Decision:        33 COM 7B.41**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **23 COM B.1**, adopted at its 23rd session,*
3. *Notes the information provided by the State Party on the state of conservation of the property but regrets that the State Party did not follow the procedure outlined in Paragraph 172 of the Operational Guidelines to inform the World Heritage Centre of all planned activities within and in the vicinity of the property which could impact its Outstanding Universal Value and integrity, before taking a decision on these projects;*
4. *Also notes that there seems to be a lack of understanding at the local level on the nature of this mixed World Heritage property, its boundaries and the requirements to maintain the values and conditions of integrity that justified the inscription of the property in the World Heritage List;*

5. *Expresses its concern on the conflicting information received in relation to the actual conservation status of this property and on the potential impacts on the property from the project to expand the facilities of the existing port, and therefore requests the State Party to invite a joint World Heritage Centre/IUCN/ICOMOS monitoring mission to the property;*
6. *Also requests the State Party to provide details on the Environmental Impact Assessment to the World Heritage Centre, IUCN and ICOMOS; and not to start the construction of the proposed expansion of the port's facility until the reactive monitoring mission to the property has been carried out in order to address any recommendations arising from this mission;*
7. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed report on the state of conservation of the property, including information on how to address key recommendations arising from the proposed monitoring mission, for examination by the World Heritage Committee at its 34th session in 2010.*

## LATIN AMERICA AND THE CARIBBEAN

### 42. Historic Sanctuary of Machu Picchu (Peru) (C/N 274)

#### Year of inscription on the World Heritage List

1983

#### Criteria

(i) (iii) (vii) (ix)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### **Application of the reinforced monitoring mechanism at the property since 2008 (Decision 32 COM 7B.44)**

#### Previous Committee Decisions

**30 COM 7B.35; 31 COM 7B.45; 32 COM 7B.44**

#### International Assistance

Total amount provided to the property: USD 103,825 for fire suppression equipment; Master Plan development; and consultancies, such as a stone specialist for assessment of restoration work required on the Intihuatana stone sculpture.

#### UNESCO extra-budgetary funds

Total amount provided to the property: USD 15,000 for the social participation workshop requested by the World Heritage Committee (Decision **30 COM 7B.35**).

#### Previous monitoring missions

October 1997: IUCN/ICOMOS mission; October 1999: World Heritage Centre/IUCN/ICOMOS mission; February-March 2002: World Heritage Centre/IUCN/ICOMOS mission; October 2003: World Heritage Centre visit; April 2005: World Heritage Centre mission; April, 2007: World Heritage Centre/IUCN/ICOMOS mission; January 2009: World Heritage Centre/IUCN/ICOMOS Reinforced monitoring mission.

#### Main threats identified in previous reports

- a) Delays in reviewing the Master Plan and developing detailed yearly operational plans, and inadequate budgetary support for effective implementation;
- b) No evaluation of transport options, related geological studies, or the impact of bus traffic on increasing the risk of landslides;
- c) Lack of impact studies related to the carrying capacity of the Citadel and Inca Trail;
- d) Delays in the development and implementation of a public use plan;
- e) Delays in implementing urban planning and control measures for the village of Aguascalientes, immediately adjacent to the property and its main point of entry, which has impacted on the visual values of the property;
- f) Lack of effective management of the property;

- g) Lack of risk management plans related to natural disasters;
- h) Inadequate governance arrangements including lack of adequate coordination of activities between different institutions and stakeholders involved in site management;
- i) Uncontrolled visitor access to the western part of the Sanctuary, related to the construction of the Carrilluchayoc bridge.

Illustrative material

<http://whc.unesco.org/en/list/274>

Current conservation issues

The application of the Reinforced monitoring mechanism to the World Heritage property of the Historic Sanctuary of Machu Picchu (Peru) for a period of two years was decided by the World Heritage Committee at its 32nd session (Quebec City, 2008). The property has also been the subject of reactive monitoring missions in 1997, 1999, 2002, 2003, 2005 and 2007, predating the Reinforced monitoring mechanism.

Through Decision **32 COM 7B.44**, the World Heritage Committee requested the World Heritage Centre, the Advisory Bodies and the international community to work closely with the State Party to provide additional technical and financial support to enhance both local and national capacities to urgently and effectively implement corrective measures, and requested the State Party to invite a joint World Heritage Centre/ ICOMOS/ IUCN Reinforced monitoring mission to develop an action plan for the Reinforced monitoring period to address urgent and immediate conditions at the property. The World Heritage Committee asked in particular to be informed of the results of the Reinforced monitoring mission and any information relevant to the conservation of the Outstanding Universal Value of the property. The State Party did not request the inscription of the property on the List of World Heritage in Danger, despite the urging of the World Heritage Committee at its 32nd session.

*a) Reinforced monitoring mission*

A Reinforced monitoring mission to the property was carried out from 19 to 23 January 2009. The objectives of the mission were to assess the current state of conservation of the property and to develop jointly with the State Party an action plan to effectively and adequately address immediate issues that could potentially threaten the Outstanding Universal Value of the property, focusing mainly on governance, risk preparedness, development at Machu Picchu Village and public use at the western access. The assessment of the current status of the property focused on the critical issues pointed out by the World Heritage Committee in Decision **32 COM 7B.44**.

The State Party submitted a state of conservation report on 30 of January 2009. This highlighted the following progress:

- The reactivation and work carried out by the Management Unit for the property;
- The cancellation of the helicopter flights over the Sanctuary, however, the final official decision to prohibit the touristic use of the helipad is pending;
- An improved visitor management system at the Citadel through the introduction of a remote control system, managed by the *Instituto Nacional de Cultura* (INC);
- The setting up of a technical team to start the formulation of the Plan for assessing geodynamic risks;
- Development of a Strategic Environmental Evaluation by the Minister of Foreign Trade and Tourism (MINCETUR) for the region of Urubamba;
- Initiation of a Risk Prevention Plan by *Servicio Nacional de Áreas Naturales Protegidas por el Estado* (SERNANP), requested by the Committee over the past six years. The report is related to a study on risk mitigation prepared by the University of

Maryland;

- The implementation of training and awareness-raising activities for the people and authorities of *Agua Calientes* on the promotion of cultural identity, public health, environmental education, disaster prevention, etc.

b) *Reinforced monitoring mission addressed the following issues*

- Reactivation of the Management Unit has enhanced collaboration among the national authorities mandated with the conservation of the property mainly cultural heritage, natural heritage and tourism. However, there continues to be deficiencies in coordination among the different levels of government (national, regional and local) that negatively impact the effective implementation of conservation and management measures given that local communities and governments impacted by the decisions are not actively consulted or informed about their implications;
- Local governments demand participation in the Management Unit and in the decision-making process. With the limited participation from the Regional Government their interests and concerns are not being explicitly addressed. If this issue is not urgently addressed, it will continue to generate conflicts and the situation could further deteriorate;
- The implementation unit (*Comité Alterno*) for the Management Unit has insufficient financial and human resources to attend to the diversity and magnitude of the tasks at hand; and actions continue to be reactive and not proactive. This is further exacerbated by the lack of a central repository of information, which would allow for efficient and informed decision-making;
- Legal frameworks have yet to be harmonized leading to overlapping mandates, conflicting regulatory measures and loopholes that are detrimental to efficient and coordinated implementation of protection and regulatory measures. This has been highlighted previously and warrants the highest priority in addressing;
- There are unresolved and latent conflicts between municipalities, both within the property and at the buffer zones, and the national agencies mandated with the conservation of the site. This conflicts, coupled with the limited available resources, contribute to inadequacies in the comprehensive management of the property and its buffer zone, and to the escalation of the situation which would be detrimental to the property;
- Urban development at the Machu Picchu Village continues to be uncontrolled and unregulated by the local municipal authorities and in clear disregard of regulations set forth by SERNANP. New buildings located close to the riverbed and under cliff faces are a threat to both visitors and local inhabitants and contribute to increased urban and social problems. The existing situation does not reflect the implementation of the urban plan or the efficient application of regulations and sanctions to control development;
- There is evidence of lack of control and insufficient regulations for some of the new constructions and those currently under progress to guarantee the quality of the buildings and the security of potential users;
- Although the State Party mentioned that a new area for solid waste disposal is currently programmed, the mission noted that solid waste disposal continues to be a critical issue and a potential health and environmental hazard. Similarly, representatives from the health and law enforcement sectors indicated that resources are insufficient to attend to current conditions;
- As foreseen by previous reactive monitoring missions, the building of the Carrilluchayoc bridge has increased accessibility to the Sanctuary through the western area. Visitors are currently walking along the railroad track that connects the Hydroelectric Plant with the Machu Picchu Village, which poses some risks for visitor's safety. In addition, this has generated social conflicts with the town of *Santa Teresa*, which is now demanding road access through the Sanctuary;

- There is no evidence of information for visitors regarding the potential risks associated with visits to the site. The mission was also informed that emergency simulations are not taken seriously by the population and continue to have limited participation, indicating the lack of awareness about the vulnerability of the place. Collaboration between the Management Unit and the Municipality of Machu Picchu has been limited in implementing a comprehensive plan for disaster preparedness;
- The mission reviewed the status of the Outstanding Universal Value of the property. In general, the state of conservation of the pre-Columbian construction materials is good and appropriate interventions are being carried out to address deterioration factors. However, visitor management is somewhat limited and congestion was evident at the Citadel. If this continues to be mismanaged this could lead to direct decay factors on the original materials. The aesthetic qualities of the property continue to be impacted by developments in Machu Picchu Village and in the western access. Natural values are threatened by the chaotic and unplanned development of Machu Picchu Village along the railway line to the hydroelectric plant, which could eliminate some of the most important humid forest in the Sanctuary. These forests are an essential element of the landscape and substantially contribute to stabilizing the slopes thus reducing the risk of landslides;
- Interpretation and presentation at the site is deficient and does not contribute to the understanding of the significance of the property, both from natural and cultural perspectives. The newly-restored *Puente Inka* (Inca Bridge) section poses a threat to visitors, as access in some sections is somewhat dangerous. Visitors should be informed about the potential risks and measures to enhance their security. The chaotic development at Machu Picchu Village and the threats of uncontrolled development in the western access are problems chiefly related to the quality and safety of the visitor experience, and the presentation of Outstanding Universal Value. Unless the interdependency of all factors is clearly understood and addressed, the existing situation will continue further jeopardizing quality experience and visitors safety;
- The helipad on the outskirts of the Machu Picchu Village is currently blocked by iron obstacles. However, this is a temporary measure that can be removed and the use of this practice can continue as long as there is no final decision on banning flights and a precise mechanism to ensure such decision is respected. Although criteria and technical justification for banning helicopter over flights the practice have yet to be fully developed, it is clear that such flights are a significant source of disturbance that directly impacts on the aesthetic values of the property;
- The mission concluded that, despite measures implemented by the State Party, the conditions regarding the threat to the values of the property and its integrity have changed little in the time since the last mission to the property.

*c) Priorities and action plan suggested by the mission*

Considering the existing severe situation and in response to the issues underlined by the World Heritage Committee, four priorities were identified by the mission: Statement of Outstanding Universal Value, governance, risk, and western access. The mission recommended an action plan of essential work to address urgent actions in the immediate future.

The action plan is proposed for a two-year period and encompasses underlying principles for its implementation, tools for implementing the specific activities, and a series of activities under each of a number of themes, along with their objectives, expected outcomes, timelines and budgets. At least two years (2009-2011) will be required to implement the required actions.

The principles for implementation within the proposed action plan consider integration, cooperation, transparency and commitment to promoting the successful implementation of

actions and a shared responsibility in the conservation and management of the property. In addition, decisions need to be informed, technically substantiated and feasible to promote a more proactive rather than reactive attitude towards conservation and management.

Participatory workshops, conflict resolution activities and management effectiveness are tools to consider for the implementation of the proposed two-year action plan proposed by the mission. A series of capacity building activities are also foreseen, ranging from the implementation of the *World Heritage Convention* to risk preparedness. The action plan also considers broad participation and inclusion of diverse interest groups in the decision-making process to secure their commitment to implementation and guarantee sustainability, an approach already subscribed to during the participatory workshop of April 2007. The estimated extra-budgetary cost for the implementation of the action plan is estimated at USD 580,000 at the national level and USD 122,000 at the international level. The sources of funding to implement this plan have not been identified at the present time.

The World Heritage Centre, IUCN and ICOMOS remain extremely concerned by the overall situation at the property which, unless urgent action is taken, could impact irreversibly on the Outstanding Universal Value of the property and might also threaten the safety of visitors. They consider that the implementation of the action plan, suggested by the mission, needs to be given the highest priority by the State Party, in terms of support and adequate financial and human resources. It is essential that demonstrable progress is made in addressing the severe threats to certain parts of the property within a specific timeframe and acknowledging the shared responsibility for the conservation and management of the property. Although the further application of the Reinforced monitoring mechanism is foreseen in Decision **32 COM 7B.44**, follow-up activities to assess implementation of the action plan can be accommodated through the standard processes of reactive monitoring.

**Draft Decision:      33 COM 7B.42**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.44**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes there has been some progress in reactivation of the Management Unit, improvements to the visitor management system, the initiation of risk prevention plans, the cancellation of helicopter flights over the Sanctuary and the outreach activities to enhance the management and presentation of the property and raise awareness of conservation;*
4. *Notes with great concern the limited progress in addressing governance issues in the implementation of effective measures to address risk and in the continued uncontrolled development at Machu Picchu Village, issues with congestion and visitor management, and the unplanned development at the western access and urges the State Party to ensure strengthening collaboration with the Municipality of Machu Picchu, with the municipalities within the buffer zone and with other stakeholders for the effective implementation of the urban development plan;*

5. Requests the State Party to implement the action plan recommended by the Reinforced monitoring mission of January 2009, and the remaining recommendations of the six previous reactive monitoring missions to the property, in particular:
  - a) Implementation of participatory and conflict resolution workshops commencing in 2009 to address community interests and demands, particularly in regard to access to the site, public use and urban development and planning, both inside the inscribed property and in the buffer zone so as to promote the shared responsibility in the management of the property and to improve governance at the site,
  - b) Completion by June 2011 of the definition of a Statement of Outstanding Universal Value and Desired state of conservation, through a participatory workshop in conjunction with the World Heritage Centre and the Advisory Bodies to the World Heritage Committee,
  - c) Completion by June 2011 of an emergency action plan for risk reduction and disaster recovery at the Historic Sanctuary, supported by geodynamic and vulnerability studies, to respond to identified risks,
  - d) Implementation by June 2011 of a management effectiveness assessment of the work of the Management Unit, and agreement of a three-year plan to address the improvement of its effectiveness,
  - e) Establishment and implementation by June 2011 of regulatory measures for the western access to the Sanctuary and definition of public use regulations,
  - f) Harmonization by June 2011 of existing legal frameworks and regulatory measures and definition of strategies for efficient implementation,
  - g) Analysis of land tenure status and mapping of current uses to identify adequate measures to maintain the Outstanding Universal Value and integrity of the property;
6. Also requests the international community to work closely with the State Party, the World Heritage Centre and the Advisory Bodies to provide additional technical and/or financial support to enhance the local and national capacity in order to allow the prompt and effectively implementation of these measures;
7. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed report on the state of conservation of the property and on the progress made in the implementation of the 2009-2010 actions foreseen within the action plan, as well as the recommendations established in the Reinforced monitoring mission report, and the recommendations of previous missions for examination by the World Heritage Committee at its 34th session in 2010, **with a view of considering, in absence of substantial progress, the possible inscription of the property on the List of World Heritage in Danger.**

## **CULTURAL PROPERTIES**

### **AFRICA**

#### **43. Rock-Hewn Churches, Lalibela (Ethiopia) (C 18)**

##### Year of inscription on the World Heritage List

1978

##### Criteria

(i) (ii) and (iii)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**30 COM 7B.40 ; 31 COM 7B.46; 32 COM 7B.47**

##### International Assistance

Total amount provided to the property: 1996 – USD 6,500 Restoration studies in Lalibela;  
1980 – USD 57,386 Photogrammetric equipment

##### UNESCO extra-budgetary funds

Total amount provided to the property: USD 800,000 for the « Conservation action plan for Lalibela » -Phase 1 and Phase 2 (Norwegian Funds-in-Trust).

##### Previous monitoring missions

2004, 2005 2008: World Heritage Centre follow-up missions; 2006,: World Heritage Centre/ICOMOS/ICCROM reactive monitoring missions; 2007, 2008: World Heritage Centre/ICOMOS reactive monitoring mission;

##### Main threats identified in previous reports

- a) No boundaries for the property nor for the buffer zone ;
- b) Impact of the four recently constructed temporary shelters ;
- c) Absence of a management plan for the property;
- d) Insufficient urban and architectural regulations;
- e) Urban development around the property;
- f) Impact of rainwater and humidity ;
- g) Impact of earthquakes ;
- h) Geological and architectural characteristics of the churches.

##### Illustrative material

<http://whc.unesco.org/en/list/18>

### Current conservation issues

The Rock-Hewn churches at Lalibela have been subject to a contentious protection project involving construction of external shelters over the churches, which had the potential to further damage and disrupt the churches and their environment. The design of the shelters was substantially modified in accordance with recommendations made by the 2006 World Heritage Centre/ICOMOS/ICCROM. However the shelters remain problematic, particularly in relation to the impact on the landscape, the disposal of rainwater, and their effectiveness requires monitoring. Following completion of the project in February 2008, the State Party planned to carry out monthly monitoring missions and had requested the construction company to provide maintenance and dismantling plans for the shelters. The ultimate aim being removal of the shelters, their dismantling is pending the development of sustainable conservation and management solutions for protection that avoid external physical means,.

Other threats to the property include encroachment on the environment of the churches by new public and private construction, including housing associated with the traditional village adjacent to the property and tourism infrastructure, in the absence of planning controls to protect the integrity of the property.

The State Party was requested in Decision **32 COM 7B.47** to establish a management plan with the assistance of the World Heritage Centre integrating the Conservation action plan, the measures for sustainable development involving local populations and the touristic enhancement of the property, the regulatory provisions for the boundaries of the property and its buffer zone. The State Party was also requested to report on progress with construction and monitoring of the shelters and to provide maps clearly identifying the property and its buffer zone for examination by the World Heritage Committee at its 33rd session in 2009. A request was also made to develop a Statement of Outstanding Universal Value in consultation with the World Heritage Centre and the Advisory Bodies.

No state of conservation report for 2009 has been provided by the State Party, nor was one provided in 2008.

The World Heritage Centre has implemented the first phase of the Lalibela Conservation action plan in cooperation with the Ethiopian Authority for Research and Conservation of Cultural Heritage (ARCCCH) and the World Monuments Fund. The project included an architectural study of the property, analysis of the physical decay factors and in particular the structural problems, and a pilot study of the Gabriel Rufael church within the property; in addition, the World Heritage Centre conducted a training workshop in lime mortars techniques for local workers and contributed to building the management capacity of the local administration.

The World Heritage Centre and World Monuments Fund have also started the implementation of the Project's phase 2 that foresees capacity building in site management, a pilot project and conservation works at the Gabriel Rufael Church, as well as on the job training for local workers and administrators. The amount provided by World Monuments Fund for the property totals US\$ 400,000.

In March 2009, the World Heritage Centre conducted a mission to Lalibela to discuss with the World Bank the implementation of a large tourism development project. During the mission, the World Bank representative has agreed to follow the requirements of the World Heritage Convention in their project, and has invited the State Party to regularly inform and consult the World Heritage Centre during the Project implementation.

The World Heritage Centre and ICOMOS remain concerned about the lack of defined boundaries and buffer zone for the property, the lack of planning controls to protect the property and its environment from adverse impacts of new housing and tourism development, the lack of an integrated conservation and management plan for the property, the lack of monitoring reports on the shelters and the lack of a Statement of Outstanding Universal Value for the property.

**Draft Decision:      33 COM 7B.43**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decisions **31 COM 7B.46** and **32 COM 7B.47**, adopted at its 31st (Christchurch, 2007) and 32nd (Quebec City, 2008) sessions respectively;
3. Deeply regrets that the State party did not submit a report on the state of conservation of the property that would have enabled to evaluate the progress in restoration works of churches, monitoring of shelters, identification of the boundaries of the property and its buffer zone and provision of legal and regulatory; and the Statement of Outstanding Universal Value;
4. Encourages the State Party to implement the Conservation action plan and to take all precautionary measures for the protection of the property throughout the World Bank tourism project studies and implementation;
5. Reiterates its requests in relation to the conservation of the Aba Libanos church and, particularly the monitoring of its shelter which is on unstable ground, identification of the boundaries of the property and its buffer zone and the provision of legal and regulatory protection for the property and its buffer zone;
6. Also reiterates its request to the State Party to establish a management plan for the property, integrating the Conservation action plan, the measures for sustainable development involving local populations and the touristic enhancement of the property;
7. Requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a report on the state of conservation of the property along with maps clearly identifying the boundary of the property and the buffer zone, and the construction and monitoring of the shelters, for examination by the World Heritage Committee at its 35th session in 2011.

**45. Timbuktu (Mali) (C 119 rev)**

Year of inscription on the World Heritage List

1988

Criteria

(ii) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger

1990-2005

### Previous Committee Decisions

**30 COM 7B.36; 31 COM 7B.47; 32 COM 7B.49**

### International Assistance

Total amount provided to the property: 1989, USD 5,500, Preparatory Assistance; 1991-1995-1996-2004-2006: USD 150,000, Technical Cooperation

### UNESCO extra budgetary funds

Total amount provided to the property: USD 100,000 (Italian Funds-in-Trust at UNESCO)

### Previous monitoring missions

2002, 2004, 2005, 2006: World Heritage Centre missions; 2008 joint World Heritage Centre/ ICOMOS mission

### Main threats identified in previous reports

- a) Inappropriate design and scale of new Ahmed Baba Cultural Centre in the buffer zone of the Sankoré Mosque; lack of detailed drawings supplied to the Committee
- b) Approaches to the restoration of the Djingareyber Mosque;
- c) Urban development pressure;
- d) Flooding and rubbish disposal;
- e) Lack of building regulations and land use plan;
- f) Lack of adequate maintenance of the buildings.

### Illustrative material

<http://whc.unesco.org/en/list/119>

### Current conservation issues

At its 32nd Session (Quebec City, 2008), the World Heritage Committee strongly regretted that the State Party had progressed with the building of the Ahmed Baba Cultural Centre next to the Sankoré mosque, without having provided technical drawings that could have permitted a review of the architectural design, as requested by the Committee in Decisions **30 COM 7B.36** and **31 COM 7B.47**. The World Heritage Committee noted that nearly 80% of the structural work had been completed and expressed concern at the negative impact of the building work on the integrity of the Sankoré Mosque. It also expressed concern that little progress has been made in halting the decline of buildings in the old city.

The World Heritage Committee decided to apply the Reinforced monitoring mechanism and requested the State Party to invite a reactive monitoring mission to consider progress with the following corrective measures, which it strongly urged the State Party to implement, and to establish priorities and a timetable:

- a) Re-location of the amphitheatre, the Ahmed Baba house, and any other planned development of the classroom and visitor facilities to another location, in order to allow the creation of an urban open space which would allow the retention of the urban coherence of the historic square of Sankore;
- b) Creation of a national coordinating committee for Timbuktu, which would be the only authority to receive and evaluate projects which could impact on the Outstanding Universal Value of the property;

- c) Evaluation of the various existing plans and other studies and the development of a Master plan for the old city of Timbuktu, which would address both conservation and the aspirations of the city in the 21st century, while preserving the Outstanding Universal Value of the property;
- d) Development of detailed building regulations and a land-use plan for the property and buffer zones;
- e) Development of a plan for the participation of the population of the town in matters of heritage so that it can in practice benefit from the projects and development;
- f) Extension of the boundaries of the World Heritage property to cover the whole of the old city, in order to protect the monuments, as well as their urban context;
- g) Accelerated implementation of the short and medium term actions envisaged in the management plan;

On 14 February 2009, the State Party submitted its state of conservation report. This informed that, contrary to the request of the World Heritage Committee to move the amphitheatre in order to release an open space next to the Sankoré mosque, a decision had been taken to decrease its height by approximately 3.60m in order that it wouldn't be taller than the Sankoré Mosque. In additions all visible frontages of the amphitheatre will be covered out of local materials.

The State Party also reported that it had chosen to retain the two classrooms and toilet facilities rather than relocate them, as requested by the World Heritage Committee. Doors and windows would however be changed to wood rather than metal and the roof and concrete posts covered in local materials.

The State Party also informed that:

- An Inter-ministerial committee for Timbuktu had been set up at a national level;
- Progress had been made with studies for the development of the Master Plan;
- A draft town planning regulation is currently under development.

The State Party did not provide any information on the possibility of enlarging the property to encompass the old city. It reported that Ahmed Baba Centre had been inaugurated on 29 January, 2009 in the presence of the Head of the State and of the former President of South Africa, Mr. Thabo Mbeki.

A joint UNESCO – ICOMOS visited the property from 26 March to 2 April 2009. The mission reported on the following:

a) *Relocation of the amphitheatre*

The building work was said to be already too far advanced at the time the World Heritage Committee requested this structure to be relocated. The decision was therefore taken to reduce the height. The completed structure occupies a considerable part of the former space next to the Sankore mosque. However in its truncated form it resembles stairs rather than an amphitheatre and its acoustics do not function properly. The mission considered that it would have been more judicious to have accepted the request of the World Heritage Committee to relocate the structure as even the reduced building has a considerable impact on the mosque.

b) *Functionality of the new Centre*

Although the architect originally conceived the building to have a public use, it appears that the completed structure is regarded by national authorities as a space for post-graduate

research and will not be opened to the public. The mission reiterated what had been said in the joint World Heritage Centre/ICOMOS mission of June 2008, that the permeability of the design makes the building very vulnerable to the sandstorms which confront Timbuktu. Thirdly, the mission considered that the conservation of manuscripts in the building could be problematic in the face of regular electricity cuts in the city.

It appears that the Malian authorities are considering the construction of a protective fence around the building. It will be necessary to consider carefully how this might relate to the Centre and the Mosque.

*c) Appearance of the new Centre*

Concerning the finished appearance of the building, the mission strongly recommends that corrections are made to the exterior colours and that the grey colour is removed with only the yellow ochre colour remaining. This would allow the mosque to regain a greater visibility.

*d) Impact of the new building on the old city*

The mission considered that the consequence of the decision to place this new building at a strategic place in the old city are now highly visible and it is clear that the whole urban identity of Timbuktu would be threatened if further similar examples were constructed.

The mission was forced to note that the old city is subject to more and more strong and contradictory pressures in its architecture, and planning since the construction of this new building. The use of inappropriate materials is in total contradiction with the spirit of the old city and is causing accelerated change which could transform or even eliminate the architectural harmony that the city has demonstrated since the 14th century.

*e) Planning controls*

The mission noted that the current master plan created in 2005 does not define the use of zones in the old city. In the face of strong development pressure, the mission recommended that work currently under development on town planning for the old city should be finalized as soon as possible, and that this should prohibit all new public projects in the old city. In addition, the mission recommended that the current buffer zone is extended to 500m beyond the by-pass, which constitutes the present delimitation of the old city, and that protective measures are developed for the buffer zone, in relation to the heights of buildings particularly near the mosques of Djingareyber and Sankoré, and around the mausoleums.

*f) Destruction of Medersa and its public toilets*

The Committee had asked for the destruction of the classrooms and toilets. The State Party has chosen to modify the buildings with wooden windows and changes to the roof material. The mission reaffirmed the inappropriate character of these constructions in the immediate vicinity of the Sankoré Mosque but suggests that a final view on them should await the completion of the work.

*g) Creation of an inter-ministerial committee*

The mission noted that the State Party had started the process to create this committee. The mission reaffirmed the urgency to set up this committee, which will have the responsibility to prevent future unilateral initiatives that could impact adversely on the property. The committee should be functioning before the 33rd session of the World Heritage Committee.

*h) State of conservation of the Sidi Yahia Mosque*

Since the last mission in June 2008, the general state of the Mosque of Sidi Yahia has degraded considerably. Urgent and medium term interventions are needed. The urgent intervention relates to the body of the mosque (repairs to the roof, replacement of lintels, repair of acroteria, drainage). The mission recommends that a complete technical study,

intended to preserve the current minaret, is elaborated before any intervention, and submitted to the World Heritage Centre for examination by ICOMOS.

*i) State of conservation of the Djingareyber Mosque*

The mission noted progress in the restoration of this mosque. It appreciated the professionalism of the engineering team for the project detached by the Aga Khan Trust for Culture, and especially its strategy of delegation of the responsibilities for technical supervision to the chief of the masons of Djingareyber. Taking into account the innovations brought to the system of roof, the mission recommends that a follow-up over several years is made immediately after each season of rains, in order to guarantee a good structural behaviour.

The mission was also informed by the engineering team for the project of an archaeological discovery of great importance inside the mosque. The mission recommends that the World Heritage Centre and the Aga Khan Trust for Culture cooperate in the continuation of this work, in particular on the strategy to be set up following the discovery of massive, old pillars, perhaps from a mosque built well before that current building in 1325. The preceding phases of restoration have been documented and communicated to the World Heritage Centre and it is recommended that details of the present and future stages are also communicated to the World Heritage Centre.

*j) State of conservation of the mausoleums*

The mission had the opportunity to examine the conservation of the 16 mausoleums within the property. It noted that they have not been the subject of regular maintenance since 2005, and this is reflected in the degradation observed, with broken doors and neglected peripheral walls. The mission recalls that the 16 mausoleums are part of the attributes that justify the Outstanding Universal Value of the property and they thus deserve to have the same attention as the three mosques.

The conclusion of the mission, endorsed by the World Heritage Centre and the Advisory Bodies, is that the report on progress with the implementation of corrective measures agreed by the World Heritage Committee, does not show an improvement away from the danger situation with which the property was confronted. They thus recommend that the Reinforced monitoring mechanism be maintained and that the World Heritage Centre, the Advisory Bodies and the international community assist the State Party in its efforts to implement fully the corrective measures (b) to (g) within Decision **32 COM 7B.49**, together with the recommendations of the recent mission as a matter of urgency.

**Draft Decision: 33 COM 7B.45**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.49**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes the results of the World Heritage Centre / ICOMOS mission to the property, and of the correctives measures already implemented, in particular the process to create an inter-Ministerial Committee on Timbuktu;*
4. *Also notes with satisfaction the conservation work that is in progress on the Djingareyber Mosque, and in particular the recent discovery of ancient pillars of great*

importance inside the mosque, and encourages the submission to the World Heritage Centre of documentation for current and future work for assessment by ICOMOS;

5. Expresses its concern that progress in the implementation of corrective measures does not show an improvement away from the danger situation with which the property is confronted, and regrets that the measures with respect to relocating the amphitheatre and destroying the, classrooms and public toilets have not been implemented as requested;
6. Requests the State Party to make the corrections recommended by the mission to the exterior colours of the Ahmed Baba Centre, so that the Sankoré Mosque can regain a greater visibility;
7. Urges the State Party to develop as soon as possible appropriate planning controls to revitalise the traditional architectural forms, in order to reverse the apparent accelerated change in building materials and form in the old city, to prohibit all new public projects in the old city, and to re-engage the local community in the overall planning processes;
8. Also urges the State Party to develop a technical strategy for the urgent restoration of the Sidi Yahia Mosque, for assessment by ICOMOS, and to put in place appropriate conservation processes for the mausoleums;
9. Reiterates its requests to the State Party to develop, in consultation with the World Heritage Centre and ICOMOS, a draft Statement of Outstanding Universal Value including the conditions of integrity and authenticity, for examination by the World Heritage Committee;
10. Also requests the State Party to invite a joint World Heritage Centre / ICOMOS monitoring mission to the property to assess progress and define a timeframe for the implementation of the corrective measures;
11. **Decides to continue to apply the Reinforced monitoring mechanism and encourages** the international community to assist the State Party in its efforts to fully implement Decision **32 COM 7B.49**;
12. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 34th session in 2010.

#### **46. Island of Mozambique (Mozambique) (C 599)**

Year of inscription on the World Heritage List

1991

Criteria

(iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**30 COM 7B.42; 31 COM 7B.48; 32 COM 7B.51**

International Assistance

Total amount provided to the property: USD 150,000 for preparatory assistance, emergency assistance and technical cooperation.

UNESCO Extra-budgetary Funds

Total amount provided to the property: Japan Funds in Trust: USD 1,108,078; UCCLA: USD 526,015 and Portugal/IPAD: USD 102,900.; Flanders Funds in Trust: USD 270,000; Netherlands Funds in Trust: USD 729,729.73; World Heritage Cities Programme: USD 50,000.

Previous monitoring missions

2005, 2006, 2007, 2008: World Heritage Centre missions; 2007: ICOMOS mission; 2009: joint World Heritage Centre/ ICOMOS reactive monitoring mission

Main threats identified in previous reports

- a) Management Plan not yet finalised;
- b) Growing number of collapsed or seriously dilapidated buildings;
- c) Threats to authenticity through unsympathetic repairs;
- d) Lack of development control;
- e) Lack of adequate sewage and water systems;
- f) Delay in implementing rehabilitation of the San Sebastian Fortress;
- g) Lack of adequate financial and human resources.

Illustrative material

<http://whc.unesco.org/en/list/599>

Current conservation issues

At its 32nd session (Quebec City, 2008) the World Heritage Committee requested the State Party to develop a draft Statement of Outstanding Universal Value, including the conditions of integrity and authenticity; to invite a joint World Heritage Centre / ICOMOS / ICCROM reactive monitoring mission to examine the state of conservation of the property and determine if it was under ascertained or potential threats; to submit a report on the progress made in implementing the Emergency action plan and in undertaking short-term remedial actions, and on the preparation of the conservation and management plan, for examination by the World Heritage Committee with a view to considering, in the absence of substantial progress, the inscription of the property on the List of World Heritage in Danger.

The joint World Heritage Centre/ICOMOS mission took place in February 2009 (ICCROM was unable to attend). The mission report confirms that progress has been made on the Emergency action plan and the Conservation Plan as outlined in the State Party's report below. However it notes that:

- a) The responsible authority GACIM has identified that 20 buildings have collapsed completely, 40 private properties and 3 State owned ones are extremely decayed but still partially inhabited, and 38 private and two public owned properties that are decayed and inhabited;
- b) GACIM needs a stronger legal context in relation to development and technical issues;
- c) GACIM needs the services of a conservation architect on staff;
- d) The Conservation Plan (partly covered by the Master Plan currently under preparation by the State Party) and the management plan are being funded with technical support by two different bodies and need to be properly coordinated so as to provide an integrated strategy and avoid duplication;
- e) The underwater heritage around the island needs to be considered in relation to the buffer zone for the property, and a map showing the buffer zone needs to be provided;
- f) The authenticity of the *Macuti* town is under threat in view of the changes that have occurred and are occurring, and the growing scarcity of traditional materials used for construction;
- g) The lack of sewerage and water supply remain major problems, although projects funded by the Flemish community of Belgium and the Government of the Netherlands will go some way towards assisting with the latter.

The State Party reported in January 2009 as follows:

a) *Emergency actions:*

The inventory of buildings on the Island comprises 1749 immovable properties and 42 ruins. In response to the use of local radio, newspapers and letters to building owners and users aimed at promoting the care of heritage buildings, 37 buildings were rehabilitated including 4 religious buildings, 29 privately owned buildings and 4 State owned buildings. In relation to the effects of Cyclone Jokwe, which caused extensive damage across the Island in March 2008, the State Party has, with Portuguese assistance, provided funds for the repair of 495 houses in *Macuti* town— 330 house with traditional material (*macuti*) and 165 houses of conventional material.

b) *Rehabilitation of the San Sebastian Fortress:*

The first phase of the rehabilitation of the San Sebastian Fortress was completed in December 2008. However, as a consequence of damage caused by Cyclone Jokwe in March 2008, a site inspection by UNESCO and the contractor for the rehabilitation project identified a requirement for additional works over and above those that form part of the contract. The cyclone damaged parts of the lower defensive walls, including sections adjacent to the Nossa Senhora do Baluarte chapel and the cemetery, the structural stability of buildings and defences. A request for International Assistance has been submitted to cover the cost of these additional remedial works. It is proposed that this work will be carried out using the team and methodology currently in place for the San Sebastian Fortress rehabilitation project. However, ICOMOS has expressed concerns about the proposed materials and methodology which need to be addressed. The State Party was requested to provide the needed clarification before the request is considered for approval.

c) *Master Plan:*

The Master Plan is being developed with financial support from the African Development Bank. A number of actions taken include training (organised by UNESCO) of the staff of the responsible authority GACIM and the recruitment of 6 additional staff (but according to the mission report they have not been appointed), and creation of a Technical Commission of GACIM to consult on and co-ordinate interventions. Priority actions have been identified,

including the improvement of infrastructure (sewerage and water supply), co-ordination with the municipal and other relevant authorities regarding heritage protection, establishing partnerships with colleagues in other countries who are experienced in the management of World Heritage, and promoting actions that enable employment opportunities and generate revenue. The State budget allocation for 2009 has been increased by 200% from 2008.

d) *Management and conservation Plan*

Funding for the management plan has been approved by the Programme *Africa 2009*.

The World Heritage Centre and ICOMOS consider that although some progress has been made on addressing the Emergency action plan, through sensitising owners to the need to conserve their properties, the development of conservation and management plans and fund-raising, the property nevertheless remains under severe threat. There are threats to its integrity, through the collapse of buildings, and to its authenticity through the use of non-compatible and un-conventional materials in some restorations, and the overall sustainability of the property is vulnerable in terms of water collection and lack of active management. There remain particular problems with *Macuti* town where a lack of infrastructure, for both sewage and water, and support for sympathetic improvement and upgrading of buildings is absent.

Consistent and urgent progress still needs to be made and a clear, integrated and coordinated strategy for the property is still lacking. Although serious efforts have been made since the last mission report in February 2007, the situation on the Island of Mozambique remains critical.

**Draft Decision:      33 COM 7B.46**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.51**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes the work carried out to sensitise owners and users to the value of their heritage properties and the need for conservation, and encourages the State Party to continue these efforts;*
4. *Also notes the completion of the first phase of the rehabilitation of San Sebastian Fortress and notes the considerable extra work that will be needed to deal with the additional damage caused by Cyclone Jokwe;*
5. *Further notes the progress made in relation to training staff and the increased State budget allocation for the conservation work; and in obtaining funding for the conservation and management plans and emphasizes the need for these to be properly coordinated so as to provide an integrated strategy and avoid duplication;*
6. *Reaffirms its great concern that the Island of Mozambique continues to be threatened by serious degradation of its historical monuments and urban structure and is in danger of losing part of its authenticity; and considers that there needs to be efforts to halt the collapse of buildings while an overall management plan and approach are being developed;*

7. Expresses its concern at the lack of sewage and water systems, particularly in Macuti town, and the lack of appropriate urban planning, rehabilitation and improvement of traditional Macuti houses, including the development of a sustainable way forward, and urges the State Party to work towards a sustainable development plan for Macuti town;
8. Encourages the State Party to continue implementing the Emergency action plan and to establish a stronger legal framework for the protection of the heritage of the Island of Mozambique, including the underwater heritage;
9. Also encourages the State Party to provide the responsible authority with additional technical staff and necessary equipment required;
10. Further encourages the State Party to delineate a buffer zone for the property in relation to the underwater heritage and to submit this as a minor modification;
11. Requests the State Party to invite a joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission, in order to assess the progress made in implementing the Emergency action plan as well as the steps taken to implement the recommendations set out by the mission;
12. Also request the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property, including on progress made with implementing the Emergency action plan, in particular the points raised above, for examination by the World Heritage Committee at its 34th session in 2010.

#### **47. Island of Saint-Louis (Senegal) (C 956 bis)**

##### Year of inscription on the World Heritage List

2000, extension 2007

##### Criteria

(ii) (iv)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**30 COM 7B.37; 31 COM 8B.56; 32 COM 7B.53**

##### International Assistance

Total amount provided to the property: USD 11,500 for preparatory assistance in 1997.

##### UNESCO Extra-budgetary funds

Total amount provided to the property: USD 139,000 (France-UNESCO Cooperation Agreement)

### Previous monitoring missions

2006: Joint World Heritage Centre/ICOMOS/ICCROM mission; 2007: France-UNESCO Cooperation Agreement mission; February 2009: joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission

### Main threats identified in previous reports

- a) Lack of implementation of the action plan, including the Safeguarding and Enhancement Plan (SEP), and establishment of a *Maison du Patrimoine*;
- b) The lack of a conservation and management plan;
- c) New construction and architectural modification and urban projects affecting authenticity and integrity;
- d) Inappropriate housing restoration;
- e) Environmental disorder due to the modification of the mouth of the Senegal River;
- f) Extremely poor state of conservation of numerous derelict buildings endangering occupants;
- g) Lack of a site manager.

### Illustrative material

<http://whc.unesco.org/en/list/956>

### Current conservation issues

The World Heritage Committee at its 32nd session (Quebec City, 2008) noted that it considered the World Heritage property to be seriously threatened and encouraged the State Party to ensure that contemporary interventions would not affect the Outstanding Universal Value of the property. The World Heritage Committee further urged the State Party to improve site management by implementing the recently adopted Safeguarding and Enhancement Plan, by urgently appointing a site manager for the property and also by coordinating the support of international partners around World Heritage Committee recommendations. Finally the Committee requested the State Party, in consultation with the World Heritage Centre and ICOMOS, to develop a draft Statement of Outstanding Universal Value including the conditions of integrity and authenticity, for examination by the World Heritage Committee at its 33rd session in 2009.

The State Party submitted a report on the state of conservation of the World Heritage property on 30 January 2009. The report notes the need for an interim Committee of Management (Safeguarding Committee) while waiting for the management mechanisms requested by the World Heritage Committee in its previous sessions and which require significant operating and budget support. The State Party report noted that it remained in favour of the organisation of an international donors meeting in co-operation with UNESCO, an initiative which awaited the signature of an agreement between the World Heritage Centre and the Department of Culture. The State Party also reports on three very significant projects which constitute significant advances in conservation of the property (including the rehabilitation of the Faidherbe Bridge, improvements to the mouth of the Senegal River, and of the Rognat South building). The State Party report also notes that in spite of the improvement of the situation, the soon-to-be-created Safeguarding Committee will be confronted by some serious challenges including the continuing appearance of new structures incompatible with the property's Outstanding Universal Value, and which will need demolition or rectification, and that a list of such properties will be provided to the World Heritage Centre. And finally, the State Party report notes that it awaits Periodic Reporting

Exercise modalities to be defined by the 33rd session, in relation to preparation of Statements of Outstanding Universal Value.

A joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission was carried out from 14-20 February 2009 to the World Heritage property. The mission listed a number of successful rehabilitation workshops taking place in relation to restoration projects. These are being supported through significant levels of international co-operation involving Spain, Wallonia-Brussels, and France. The mission report also regretted that modern constructions ignoring prevailing material use and architectural typologies continue to appear, and to affect the integrity of the property.

The mission also noted that the State Party had not responded to requests made by the Committee at its 32nd session to improve site management: the Safeguarding and Enhancement Plan had still not been implemented, and the designation of a site manager had not taken place. The mission further noted that the conservation and management plan requested by the World Heritage Centre/ICOMOS/ICCROM mission of 2006 had not been implemented, and the administrative and physical conditions necessary to establish the *Maison du Patrimoine* had not been provided. The mission noted that this continuing legal and management void was responsible for the lack of control exercised on the issuing of building permits for rehabilitation, restoration and new construction.

On the positive side, the mission noted the signature of a Decree on 20 February 2009 establishing a Safeguarding Committee for Saint-Louis, linking representatives of the State, the municipality, and key public leaders, to assist in implementing the Safeguarding and Enhancement Plan.

The mission report made the following recommendations:

- The Safeguarding and Enhancement Plan must be urgently implemented, and harmonized with the Plan for Urban Development, particularly in relation to the buffer zone;
- The recently established Safeguarding Committee should begin to function while waiting for appointment of a site manager;
- The site manager must be appointed urgently to work under the direction of the safeguarding Committee, and to implement the decisions of the World Heritage Committee, and to direct the activities of the *Maison du Patrimoine*;
- The process of elaborating a conservation and management plan, as an indispensable complement to the Safeguarding and Enhancement Plan, must be begun urgently in order to co-ordinate effectively interventions on site. This plan will help anticipate conservation problems and regulate land use including re-use of many large pieces of land both private and belonging to the Ministry of Defense;
- It is important to find ways to give more visibility to excellent examples of restoration work, including use of heritage plaques and awards;
- The idea of a donor's meeting for 2010-2011 should be re-launched;
- Efforts for enhancement and sustainable tourism should be supported and encouraged in Saint-Louis and the region.

The mission, in evaluating the state of danger of the property noted an improvement in the overall state of conservation of the property, linked to the strong mobilization of all the concerned actors. It also noted however the urgent need to implement the various management mechanisms mentioned above, and to take further efforts to create a synergy among all efforts directed to implementing the requests of the World Heritage Committee,

notably in terms of reinforcing the heritage craftsmanship and skills which are lacking. The mission concluded by noting that there are no ascertained and potential dangers, and therefore no need at present to continue consider the possibility of inscribing the property on the List of World Heritage in Danger.

The World Heritage Centre and the Advisory Bodies are concerned that the State Party has not been able to fully respond to the requests made by the World Heritage Committee at its 32nd session to improve site management, including implementation of the Safeguarding and Enhancement Plan, and the designation of a site manager, and that preparation of a conservation and management plan has not begun, and further that in the management void identified by the mission, illegal and inappropriate constructions which threaten the integrity of the property and its Outstanding Universal Value continue to take place.

The World Heritage Centre and the Advisory Bodies consider that in the absence of progress made in improving the state of conservation of the property in 2010, in particular on issues related to improving site management and implementing the Safeguarding and Enhancement Plan, a new joint World Heritage Centre/ICOMOS/ICCROM monitoring mission will have to be undertaken to examine possible and ascertained or potential threats (as defined by Paragraph 179 of the *Operational Guidelines*) and to assist in setting up an appropriate mechanism for the sustainable conservation of the property, for review by the World Heritage Committee.

**Draft Decision:        33 COM 7B.47**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.53**, adopted at its 32nd session (Quebec City, 2008),
3. Takes note with appreciation of the actions taken by the State Party to improve the state of conservation of the property, including the establishment of a Safeguarding Committee for the property to bridge site management until full development of planned management mechanisms;
4. Reiterates its request to the State Party to:
  - a) *Implement the recently adopted Safeguarding and Enhancement Plan;*
  - b) *Urgently appoint a site manager for the property;*
  - c) *Launch preparation of the conservation and management plan first foreseen in the joint World Heritage Centre/ICCROM/ICOMOS reactive monitoring mission report of 2006;*
5. Encourages the State Party to improve coordination of international co-operation partners while ensuring their contributions strengthen the Outstanding Universal Value of the property, and in collaboration with the World Heritage Centre to plan a future international donor's conference in 2010 or 2011;
6. Considers that the property continues to be threatened by the State Party's inability to implement the management initiatives requested by the World Heritage Committee, and by modern interventions which do not respect the integrity and the Outstanding Universal Value of the World Heritage property;

7. Requests the State Party to submit to the World Heritage Centre by **1 February 2010**, a report on the progress made to improve the property's state of conservation, and in responding to the World Heritage Committee's requests, for examination by the World Heritage Committee at its 34th session in 2010.

#### **48. Island of Gorée (Senegal) (C 26)**

##### Year of inscription on the World Heritage List

1978

##### Criteria

(vi)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**29 COM 7B.37; 30 COM 7B.43, 31 COM 7B.52**

##### International Assistance

Total amount provided to the property: USD 33,071 in 1981 – Emergency Assistance to strengthen the threatened western fortifications; USD 19,529 in 1981 – Training of technicians responsible for the rehabilitation of the Island.

##### UNESCO extra-budgetary funds

N/A

##### Previous monitoring missions

2004: Joint World Heritage Centre/ICOMOS mission; 2006: World Heritage Centre mission;

##### Main threats identified in previous reports

- a) Delay in the appointment of a site manager;
- b) Risk of collapse of historic buildings;
- c) Marine erosion;
- d) Illegal occupation of historic buildings.

##### Illustrative material

<http://whc.unesco.org/en/list/26>

##### Current conservation issues

At its 31st session (Christchurch, 2007) the World Heritage Committee encouraged the State Parties of Senegal and Qatar to finalize an agreement to carry out a major rehabilitation work on for the coastal areas of Gorée Island which are effected by serious marine erosion. They

also noted with concern the ongoing illegal occupation (both residential and commercial) of some protected parts of the island, and the lack of a site manager, appointed by the State Party, to ensure implementation of the existing regulatory measures for the conservation and protection of the property.

On 19 March 2009, the State Party submitted a state of conservation report on the property, which dealt with some of the concerns raised by the Committee.

a) *Restoration and rehabilitation*

The State Party report indicates that restoration work on the *Palais Roume* or *Relais de l'Espadon* and the *Ancienne Maison du Sudan* have not yet begun due to a lack of funds. The State Party is continuing to seek for the means to carry out this work. Two buildings, the *Maison de l'Amiral* and the *Maison des Esclaves* are both foreseen in the near future. The later, has funding already allocated, while for the first, the funding is close to being secured. Finally, the rehabilitation of the *ex-Université des Mutants* was completed in 2007. The State Party report indicates, however, that a number of buildings along the seafront of the island are in danger due to the ongoing marine erosion.

b) *Management of the Population and Tourism*

The State Party report states that there is still an ongoing problem in regard to illegal occupation of some of the protected parts of the island (in particular the *Caste*) including informal markets, illegal shacks, and livestock grazing. The State Party indicated that they are in the process of elaborating corrective measures to improve the situation. With a view to improve the existing measures, it is foreseen that an urgent consultation will take place in the short term between the Ministry of Culture (DPC), the Mayor of Gorée, UNESCO (Breda), the Syndicat d' Initiatives and tourism of Gorée, the Maritime Liaison Dakar/Gorée (PAD), schools, religious authorities, the associations, community representatives, among others.

In regard to tourism management, it is reported that the Island continues to attract numerous visitors and this has consequences on the property. An increase in the tourist tax of 500 CFA has been established to improve management of the tourist infrastructure and the overall environment.

c) *Appointment of a Site manager*

The State Party reports continuing delays in nominating a site manager for the property. It states that this appointment will occur in the near future. It should be noted that since 1989 Gorée has been managed by a Management Committee headed by the Minister of Culture and with the participation of the Mayor of Gorée, the manager of the Memorial, the Office of Architecture and historic Monuments (BAMH) and representatives from the civil society of Gorée. Their work has contributed to the mitigation of threats at the property.

d) *Results of the Advisory mission*

From 14 – 20 February 2009, a Joint World Heritage Centre/ICOMOS/ICCROM advisory mission went to the site as part of a reactive monitoring mission to another site in Senegal, the Island of Saint-Louis. The visit to Gorée Island took place on 15 February 2009.

The mission expressed serious concerns in regard to the maritime erosion taking place at the western part of the island. The mission found that this erosion has reached a point where it is threatening the stability of several important buildings including the *Relais de l'Espadon*.

The mission noted also that a Safeguarding Committee composed of representatives from the Government, the Municipality and the community has been created by Ministerial decree in 2008. In addition, the mission learned that the joint project between Senegal and Qatar for

the safeguarding of the coastline, presented in the state of conservation report of 2007, has not materialized. Senegal is still committed to the project, however, and is searching for private partners.

In regard to the state of conservation of the built environment, the mission found that there has been little restoration work in the past several years. In addition, measure to improve the situation related to illegal occupation, have not yet been adopted. The mission did report, however, an improvement in the daily maintenance in the town due to the additional revenue derived from the tourist tax.

Finally, in regard to management, the mission reported the creation by Ministerial decree of a Safeguarding Committee with representatives of the national and municipal governments as well as residents. This committee will assume the decision-making tasks of the site manager until he/she is eventually appointed.

The World Heritage Centre and the Advisory Bodies remain extremely concerned about the ongoing erosion of the coastline which is undermining some of the architectural heritage of the property. While progress has been made with daily maintenance issues, there is a concern with the slow pace of restoration work and the development of adequate measures to resolve the problems of squatting and illegal occupation of land.

The World Heritage Centre and the Advisory Bodies consider that a careful monitoring of the state of conservation of the property is needed, in particular on issues related maritime erosion threats to the property. A World Heritage Centre/ICOMOS/ICCROM reactive monitoring will have to be undertaken to examine possible and ascertained or potential threats, (as defined by Paragraph 179 of the *Operational Guidelines*) order to make recommendations to the World Heritage Committee.

In regard to management, the World Heritage Centre and Advisory Bodies find that the creation of the Safeguarding Committee is a positive step, but remain concerned about the lack of a site manager to implement conservation and protection activities. Finally they note that a rigorous approach needs to be taken to address all the issues raised by the advisory monitoring mission carried out in February 2009.

**Draft Decision:        33 COM 7B.48**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **31 COM 7B.52**, adopted at its 31st session (Christchurch, 2007),
3. Takes note with satisfaction of the creation of a Safeguarding Committee for the management of the property by the State Party;
4. Notes the progress made by the State Party in regard to the collection of a tourist tax and the use of the derive revenue from it for the daily maintenance of the property;
5. Expresses strong concern about the ongoing erosion of the coastline, particularly in the western part of the island, and its effect on the Relais de l'Espadon and other buildings in the area;

6. Also expresses concern about the lack of progress on the conservation of the architectural heritage, and on the development of adequate measures to resolve the problems of squatting and illegal occupation of lands;
7. Encourages the State Party to elaborate a package of proposals to be presented to potential donors to allow it to carry out the implementation of needed conservation works, and requests the World Heritage Centre to assist the State Party in the creation of this package;
8. Reiterates its request to the State Party to appoint a site manager for the property as soon as possible to ensure the implementation of the necessary conservation and management activities;
9. Requests the State Party to invite a joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission to examine progress made on the points above, and in particular possible and ascertained or potential threats of coastal erosion and its effect on the architectural heritage;
10. Also requests the State Party to submit to the World Heritage Centre a report on the state of conservation of the property by **1 February 2011**, with respect to the points above for the consideration of the World Heritage Committee at its 35th session in 2011.

## ARAB STATES

### 54. Ancient Thebes with its Necropolis (Egypt) (C 87)

#### Year of inscription on the World Heritage List

1979

#### Criteria

(i) (iii) (vi)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

**30 COM 7B.46; 31 COM 7B.55; 32 COM 7B.57**

#### International Assistance

Total amount provided to the property: USD 14,000 for technical assistance

#### UNESCO extra-budgetary funds

Total amount provided to the property: USD 1,131,000 from the Japanese Funds-in-Trust 2002-2004 and 2008 (wall paintings restoration).

#### Previous monitoring missions

2001: ICOMOS mission; 2002: hydrology expert mission; July 2006 and May 2007: World Heritage Centre missions; April 2008: World Heritage Centre / ICOMOS mission; May 2009: World Heritage Centre / ICOMOS mission.

#### Main threats identified in previous reports

- a) Raise of the underground water level;
- b) Risks of flooding (Valleys of Kings and Queens);
- c) Absence of a comprehensive management plan;
- d) Major infrastructure and development projects taking place or scheduled;
- e) Uncontrolled urban development;
- f) Housing and agricultural encroachment on the West Bank;
- g) Demolitions in the villages of Gurnah on the West Bank of the Nile and transfer of the population.

#### Illustrative material

<http://whc.unesco.org/en/list/87>

#### Current conservation issues

During its 32nd session, (Quebec City, 2009) the World Heritage Committee reiterated its request to the State Party to revise the design of the Avenue of the sphinxes and its surroundings and to abandon the project of building a landing stage for tourism cruise boats

on the Western Bank of the Nile close to the new bridge, and to limit all such developments to the Eastern Bank. In addition, the Committee reiterated its request to the State Party to prepare and/or finalise the management plans for Karnak, Luxor and the West Bank and to integrate these plans into one comprehensive and coordinated Management plan, including a conservation plan and a tourism control strategy. It also urged the State Party to establish a formal coordination mechanism under the responsibility of the Supreme Council of Antiquities between the latter, the Supreme Council of Luxor, the international scientific teams and other concerned stakeholders, and to hold regular consultations prior to the approval and launching of projects affecting the property and its buffer zone. The Committee invited the State Party to strengthen efforts to restore Hassan Fathy's new Gurnah village and to forward all projects related to the village prior to their approval for review by the World Heritage Committee.

The State Party submitted its state of conservation report on 5 February 2009. The State Party report does not refer to the requests made by the Committee at either its 31st or 32nd sessions, but rather is organized to describe recent activities and initiatives taking place at the property. The report describes general works accomplished in various zones of the property, issues surrounding use of the territory of the temple of Luxor, the villages of Gurnah, the village of Hassan Fathy, the transport system, threats and high level risks in the region of Thebes, and the priorities of the State Party in West Thebes. The major points made in the State Party report include:

- a) current efforts by the Supreme Council of Luxor to relocate the inhabitants of the village of Al Hassasna "camped practically in the archaeological zone north of the temple of Karnak for hundreds of years" in order to reveal important evidence re the use of Karnak in the second century BC;
- b) Further to the disengagement of the area in front of the Temple of Karnak from current use, in order to restore the traditional connection to the Nile, replacement of the current entry point to the temple of Karnak by a modern visitor's centre and demolition of structures associated with the last century of excavation; excepting one witness structure;
- c) development of the Avenue of the sphinxes to link the temples of Karnak and Luxor, recreating the former processional avenue, at the expense of many structures currently in place including residences, a mosque and an Orthodox church. The State Party report notes that "Egypt, always with the same perspective of site management, sees that it is obligatory to unblock this section of the route and to reconstitute the processional axis of the Pharaonic era". The report acknowledges that all recent monitoring visits have been opposed to this approach ;
- d) relocation of the corniche route to the Temple of Luxor necessitating the recovery of several "metres" of existing structures (the Luxor Museum, and Chicago House);
- e) examination of a new tourist boat Marina on the west bank of the Nile, proposed by the Council of Luxor, and which without careful development and management could become the core of new touristic development threatening the World Heritage value of the property;
- f) efforts since 2007 to revitalize and restore the celebrated modern vernacular village of Hassan Fathy;
- g) current physical problems challenging the property, including changes to the water table, geological instability in the Valley of the Kings, and increasingly menacing torrential rains. The report describes proactive approaches to improving conservation of the Theban tombs and temples.

A joint World Heritage Centre/ICOMOS mission took place from 8 to 12 May 2009. The mission had a very constructive dialogue with the local authorities on the on-going urban projects. The mission considered that these projects will remove the major factors of environmental risk and pollution from the city centre, re-establishing the view on the Luxor

temples from the river, and upgrading the urban front of the Corniche along the Nile. The suggestions on the implementation of the following phases of the interventions were agreed as well as the development of a project proposal for the safeguarding of the Hassan Fathy New Gurnah village. The principal recommendations of the mission are the following:

*a) The Corniche project*

The mission considered it was important to avoid any widening of the two lane vehicular road along the riverbank, to upgrade the existing riverbank as a promenade, and to further study specific site conditions along its length, to be sure that treatment proposed matches both visual and technical needs, in front of both Karnak and Luxor Temples. In particular, the planned works will give the opportunity to find more appropriate solutions to technical problems, as the existing concrete retaining walls at the Luxor Temple that, preventing the natural drainage of underground waters towards the river, represents a danger for the conservation of the site.

*b) The Avenue of the sphinxes*

The mission noted that the demolition of houses along the planned Avenue of the Sphinxes has been carried out without an objective assessment of significance, and that it was important to maintain connections between all of the architectural layers of the city. The mission recommended strongly a number of interesting buildings to be maintained, including a minaret and a church, whereas the main urban fabric of the neighbourhood to be eliminated does not constitute any heritage value. On the contrary the neighbourhood's physical and socio-cultural elements are fully degraded. A revised overall plan for the Avenue's scheme needs to be developed, setting out the full rationale/vision and the evidence on which it is based, as well as a multi-disciplinary approach.

*c) The Marina project*

The mission while satisfied with the justification for plans to relocate the boat landing stage to the west bank of the river recognized that this plan could, if not constrained, foster undesirable new urban and tourist development on the west bank. To this end, the mission recommended establishing a buffer zone for the World Heritage property on the west bank of the river, to protect the property from over development of the marina.

*d) Hassan Fathy's New Gurnah Village.*

The mission recommended stopping on-going building activity inside the village area, establishing immediately protective measures for the safeguarding of the existing buildings, and establishing a buffer area linked to the original plan of the village, to control undesirable transformations. The mission further recommended initiating appropriate studies to investigate how New Gurnah might be linked formally to the attributes of the property's Outstanding Universal Value.

The World Heritage Centre and the Advisory Bodies remain concerned that the approach to the long term rehabilitation of the site thus far – cleansing the site of historic and contemporary structures and layers extraneous to the Pharaonic period – has a lack of historical accuracy and a potential negative impact on the cultural context and integrity of the property.

However, while appreciating the State Party's desire to present the property in a visually dramatic way, they strongly recommend that, before the cleansing of these layers of later heritage is complete, the State Party organises an international consultation in order to design the projects and plans which could highlight and present the property's Outstanding Universal Value. The World Heritage Centre and the Advisory Bodies would be very pleased to support such an event.

**Draft Decision:      33 COM 7B.54**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.57**, adopted at its 32nd session (Quebec City, 2008),
3. Regrets that the detailed state of conservation report provided by the State Party does not respond to many of the requests made by the Committee in its decisions of the 31st and 32nd sessions:
  - a) Revision of the design of the Avenue of the sphinxes and its surroundings;
  - b) Preparation and/or finalisation of the management plans for Karnak, Luxor and the West Bank and integration of these plans into one comprehensive and coordinated Management plan, including conservation plans for individual site elements and a tourism control strategy;
  - c) Establishment of a formal coordination mechanism under the responsibility of the Supreme Council of Antiquities to review all projects with the potential to affect the property and its buffer zone;
  - d) Development in consultation with the World Heritage Centre and the Advisory Bodies, a draft Statement of Outstanding Universal Value, including the conditions of integrity and authenticity, as a central part of the establishment of the management plan and related co-ordinated mechanisms;
4. Accepts the arguments offered by the State Party and the recent mission to relocate the landing stage for cruise boats to the west bank of the Nile, with the constraint that a buffer zone be developed for the West Bank to limit new developments;
5. Urges the State Party to adopt the recommendations made by the recent joint reactive monitoring mission as summarized in the report above, concerning the development of the Corniche, the Avenue of the sphinxes, the Marina project, the Hassan Fathy New Gurnah Village, and in particular requests the State Party to submit a revised proposal for the Avenue of the Sphinxes' project, with appropriate details of a long-term vision, and the multi-disciplinary evidence and justification on which it is based;
6. Suggests that the State Party organises an international consultation in order to design projects and plans to highlight and present the property's Outstanding Universal Value;
7. Also requests the State Party to submit to the World Heritage Centre, **by 1 February 2010**, a detailed progress report on the implementation of the above, for examination by the World Heritage Committee at its 34th session in 2010.

## 57. Tyr (Lebanon) (C 299)

### Year of inscription on the List of World Heritage

1984

### Criteria

(i) (iii)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**30 COM 7B.52; 31 COM 7B.62; 32 COM 7B.60**

### International Assistance

Total amount provided to the property: USD 20,000 for Technical Assistance in 2001

### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 19,173 from 1997 to 2001 for the International Safeguarding Campaign

### Previous monitoring missions

2004: Evaluation mission by the UNESCO Beirut Office; September 2006: UNESCO mission following the 2006 summer conflict; February 2009: World Heritage Centre/ICOMOS mission

### Main threats identified in previous reports

- a) Major, and often illegal, urban development;
- b) Major highway development near the property and the redevelopment of the port
- c) Unplanned tourism development;
- d) Lack of management and conservation plans;
- e) Insufficient maintenance.

### Illustrative material

<http://whc.unesco.org/en/list/299>

### Current conservation issues

The World Heritage Committee during its 32nd session (Quebec City, 2008) regretted that the State Party had not submitted the report requested at its 31st session (Christchurch, 2007), and in particular requested the State Party, to provide a detailed topographical map with geographic coordinates indicating the boundaries of the property, and if possible those of its buffer zone by 1 December 2008, and in consultation with the World Heritage Centre and the Advisory Bodies, to develop a draft Statement of Outstanding Universal Value, including the conditions of integrity and authenticity. The World Heritage Committee also reiterated its request to the State Party to invite a joint World Heritage Centre / ICOMOS reactive monitoring mission to evaluate the impact of projects in progress and envisaged.

The mission took place from 16 to 20 February 2009. The terms of reference of the mission included examining the state of conservation of the property and the status of various

recommendations made by the World Heritage Committee from its 28th session through its 32nd session, including evaluation of major infrastructure projects, mapping projects (locating archaeological features, sources of structural risks) and planned consolidation activities. The aim was to assess any damage to the Outstanding Universal Value, and associated integrity and authenticity, for which the property was inscribed on the World Heritage List, as well as indications of improvement in the conservation of the property since the last report to the World Heritage Committee. The mission report provides a comprehensive overview of the situation of the property over the last 25 years up to the present day.

The mission report describes in detail the difficulties suffered by the property since its inscription in 1984, given the period of war in the country (1975-1991) and risks incurred more recently as a result of both major development projects aimed at improving local infrastructure, and the 2006 conflict. The long period of instability has meant that the authorities have had difficulties to develop sustainable approaches to site management, and also that there have been long periods when the authorities lacked the capacity to control development adjacent to and within the property. The mission report also highlights the many difficulties inherent in managing a site which partly underlies the historic centre of Tyre and the modern town of Soûr, and whose ancient northern harbor is also beneath the modern town, and additionally, where nearby underwater remains probably constitute a drowned quarter of the ancient city.

Major long term conservation and management difficulties were noted, including the following:

- a) The extent of the property was not fully specified on inscription;
- b) Construction of many high rise buildings took place during the war period in the vicinity of the property;
- c) Insufficient number of key personnel and overlapping responsibilities in jurisdiction and an outdated legal framework have hindered co-operation in property management;
- d) Requirements and procedures laid out in the *Operational Guidelines* are little known to those involved;
- e) From 1995, proposals to modernize the historic fishing harbor have threatened underwater archaeology resources associated with this property; to protect these resources, a maritime protection zone had been proposed since 2004 to the Ministry of Public Works and Transport without success;
- f) A proposal to build a highway 2 km. to the east of the site's hippodrome has been under discussion by the World Heritage Committee for many years. During this period, the World Heritage Committee has regularly been requesting a comprehensive archaeological map indicating the physical remains and designated protection zones. While the State Party has explained that an archaeological map is under preparation, the mission was able to determine that a lack of basic information and a lack of resources to implement the planned system were hindering this work.

The mission report also noted the results – both positive and negative - of more recent measures taken to improve the management system:

- a) Since 2007 efforts have been intensified to create new posts for the management and conservation of cultural heritage within the Ministry of Culture;
- b) A revision of the national cultural policy and the new structure for the Directorate of Antiquities is under parliamentary discussion;

- c) The State Party has reported that a protection scheme for archaeological areas exists as well as an Urban Plan (revised in 1998 and 2003) that is used to manage the buffer zone of the designated archaeological area;
- d) Continuing urban development pressure is difficult to resist: while the archaeological potential of development sites is investigated in advance, a three year moratorium on construction projects in Tyre ended in 2008 and has not been renewed though requested by the Directorate of Antiquities;
- e) Concerning the planned highway, while the Directorate of Antiquities has secured relocation of an interchange which would have destroyed a set of rock cut Roman tombs, geophysical surveys undertaken have only covered a small area of the planned route to date. Clearly, some parts of the planned route will impact on features associated with the Outstanding Universal Value of the property, including remains of the aqueduct and the ancient Necropolis. The mission notes in particular that an environmental impact study has not been included in the planning of the highway;
- f) Original plans to restructure the entire fishing harbour have been altered and a tourist marina for small ships which does not impact on the underwater remains is now being developed;
- g) The State Party has successfully realized a "Cultural Heritage and Urban Development" (CHUD) project for the restoration of the Old City Centre of Tyre in the direct vicinity of the property. It has now established a Centre of Submarine Archaeology in Tyre within the project, and has developed plans for improving site infrastructure and services.
  - i) The First phase of the Archaeological Component of the CHUD project involves emergency consolidation to be carried out in 2009-2010 on selected archaeological remains in Tyre. The Second phase (2010-2012) will focus on the definition and presentation of the Outstanding Universal Value of the site for residents and visitors,
  - ii) While the mission noted the high quality of the damage assessment reports undertaken by the consultant to the CHUD project, the mission also noted the importance in the World Heritage context of conservation measures that maintain authenticity,
  - iii) From a site planning and management perspective, the mission particularly regretted that the proposed CHUD restoration and site planning measures planned for execution in 2009 have not been presented in an overall conservation strategy plan before tendering the work,
- h) The mission also regretted that no progress has been made in elaborating a management plan for the site, building upon the great amount of data acquired by the consultants working on the property under the CHUD project;
- i) While the 2006 military conflict did not cause damage to the site (although a bomb strike took place close to the archaeological remains), the difficult security situation in the south of the country exacerbates socio-cultural tensions and impedes meaningful stakeholder involvement in site management and planning, and in building necessary awareness.

The mission's major recommendations included the following:

- a) Encouraging the State Party to provide sufficient support and staff resources to the national Directorate of Antiquities so that it can fulfill its mandate;
- b) Encouraging the State Party to bring into effect the maritime protection zone proposed by the Directorate of Antiquities;
- c) Encouraging the State Party to extend the three-year urban development moratorium period, and similarly placing a moratorium on the planned highway construction until the completion of the archaeological map recordings;

- d) Requesting from the State Party a comprehensive management plan for the World Heritage property including delineation of the property, buffer zone, conservation strategy, short and long term action plan, and traffic plan;
- e) Supporting the Directorate of Antiquities to prepare comprehensive documentation of the archaeological remains of ancient Tyre;
- f) Supporting the Directorate of Antiquities in its efforts to complete a comprehensive archaeological prospection (magnetic and geo-radar) of the planned route of the highway and its adjunct territory.

The World Heritage Centre and the Advisory Bodies are concerned by the findings of the recent mission. In order to address the above issues, some of which pose a considerable threat to the property, the World Heritage Centre and the Advisory Bodies suggest that there is an urgent need for a defined 'recovery' programme and that such a programme could be developed in a mission designed for this purpose to take place as soon as possible after the 33rd session of the World Heritage Committee. The results of this endeavour including efforts to identify funds which could be devoted to this purpose could be reported to the World Heritage Committee during its 34th session.

**Draft Decision:      33 COM 7B.57**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.60** adopted at its 32nd session (Quebec City, 2008),*
3. *Regrets that the State Party has not submitted the report requested by the World Heritage Committee at its 32nd session;*
4. *Notes with great regret the many difficulties being experienced by the State Party in protecting the Outstanding Universal Value of the property, as identified in the World Heritage Centre/ICOMOS joint reactive monitoring mission of 16-20 February 2009;*
5. *Requests the State Party to invite a joint World Heritage Centre / ICOMOS monitoring mission to the property to help the State Party develop a recovery programme to address the key issues identified by this report and the previous requests of the Committee;*
6. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to prepare a recovery programme, as set out above, for examination by the World Heritage Committee at its 34th session in 2010.*

## 58. Archaeological Site of Cyrene (Libyan Arab Jamahiriya) (C 190)

### Year of inscription on the World Heritage List

1982

### Criteria

(ii) (iii) (vi)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**28 COM 15B.49; 30 COM 7B.53; 31COM 7B.63**

### International Assistance

N/A

### UNESCO extra-budgetary funds

N/A

### Previous monitoring missions

January 2007: Joint World Heritage Centre/ICOMOS mission; August 2008: World Heritage Centre mission.

### Main threats identified in previous reports

- a) Need to complete the management plan in order to co-ordinate actions in the short- and medium-term;
- b) Need to provide a detailed map at the appropriate scale showing the boundaries of the property and buffer zone;
- c) Threat to rock-hewn monumental tombs as a result of inadequate protection, leading to vandalism and the development of agricultural activities in the rural zone and urban constructions;
- d) Inappropriate earlier restoration work ;
- e) Problem of discharge of sewage from the modern town into the Wadi Bel Ghadir;
- f) Inadequate on-site security and control systems;
- g) Need for a presentation and interpretation system for visitors and the local population.

### Illustrative material

<http://whc.unesco.org/en/list/190>

### Current conservation issues

At its 31st session (Christchurch, 2007), the World Heritage Committee specifically requested the State Party to complete the management plan, provide a map indicating the exact boundaries of the property, to inform the World Heritage Centre of any new project, like the implanatation of a new urban centre adjacent to Shahat. It also requested to strengthen the staff of the Department of Antiquities in the field and to avoid all aggressive cleaning and

restoration of the monuments that might have a negative impact on the authenticity and integrity of the property.

In August 2008, the World Heritage Centre took part in a Global Heritage Fund mission, in an observer capacity, in the framework of the preparation of the management plan for the property by this non-governmental organization, at the request of the Libyan authorities.

At the time of preparation of this document, no report has been submitted by the State Party and no recent information has otherwise been received.

The World Heritage Centre and the Advisory Bodies are concerned by the lack of management arrangements for the property, including security and control for the protection of the monuments, the need for adequate conservation and interpretation measures, as well as capacity building with a view to addressing the overall conservation issues and management of the property.

**Draft Decision:      33 COM 7B.58**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B Add,
2. Recalling Decision **31 COM 7B.63**, adopted at its 31st session (Christchurch, 2007),
3. Regrets that the State Party has not submitted a report on the state of conservation of the property and the implementation of its recommendations, nor a map indicating the boundaries of the property;
4. Strongly urges the State Party to implement the measures recommended by the joint World Heritage Centre/ICOMOS mission of January 2007 and its earlier decisions;
5. Requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and the implementation of its Decision **31 COM 7B.63**, for examination by the World Heritage Committee at its 34th session in 2010.

**59. Ancient Ksour of Ouadane, Chinguetti, Tichitt and Oualata (Mauritania) (C 750)**

Year of inscription on the World Heritage List

1996

Criteria

(iii) (iv) (v)

Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**29 COM 7B.103; 30 COM 7B.54; 31 COM 7B.64**

### International Assistance

Total amount provided to the property: USD 117,069 for Preparatory and Emergency Assistance, Technical Cooperation and Promotion.

### UNESCO extra-budgetary funds

Total amount provided to the property: USD 44,166 in the framework of the France-UNESCO Convention; USD 40,860 for the supervision of the World Bank-Mauritanian Government-UNESCO tripartite project (USD 1,245,000).

### Previous monitoring missions

April 2001: World Heritage Centre mission; 2002 to 2004: six World Heritage Centre missions in the framework of the World Bank project; December 2006: France-UNESCO mission and joint ICOMOS-World Heritage Centre mission.

### Main threats identified in previous reports

- a) Socio-economic and climatic changes;
- b) Gradual abandonment of the towns;
- c) Transformations made to houses affecting their authenticity;
- d) Tourism pressure;
- e) No technical conservation capacities;
- f) No management mechanism (including legal);
- g) Lack of human and financial resources;
- h) Weak institutional coordination.

### Illustrative material

<http://whc.unesco.org/en/list/750>

### Current conservation issues

At its 31st session (Christchurch, 2007), the World Heritage Committee in particular requested that the State Party put in place local management mechanisms with adequate human and financial resources. It also encouraged it to submit an International Assistance Request with a view to strengthening the management and conservation capacities.

At the time of preparation of this document, no report has been transmitted by the State Party and no recent information has otherwise been received.

The World Heritage Centre and the Advisory Bodies remain concerned by the lack of legal and regulatory measures for the property, the implementation of efficient management arrangements, including the adoption of planning and capacity building tools for its appropriate conservation.

**Draft Decision:      33 COM 7B.59**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.64**, adopted at its 31st session (Christchurch, 2007),*
3. *Regrets that the State Party has not submitted a state of conservation report for the property and implementation of its recommendations;*
4. *Strongly urges the State Party to implement its earlier recommendations;*
5. *Requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and implementation of its Decision **31 COM 7B.64**, for examination by the World Heritage Committee at its 34th session in 2010.*

## ASIA-PACIFIC

### 65. Temple of Preah Vihear (Cambodia) (C 1224 rev)

#### Year of inscription on the World Heritage List

2008

#### Criteria

(i)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

**31 COM 8B.24; 32 COM 8B.102**

#### International Assistance

Total amount provided to the property: USD 30,000 for Conservation and Management in 2009.

#### UNESCO Extra-budgetary Funds

Total amount provided to the property: EUR 30,500 under the UNESCO-France Cooperation Agreement (including EUR 18,500 for the preparation of the nomination dossier and EUR 12,000 as Technical Cooperation).

#### Previous monitoring missions

March/April 2009, joint UNESCO/ICOMOS reinforced monitoring mission

#### Main threats identified in previous reports

N/A

#### Illustrative material

<http://whc.unesco.org/en/list/1224>

#### Current conservation issues

At its 32nd session in 2008 (Quebec, Canada), the Committee inscribed the “Temple of Preah Vihear” on the World Heritage List under criterion (i) (Decision **32 COM 8B.102**). The inscribed property has a much reduced perimeter with respect to that proposed in the original nomination, which had been examined by the World Heritage Committee at its 31st Session in 2007.

In its Decision, the Committee encouraged the State Party of Cambodia “to collaborate with Thailand for safeguarding the value of the property”, and “agreed that it would be desirable in the future to reflect its full values and landscape setting through a possible additional inscription to the World Heritage List that could capture criteria (iii) and (iv), which had been recognized by the Committee in its Decision **31 COM 8B.24**”. Moreover, the Committee requested Cambodia to “convene an international coordinating committee for the safeguarding and development of the property no later than February 2009, inviting the

participation of the Government of Thailand and not more than seven other appropriate international partners". The Committee also requested Cambodia to submit to the World Heritage Centre, by 1 February 2009: a) a provisional map providing additional details of the inscribed property; b) an updated Nomination dossier to reflect the changes made to its perimeter; c) confirmation that the management zone for the property will include the inscribed property and buffer zone identified in the RGPP; and d) a progress report on the preparation of the management plan.

A few days after the inscription of the property on the World Heritage List (7 July 2008), troops from both countries were rapidly deployed in the area near the Temple of Preah Vihear and the World Heritage property was closed to tourists. During the months of July, August and September, various attempts for a negotiation took place, however no substantial progress was made.

In view of the special circumstances, the State party of Cambodia requested, by letter addressed to the Chairperson of the World Heritage Committee dated 15 September 2008, to delay the submission of the report due for 1 February 2009 until 1 February 2010. The Chairperson of the Committee, in her response dated 8 October 2008, invited the State Party of Cambodia to submit a report on 1<sup>st</sup> May 2009, taking into consideration the need to keep the Committee informed of the progress being made at the property. The report from the State Party of Cambodia was eventually submitted on 24 April 2009.

On 3 October 2008, there was a short exchange of fire between Thai and Cambodian troops near the Preah Vihear Temple. Soldiers from both sides were reportedly injured. On 6 October, two Thai soldiers were severely wounded while stepping on landmines, near the Temple. On the afternoon of 15 October, fighting erupted in 3 different locations near the Temple of Preah Vihear, including rocket firing. Three Cambodian soldiers were eventually confirmed dead and four to seven Thai soldiers were said to be injured. Ten Thai soldiers were also declared missing while Cambodia claimed to have taken them prisoners.

Subsequently, negotiations between the two parties resumed, although amidst mutual accusations, including of having caused damage to the World Heritage property. These were reflected in a letter, addressed by the Ambassador of Thailand to UNESCO to the Director-General of UNESCO, dated 30 October 2008, enclosing a report on the incident of 15 October, as well as by a letter, by the Vice-Prime Minister of Cambodia to the Director-General of UNESCO, dated 12 November 2008, also enclosing a report on the incident of 15 October. The latter report contained pictures of architectural elements of the Temple allegedly hit by stray bullets and damaged. In his letter, the Vice-Prime Minister of Cambodia requested UNESCO to dispatch a mission to the site, aimed at investigating the matter.

In another letter addressed to the Chairperson of the Committee by the State Party of Cambodia, dated 8 December, the latter stated that it was ready to convene an international coordinating committee (ICC), as requested by the Committee in its Decision **32 COM 8B.102**, and requested the Chairperson's point of view on the opportunity to proceed. The Chairperson, noting that the convening of an ICC would contribute to "strengthening the international cooperation for the safeguarding of the Temple", invited the Cambodian authorities to contact the World Heritage Centre to discuss the most appropriate modalities for its establishment.

By letter dated 30 December 2008, the Director-General of UNESCO informed the Cambodian authorities of his decision to activate the Reinforced monitoring Mechanism and to send a mission to the World Heritage property "as soon as possible". In his letter, the Director-General clarified that the objective of the mission would be strictly limited to the assessment of the state of conservation of the World Heritage property, including with respect to the incident of 15 October 2008, and without attempting to determine the dynamics of events or the responsibilities of the parties involved. The mission, moreover, would provide an opportunity to review the progress made in the implementation of the recommendations contained in paragraph 15 of Decision **32 COM 8B.102**. The Reinforced

monitoring mission took place from 28 March to 6 April 2009, and was conducted by the Programme Specialist for Culture of the UNESCO Office in Phnom Penh and by an ICOMOS expert.

It should be noted that the Chairperson of the Committee had also approved, on 30 January 2009, a request for International Assistance (under Conservation and Management) for the amount of USD 30,000, aimed at supporting the Cambodian responsible authorities in the implementation of the recommendations made by the Committee. The relative funds were decentralised to the UNESCO Office in Phnom Penh for implementation on 5 February 2009.

On 2 and 3 April, immediately after the Reinforced monitoring mission had left the area, a new, violent incident occurred at Preah Vihear between Thai and Cambodian soldiers, involving several casualties among the troops, the destruction of properties (a local market and the premises of the National Authority for the Preservation of Preah Vihear) and the relocation of civilians which were settled in the vicinity of the Temple.

On 5 April, the Vice Prime Minister of Cambodia addressed a new letter to the Director-General of UNESCO informing him of the events and the consequences at the Temple. This was followed a few days later by photographic and video documentation. Subsequently, the State Party of Cambodia addressed a request of financial support to UNESCO, under the Participation Programme, for rehabilitating the infrastructure that had been destroyed during the armed incident of 2/3 April.

The World Heritage Centre and ICOMOS have reviewed the Report submitted by the State Party on 24 April. With respect to the items requested by the World Heritage Committee in its Decision **32 COM 8B.102**, the Report of the State Party outlines progress as follows:

*a) Map providing additional details of the inscribed property and a map delineating the buffer zone*

A map was submitted in the report presented by the State Party. This includes precise coordinates of the perimeter of the inscribed property as well as of a perimeter for the buffer zone. The buffer zone proposed by the State Party does not include the areas to the north and west of the Temple which are the subject of a territorial dispute with Thailand. In this regard, the State Party notes that this zoning is to be intended as provisional and that a final zoning “will be fixed according to the results on the border demarcation of the Joint Boundary Commission between Cambodia and Thailand”.

*b) An updated Nomination File to reflect the changes made to the perimeter of the property*

The report of the State Party contains a clarification on the property’s boundaries, and the reasons for their modification. An updated Nomination File which would correspond – in all its sections – to the area actually inscribed, is therefore still to be prepared and submitted.

*c) Confirmation that the management zone for the property will include the inscribed property and the buffer zone identified in the Revised Graphic Plan of the Property (RGPP)*

The State Party Report confirms that “the management zone for the property will include the inscribed property and the buffer zone identified in the RGPP” (whose perimeters have been clarified by the State Party through its report presented in April 2009).

*d) Progress report on the development of a management plan*

The State Party report contains a document entitled “Management Plan for the World Heritage nominated site of the Temple of Preah Vihear”. This document - still at a draft stage of elaboration – provides an overall framework for the management of the site, defining guiding principles, identifying conservation issues and corresponding management

objectives, and outlining a legal, institutional, administrative and financial set up for their implementation.

No reference to the convening of an International Coordinating Committee is made in the State Party Report.

At the time of drafting of the present report (26 May 2009), only a preliminary draft of the Report of the Reinforced monitoring mission has been received by the World Heritage Centre. From this preliminary draft, it appears that the Cambodian authorities decided to combine the Reinforced monitoring mission with a visit by some international experts in the framework of the technical assistance mission supported through the World Heritage Fund. The two teams were brought together to the area of the Temple and accompanied by militaries, including the Cambodian Prime Ministers Bodyguard Unit (PMBU).

Based on the preliminary draft mission report, and judging from the photographs contained in the report submitted by the Cambodian authorities on 12 November, the damage occurred at the Temple of Preah Vihear as a result of the shooting incident of 15 October 2008 appears relatively minor. However, the continuous presence of troops around the property entails a risk of possible further incidents and hampers the implementation of the recommendations made by the Committee for the strengthening of the protection and management of the World Heritage property. Following the latest incident of 2 and 3 April, moreover, no further independent monitoring of the state of conservation of the Temple could be carried out.

A more comprehensive assessment of the situation will be possible once the Report of the Reinforced monitoring mission has been finalized.

**Draft Decision:      33 COM 7B.74**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decisions **31 COM 8B.24** and **32 COM 8B.102**, adopted at its 31st session (Christchurch, 2007) and 32nd Session (Quebec City, 2008) respectively,*
3. *Notes the developments that have occurred at the property since its inscription on the World Heritage List, the information contained in the State Party report and the preliminary findings of the Reinforced monitoring mission;*
4. *Requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the progress made in the implementation of the recommendations by the Committee in its Decision **32 COM 8B.102**, for the examination by the World Heritage Committee at its 34th session in 2010.*

## 70. Champaner-Pavagadh Archaeological Park (India) (C 1101)

### Year of inscription on the World Heritage List

2004

### Criteria

(iii) (iv) (v) (vi)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**28 COM 14B.26; 29 COM 7B.51; 31 COM 7B.79**

### International Assistance

N/A

### UNESCO Extra-budgetary Funds

N/A

### Previous monitoring missions

N/A

### Main threats identified in previous reports

Lack of management structure and management plan

### Illustrative material

<http://whc.unesco.org/en/list/1101>

### Current conservation issues

At its 31st session, the World Heritage Committee requested the State Party to submit a progress report on the preparation of a management plan for the property to the World Heritage Centre by 1 February 2009, for consideration by the World Heritage Committee at its 33rd session in 2009.

On 12 May 2009, the State Party submitted a state of conservation report. A major portion of this report is dedicated to the conservation work carried out on individual buildings of the property. The report makes no reference to the progress made on the preparation of the management plan requested by the World Heritage Committee.

The World Heritage Centre and the Advisory Bodies note the extensive work carried out at different monuments composing the property. They are however concerned about the lack of progress in the finalisation and the adoption of the management plan requested by the World Heritage Committee that would provide a comprehensive framework underpinning decisions about conservation actions, including interventions on individual buildings scattered throughout a large geographical area.

**Draft Decision:      33 COM 7B.70**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **31 COM 7B.79**, adopted at its 31st session (Christchurch, 2007),
3. Regrets that the State Party did not yet finalise and adopt the management plan, developed with full involvement of the established management authority, and built around a Statement of Outstanding Universal Value, to ensure the integrated conservation of the property;
4. Urges the State Party to submit to the World Heritage Centre, by **1 February 2010**, the adopted management plan in three printed and electronic copies;
5. Also urges the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed progress report on the implementation of the management plan, for examination by the World Heritage Committee at its 34th session in 2010.

**78. Melaka and George Town: Historic Cities of the Straits of Malacca (Malaysia) (C 1223)**

Year of inscription on the World Heritage List

2008

Criteria

(ii) (iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**32 COM 8B.25**

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

N/A

### Main threats identified in previous reports

N/A

### Illustrative material

<http://whc.unesco.org/en/list/1223>

### Current conservation issues

The property of Melaka and George Town: Historic Cities of the Straits of Malacca was inscribed on the World Heritage List by the World Heritage Committee at its 32nd session in July 2008 (Quebec City, Canada). At the time of inscription, the World Heritage Committee asked the State Party to: submit a comprehensive conservation plan dealing with all the buildings and its schedule for implementation in both cities; develop measures for decreasing motor traffic; and improve the definition of key indicators for monitoring the architectural heritage components.

In November 2008, the World Heritage Centre received information through media reports concerning four hotel development projects in George Town, two of which are within the World Heritage property and two in its buffer zone. According to these reports, these projects involved the construction of high-rise buildings (from 12 to 28 floors) with potential negative impacts on the heritage value of the site. The World Heritage Centre addressed a letter to the State Party on 16 December 2008 requesting detailed information on these development proposals as well as the comments of the Malaysian authorities. On 3 February 2009, the World Heritage Centre received a report from the State Party containing information on two of the four projects (those which had already begun the construction) including an assessment of their heritage impact (HIAs) conducted by two experts commissioned by the State Party. The report contained also explanations on the legal process that had led to the approval of these projects in the context of the nomination of the property for World Heritage inscription. The contents of this report were also presented orally by the State Party to the World Heritage Centre during a meeting in Paris on 25 February 2009.

According to the report submitted by the State Party, these projects had been submitted and approved long before the elaboration of the proposal for the inscription of George Town on the World Heritage List. Because of this, these projects were not in conformity with the regulations, contained in the *Guidelines for Conservation Areas and Historic Buildings* (hereinafter the Guidelines) annexed to the Nomination File submitted in January 2007, prescribing for George Town a maximum height of 18 metres both within the World Heritage property and in the buffer zone. According to the State Party report, the local authorities were therefore legally bound to allow their construction, by virtue of the right acquired by the developer through the planning approval given to their applications. The State Party report also clarified that, following the submission of the Nomination File (but before inscription), these *Guidelines* had been modified by the introduction of a provision allowing for the construction of buildings higher than 18 metres, within the World Heritage property and its buffer zone, for land plots larger than 50,000 square feet and located next to buildings more than five storey high. This provision provided the new proposed developments with a legal basis for approval, given that these two conditions applied to all four cases. Despite this, the State Party had engaged the developers into a dialogue with a view to convincing them to modify the projects and reduce their heights, which they had in part agreed to. Conscious of the need for consultations with UNESCO and the World Heritage Committee, the State Party had also requested the developers of the two ongoing projects to halt work at the site, in spite of the significant costs involved.

In view of the urgency of the situation, and at the invitation of the State Party, the World Heritage Centre and ICOMOS carried out an advisory monitoring mission in order to clarify the process that had led to the four controversial projects, review these and assess their impact on the World Heritage property. This mission, which took place from 26 to 30 April

2009, reviewed the four proposed projects and held extensive consultations with the local and central authorities as well as with the developers. Its findings can be summarized as follows:

#### *a) Process*

With regard to the process that had led to the proposed developments, the mission noted that of the four projects in question, only one, in the buffer zone (i.e. extension of Eastern & Oriental Hotel by way of a 28 storey apartment block) had actually an established legal right to build at the time of the submission of the Nomination File, in January 2007. The approvals for all others – granted many years before - had in fact expired at that point, forcing the developers to submit a new proposal. In some cases the new applications were for a higher building. The City Council could have rejected any of the new applications without any legal consequences. Indeed, the technical staff of the City Council had recommended not approving these proposals, since they were in contradiction with the 18 metres height limit established in the *Guidelines* which were in use at the time. The developers, however, appealed to the State Planning Committee, the highest planning authority for the State of Penang, which overruled the Council and upheld the appeals, meaning that the City Council had no legal option but to issue the planning approvals. This took place after the submission of the Nomination File, but before the inscription of the property on the World Heritage List (July 2008). At the same time (August 2007), the State Planning Committee introduced the above-mentioned provision allowing for exceptions to the 18 metres height limit. No specific information was provided about these projects or the subsequent modification of the *Guidelines* in the Nomination File and supplementary documents prepared by the State Party. Unaware of this information, ICOMOS concluded, in its evaluation presented to the World Heritage Committee, that “the protective measures for the property (were) adequate”. The property was then inscribed on the World Heritage List.

The lack of information on the four development projects and the discrepancy between the set of regulations contained in the Nomination File and the approvals granted by the City authorities (and the new provisions allowing exceptions to the 18 metres height limit) were explained to the mission as a misunderstanding of the procedures of the *World Heritage Convention*.

At present, all developers have obtained the right to develop in accordance with their planning approvals and intend to do so. They are threatening to take the authorities to Court and demand very substantial financial compensations – which the City Council claims to be well beyond its reach - should they be forced to stop the work and abandon their projects. It is important to stress that the current *Guidelines* continue to allow for buildings higher than 18 metres provided that the two above-mentioned conditions are fulfilled, although the State Party has expressed its intention to remove this provision from the *Guidelines*. The State Party has also informed the mission about its decision to prepare Special Area Plans, which will provide guidance for planning and conservation at a lower scale and higher degree of detail. No specific timeframe was provided for their completion.

An additional issue identified by the mission is that in the current system there is no provision for the Federal Government (i.e. the State Party) to influence decisions taken by the State authorities either in George Town and Melaka.

#### *b) The four projects and their impact*

Following detailed visual analysis of the four projects it is evident that the nature and degree of impacts on the Outstanding Universal Value is very different in each case. Two of the four projects are already in construction phase. One of these, known as the Boustead project, is

within the inscribed property while the other project, known as the Eastern & Oriental (E&O) project, is within the buffer zone.

Of the other two projects which have been approved, one, known as the AGB project, is within the inscribed property while the other, known as the Bintang project, is located within the buffer zone.

The Boustead project is for the construction of a 12 storey hotel immediately behind a row of two and three storey historic buildings facing the harbour front in the vicinity of the ferry piers. Restoration of the historic buildings and construction of the lower levels of the new building is well underway. While some changes have been made to the design of the new building in response to the recommendations of the commissioned heritage impact assessments (HIAs), the major concern with this development remains its height and bulk given its prominent location on a major road and its adverse impact on views from the harbour, in particular, as one approaches Georgetown on the ferry from the mainland. The 12 storey height exacerbates the impact of similarly-scaled towers on either side of it and, due to the limited setback, overscales the historic buildings in its foreground. These impacts are considered to harm the Outstanding Universal Value.

The E&O project is for a 15 storey building located next to the existing E&O hotel on the northern edge of the buffer zone facing the water. While other heritage listed buildings are within the vicinity, the potential impact of the proposal is limited due to the presence of existing buildings of similar height which effectively screen the tower from views within the inscribed property. The current proposal is substantially lower than the 28 storey project that was approved and further changes have been made following the preparation of the HIAs and successful negotiations between the Council and the developers. Importantly, the tower has been set back some 5 metres above the podium which is at a similar height to other buildings along the street and, notwithstanding that this is one of the major approach roads to the inscribed property, the overall impact of the development is not considered to cause significant harm to Outstanding Universal Value.

The AGB development is located in one of the most sensitive areas of the inscribed property, immediately alongside the clock tower of the former Railway building (and later Customs House) which is one of the most important landmarks within Georgetown. The site also faces the waterfront near the ferry piers and extends back to Beach Street which is a major road with an important historic scale and character. The approved development comprises 6 towers up to 13 storeys in height. A revised proposal, prepared following the World Heritage inscription and negotiations between the developer and Council, proposes 3 towers of similar height. Both the approved and revised proposals would have major impacts on important views of Georgetown from the water and from within the inscribed property. Both alternatives would visually dominate the important clock tower and both would also adversely impact on historic buildings fronting Beach Street and on the streetscape itself. If constructed, the project would significantly impact on the Outstanding Universal Value of the inscribed property.

The approved Bintang development is for a 23 storey hotel located in the north-west (outer) corner of the buffer zone adjacent to the harbour. The site is adjoined on either side by a low scaled historic residence and opposite lies a former school building in an advanced state of deterioration. Notwithstanding that the site has an historic context, it is located on the outer extremity of the buffer zone and within the vicinity of other tall buildings which were the basis of the successful planning appeal to the State Planning Committee (SPC) which resulted in planning approval. Visual analysis confirms that while the development would be visible from within certain parts of the inscribed property its impact on the Outstanding Universal Value would be relatively minor given the distances involved and the screening effects of existing buildings.

The City and State authorities have expressed to the mission their readiness to continue exploring alternative solutions that would address the above concerns, as well as to review

and strengthen the current legal framework for the conservation and management of George Town.

The World Heritage Centre and ICOMOS take note of the spirit of genuine cooperation and of the positive attitude demonstrated by the State Party in trying to address the above-mentioned issues, which appear to result mainly from a certain lack of experience in the procedures of the *World Heritage Convention* (George Town and Melaka being the first cultural property inscribed by the State Party) rather than from lack of commitment.

They consider, however, that the two proposed developments within the inscribed area would, if constructed, harm the Outstanding Universal Value of the property. The two other developments in the buffer zone appear to be less problematic, in part due to their distance from the property and because they are surrounded by existing high-rise buildings that partially hide them from the inscribed area, and their adverse impacts could be ameliorated by proposals put forward. The current legal framework, moreover, does not appear to provide sufficient guarantees for the long-term conservation of the site.

The above ascertained and potential threats, in the opinion of the World Heritage Centre and ICOMOS, justifies the inscription of the property on the List of the World Heritage in Danger.

They further note that, while the protection of the heritage should not be perceived as a hindrance to development, it is equally important that development does not take place at the expense of the Outstanding Universal Value of the World Heritage property.

The commitment expressed by the State Party should now be translated urgently into concrete actions, including to reduce the height of the two projects within the inscribed property to 18 metres, to continue the efforts to mitigate the impact of the other two projects in the buffer zone, and to strengthen the legal and planning framework for the conservation and management of the property.

**Draft Decision:      33 COM 7B.78**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 8B.25**, adopted at its 32nd session (Quebec City, 2008),*
3. *Expresses great concern about the proposed developments within the inscribed area of George Town, particularly the AGB project near the clock tower, which are in contradiction with the protective measures described in the Nomination File and, if constructed, would have a significant potential adverse impact on the Outstanding Universal Value of the property*
4. *Also expresses concern at the potential impacts of the two approved developments in the buffer zone and encourages the Council to implement the modified schemes negotiated between the developers and the Council;*
5. *Expresses further concern about the introduction of a provision in the protective measures for George Town which allows for buildings higher than 18 metres in the World Heritage property and its buffer zone under certain circumstances, and by the lack of legal mechanisms that would enable the Federal Government to exercise control on the property;*

6. *Regrets that adequate information on these development proposals and the status of their approval, as well as on the modification in the protective measures, was not provided by the State Party in the Nomination File and during the evaluation process;*
7. *Takes note of the challenges faced by the State Party and of its commendable efforts to negotiate with the developers with an aim to identify alternative solutions to the approved projects or reduce their adverse effect, including by commissioning heritage impact studies, as well as of the spirit of genuine concern and cooperation manifested in its attempts to clarify the issues with the World Heritage Centre and ICOMOS ;*
8. *Considering however that the current proposed development within the inscribed area and the new provisions in the legal framework that allow constructions above 18 metres represent, respectively, significant ascertained and potential threats to the Outstanding Universal Value of the World Heritage property,*
9. *Recognising that the people of George Town have the legitimate right to pursue development opportunities, but considering that these should not come at the expense of the Outstanding Universal Value of the World Heritage property,*
10. ***Decides to inscribe Melaka and George Town: Historic Cities of the Straits of Malacca (Malaysia) on the List of the World Heritage in Danger;***
11. *Urges the State Party to implement the following corrective measures for the removal of the property from the World Heritage List in Danger:*
  - a) *Reduce the height of the two development projects within the World Heritage property to 18 metres, in accordance with the protective measures established in the Guidelines for Conservation Areas and Historic Buildings (hereinafter the Guidelines) enclosed in the Nomination File which constituted the basis for the inscription of the property on the World Heritage List;*
  - b) *Continue efforts to reduce the impact of the two projects in the Buffer Zone by ensuring that the modifications negotiated between the Council and the developers are implemented;*
  - c) *Strengthen the protective measures for the site of George Town by:*
    - (i) *Immediately removing from the Guidelines the possibility to build higher than 18 metres within the World Heritage property under any circumstances;*
    - (ii) *Clarifying that the Guidelines, in particular the height controls, are binding regulations and not simply 'guidelines';*
    - (iii) *Developing Special Area Plans for the inscribed property and its buffer zone that would provide planning controls and guidance at a more detailed level, based on a careful analysis of important views, typologies and the composition of the social fabric of George Town, and submitting these to the World Heritage Centre and ICOMOS by **1 February 2011**, for review;*
    - (iv) *Ensuring that until such time as the Special Area Plans have been finally adopted, no approval is given for developments within the buffer zone higher than 18 metres;*
    - (v) *Introducing new legal provisions in the protection and management system for the World Heritage property that would enable the central authorities at the level of the Federal Government to review and, if necessary veto proposals for major development projects, draft Special Area Plans and*

*other relevant planning controls and policies both for George Town and Melaka;*

- (vi) *Establishing a Technical Advisory Panel as a matter of priority with appropriate heritage expertise, including a representative of the Department of National Heritage, to review all major development proposals and proposed planning controls and policies that could impact adversely on the Outstanding Universal Value;*

12. *Requests the State Party, in consultation with the World Heritage Centre and the Advisory Bodies, to develop a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the World Heritage Committee at its 34th session in 2010;*

13. *Also requests the State Party to submit to the World Heritage Centre, by 1 February 2010, a report on the progress made in the implementation of the recommendations contained in point 11 above, for examination by the World Heritage Committee at its 34th session in 2010.*

#### **84. Samarkand – Crossroads of Cultures (Uzbekistan) (C 603 rev)**

##### Year of inscription on the World Heritage List

2001

##### Criteria

(i) (ii) (iv)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**30 COM 7B. 59; 31 COM 7B.74; 32 COM 7B.79**

**Application of the Reinforced monitoring mechanism at the property since 2008 (32 COM 7B.79)**

##### International Assistance

Total amount provided to the property (up to 2005): USD 30,000 Training Assistance

##### UNESCO Extra-budgetary Funds

N/A

##### Previous monitoring missions

March 2006: UNESCO Tashkent Office/ICOMOS reactive monitoring mission; April 2005: UNESCO Tashkent Office/ICOMOS expert mission; October 2006: World Heritage

Centre/ICOMOS mission; December 2007: World Heritage Centre/ICOMOS reactive monitoring mission

Main threats identified in previous reports

- a) Serious impact of a large-scale restoration project;
- b) Impact of urban landscaping programme on the authenticity and integrity of the property;
- c) Detrimental impact of new roads;
- d) Demolition of traditional urban houses.

Illustrative material

<http://whc.unesco.org/en/list/603>

Current conservation issues

At its 32nd session (Quebec City, 2008), the World Heritage Committee in its decision **32 COM 7B.79** noted with concern further new and inappropriate development proposals between the Afrosiab and Timurid city for the re-creation of the Timurid city walls, and a new hotel with "historic facades" near the city walls. The World Heritage Committee urged the State Party to develop an overall strategic approach to the property's conservation to be agreed to by stakeholders through the adoption of the management plan, and to submit, to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, information about any major project proposals. The World Heritage Committee also decided to apply the Reinforced monitoring mechanism to the property in order to inform the World Heritage Committee of on any information relevant to the conservation of the Outstanding Universal Value of the property. The State Party was requested to submit to the World Heritage Centre a report on the state of conservation of the property, including progress made in finalizing the management plan, developing the conservation plan, documenting historic features (inventories and surveys), strengthening the Coordinating Committee, and developing proposed zoning and road schemes including proposals to close the new road between Afrosiab and Timurid city to through-traffic.

A report from the State Party that was received by the World Heritage Centre on 30 January 2009, included responses to these issues. According to the State Party, the proposal to reconstruct part of the historic Walls of Samarkand was not retained by the authorities.

With regard to the development of a management plan, the State Party has adopted – at the national level - a series of legal provisions concerning town planning, which include consideration for the protection of cultural heritage and which will apply to Samarkand. As regards the development of an overall strategic approach to the conservation of the property, the State Party has informed of its decision to prepare a "State Program on Preservation and Use of Objects of Cultural and Natural Heritage for the period of 2009-2020", a draft of which had apparently already been developed. This programme includes a number of headings as follows:

- a) Improvement of legal framework;
- b) Improvement of management system and monitoring procedure;
- c) Support of scientific researches;
- d) Modernization of documentation and inventory;
- e) Introduction of educational programs for improvement of professional skills;
- f) Practical measures on preservation of objects of cultural and natural heritage;

- g) Public awareness activities and mass media;
- h) Development of system of social partnership with local communities;
- i) Programs on development of cultural and ecological tourism;
- j) Improvement of financing of measures on preservation of objects of cultural and natural heritage.

Although not requested by the World Heritage Committee, the State Party report included a draft Statement of Outstanding Universal Value. This is not drafted according to the format proposed by the World Heritage Centre and Advisory Bodies; however it appears to include text referring to the conditions of integrity and authenticity and to the requirements for management and protection.

A joint World Heritage Centre/ICOMOS reactive monitoring mission was carried out from 9 to 14 March 2009 based on the decision **32 COM 7B.79** taken by the World Heritage Committee at its 32nd session (Quebec City, 2008; Decision) and following an invitation from the State Party. The mission report is available at the following web address: <http://whc.unesco.org/en/sessions/33COM/documents> With regard to progress made in implementing the recommendations by the World Heritage Committee, the mission noted the following:

*a) Strengthening the Coordinating Committee*

The mission was informed that the government has established two Commissions, at the central and local level, to deal with the management of the World Heritage property. In November 2008, the Inter-departmental Commission on Coordination of the Protection of Cultural Heritage, established in 2002, was expanded to include experts of the State Committee on Architecture, the Academy of Arts and other higher Education Institutions. At the local level, since 2002 the Samarkand Regional State Inter-departmental Commission on Coordination of the Protection and Use of Objects of Cultural Heritage has been functioning. The government estimates that these two structures are sufficient to ensure an adequate management framework to the site and that there is no need for duplication of functions.

The mission team was not satisfied by this explanation, and stressed the need to establish an effective management framework for the site, responsible for planning and day-to-day implementation of the management plan to ensure consistency and high conservation standards.

*b) Finalizing the management plan*

The mission reiterated the need to develop, alongside urban planning tools, an effective management plan, as requested by the World Heritage Committee. The authorities confirmed during the mission that the final detailed management plan, covering governing, financial, planning and operational components, is in the process of development.

The mission offered the assistance of UNESCO and ICOMOS to the Uzbek Authorities in the preparation of the management plan, based on the work already outlined for the first stage of the Plan between 2007 and 2010 (pre-design researches, normative and design development, organizational activities, current construction and restoration works). The preparation of the management plan could be done within an international assistance framework, in order to bring the highest degree of expertise and practice into the scene.

The mission also noted that an important analytical and design work in the area of urban conservation had been conducted under the auspices of the Aga Khan Trust for Culture

between 1995 and 2001, and the results of that project (a survey of more than 15.000 building and serial proposals) could provide a solid base for future surveys and documentation of the Timurid City and its 19th century extension.

The mission considered that a strategic approach to urban conservation is lacking as the existing Master Plan of Samarkand does not concern conservation practices, leaving the day-to-day decisions without an overarching reference. Several issues of critical importance for the conservation of the historic centre have not been tackled in this Plan and require a more detailed analysis and planning.

Among the most critical issues, the mission discussed the construction of the water and sewage infrastructure, currently an unresolved problem. While water adduction seems to present lesser problems, the construction of sewage lines remains problematic due to the fragility of the urban fabric. Furthermore, the high level of the water table limits the possibility to recreate the traditional pools (*havuz*) that have been for centuries the main source of fresh water for the population.

In spite of the absence of a specific regulation and planning tool, the historic urban landscape of Samarkand has been preserved remarkably well. Only a few high-rise (of maximum 10 floors) buildings have been built so far in the area inscribed. The Master Plan foreseen for the future should contain explicit limitations for high-rise construction.

After meeting all the officials concerned and visiting the site, the mission concluded that the planning and management framework is still lacking proper definition. The justifications presented by the State Party (existence of a planning legislation, of a Regional Commission for the Protection of Cultural Heritage, the proposal of a new Master Plan, etc.) are not considered sufficient to ensure a proper management of the site, as they lack a specific focus on conservation and are not based on a detailed analysis of the priorities for intervention, nor include a planning of the resources needed. The direct, day-to-day management of the site has no effective autonomy, while the decision making process is highly centralized.

In conclusion, it was agreed that these problems require a different scale of planning and intervention, and suggested that the State Party might consider a cooperation project involving the Ministry of Culture, the local authorities, UNESCO and ICOMOS, and possibly other partners to be identified. A technical assistance project might be requested from the World Heritage Fund to support the start up of this process. Such collaboration could address:

- Development of the management plan;
- Conservation planning with special attention to infrastructures;
- Technical assistance to the inhabitants for the conservation of the urban fabric (guidelines for housing rehabilitation and roofing);
- Development of structural restoration projects;
- Training of technical staff for surface restoration.

*c) Developing proposed zoning and road schemes including proposals to close the new road between Afrosiab and Timurid city to through-traffic*

According to information provided by authorities no major road constructions are planned in the new Urban Plan for Development of Samarkand city 2004 -2025 (General Plan), that is being revised based on the recommendations of the World Heritage Centre/ICOMOS mission undertaken in October 2006. After the approval of this General Plan, a more detailed plan can be developed, which will be submitted to UNESCO before end of 2010.

#### *d) Conservation of the urban fabric*

The mission observed - as had many other missions conducted in the past decade - the almost complete substitution of traditional building practices of earthen architecture with modern materials. While the substitution of the vertical structures is in most cases perceptible only at close distance, the substitution of the traditional flat roofs with corrugated tin or asbestos roofs has irreversibly altered the historic roof-scape. While this trend pre-dates the inscription of Samarkand in the World Heritage List, it is unfortunate that this aspect of urban conservation has been so far disregarded, leading to a significant loss of heritage values. The mission concluded that a technical assistance programme to guide and support housing renovation and restoration would be needed, and could still improve the conservation of the urban fabric of this unique World Heritage city.

A limited number of traditional houses have been preserved, and require urgent restoration work. The mission was able to visit some examples of traditional houses and concluded that this activity should be given high priority in a cooperation scheme.

#### *e) New Developments*

New constructions of poor quality inside the Siyab bazaar were noted, especially the shopping centre covered with aluminum panels, blue windowpanes, and the new buildings behind, which spoil the view towards the Bibi Khanum complex.

#### *f) Conservation of the main monuments*

The mission also reviewed the state of conservation of some major monuments, including the Registan Ensemble, the Shakhi-Zinda, the Ishrat-Khana Mausoleum, the Mausoleum and Mosque of Abdi Darun, and the Mosque of Bibi Khanym. While some of these were restored in recent years, others need urgent attention to address both serious structural problems and issues of integrity of their setting. The report of the mission includes a detailed analysis of their situation and recommendations.

The World Heritage Centre and ICOMOS consider that the mission has confirmed the need for better governance of the property through a strategic planning process and a targeted management plan, based on documentation and research, which would provide the framework within which decisions could be made on infrastructure, new development, conservation and support for restoration of the traditional urban fabric. The dramatic nature of the complex property, which draws together outstanding monuments and remarkable survivals of urban fabric, and the range of problems associated with its management, conservation and development, call for an enhanced scale of planning and intervention.

A cooperation project involving the Ministry of Culture, local authorities, UNESCO and ICOMOS, and possibly other partners to be identified, could provide the catalyst for urgent action on the development of the management plan and of strategic planning approaches to urban conservation.

The World Heritage Centre and ICOMOS do not consider that it would be necessary to apply again the Reinforced monitoring mechanism to this property, given the absence of imminent threats and the considerable timeframe required by the State Party for the implementation of the recommendations made by the mission.

**Draft Decision:      33 COM 7B.84**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.79**, adopted at its 32nd session (Quebec City, 2008),
3. Acknowledging the need, as recommended by the joint World Heritage Centre/ICOMOS reactive monitoring mission of March 2009, to complete the management plan, to undertake further conservation work on monuments within the property, and to sustain the traditional urban fabric and to plan for infrastructural work to respect the urban fabric,
4. Urges the State Party to put in place strategic approaches to urban conservation;
5. Also urges the State Party to consider a cooperation project with the Ministry of Culture, local authorities, UNESCO and ICOMOS, and possibly other partners, to address issues of the management plan and strategic planning, involving technical assistance and guidance for the conservation of the urban fabric, the development of structural restoration projects;
6. Suggests that the State Party might wish to consider an application for international assistance under the World Heritage Fund to support such a collaboration project;
7. Reiterates its request to the State Party to submit to the World Heritage Centre, in conformity with Paragraph 172 of the Operational Guidelines, information about any major development proposals;
8. Requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a report on the state of conservation of the property, including progress made in the management plan and strategic planning for consideration by the World Heritage Committee at its 35th session in 2011.
9. Decides to continue to apply the Reinforced monitoring mechanism to this property.

## EUROPE AND NORTH AMERICA

### 94. Historic Centre of Brugge (Belgium) (C996)

Year of inscription on the World Heritage List

2000

Criteria

(ii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**24 COM C.1**

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

N/A

Main threats identified in previous reports

N/A

Illustrative material

<http://whc.unesco.org/en/list/996>

Current conservation issues

In February 2008, information was received by the World Heritage Centre from a foundation raising concerns about interventions and new constructions at the World Heritage property which could have an impact on its authenticity and integrity, as well as the state of conservation of some of the historic buildings. Subsequently, on 17 July 2008 the World Heritage Centre requested additional information to the State Party regarding the construction of new buildings at the Historic Centre. An information dossier was submitted on 26 November 2008 from the City of Brugges through the Permanent Delegation of Belgium to UNESCO which presented the policy for the protection of historic buildings and for the qualitative urban renovation at the property, including the prevailing principles to integrate conservation and restoration with the life of an evolving and contemporary city with new architecture to reflect this notion.

The World Heritage Centre and ICOMOS remain concerned about the potential impacts of new constructions, in particular of the Museum of History and the interventions at the Casselberg, Sept Tours and Bouclier Français, on the authenticity and integrity of the property as well as the challenges faced for the integration of contemporary architecture

within the historic ensemble, an issue that needs to be systematically and comprehensively analysed to balance the conservation needs to sustain the Outstanding Universal Value of the property with the demands of an evolving city.

**Draft Decision: 33 COM 7B.94**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Takes note of the information provided by the State Party in response to concerns raised regarding the state of conservation of the property and the proposals for new construction and interventions at the Historic Centre;*
3. *Requests the State Party to submit, in accordance with Paragraph 172 of the Operational Guidelines, to the World Heritage Centre the specific details of the project for the Museum of History and for the interventions at the Casselberg, Sept Tours and Bouclier Français and results from the studies and consultations for consideration by the World Heritage Centre and ICOMOS prior to their approval;*
4. *Also requests that the State Party invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to assess the potential impact of these and other projects on the Outstanding Universal Value, integrity and authenticity of the property;*
5. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a detailed report on the state of conservation of the property and on the progress made in the implementation of the above recommendations, for the examination by the World Heritage Committee at its 35th session in 2011.*

**100. Prehistoric Sites and Decorated Caves of the Vézère Valley (France) (C 85)**

Year of inscription on the World Heritage List

1979

Criteria

(i) (iii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**32 COM 7B.88**

### International Assistance

N/A

### UNESCO extra-budgetary funds

N/A

### Previous monitoring missions

2006: World Heritage Centre site visit; March 2009: ICOMOS reactive monitoring mission

### Main threats identified in previous reports

Outbreaks of mould and bacterial spores on the surface of the cave paintings of Lascaux resulting from bio-climatic imbalance in the cave

### Illustrative material

<http://whc.unesco.org/en/list/85>

[http://www.culture.gouv.fr/culture/dp/archeo/pdf/lascaux\\_unesco.pdf](http://www.culture.gouv.fr/culture/dp/archeo/pdf/lascaux_unesco.pdf)

### Current conservation issues

At its 32nd session (Quebec City, 2008) the World Heritage Committee expressed its concern that a new microbial outbreak in the cave in 2007 could not be prevented. While noting the work being undertaken to address the situation, the World Heritage Committee nevertheless urged the State Party to strictly limit access to the cave; isolate the hill of Lascaux and to monitor any potential impacts including waterflows; strengthen the International Scientific Committee for Lascaux Cave, through the inclusion of appropriate specialists in the fields of conservation and prehistory; carry out an impact study on any further intervention including chemical and mechanical treatments to the paintings; and to continue its communication work to ensure full information on all conservation activities. The World Heritage Committee also encouraged the State Party to make available to interested States Parties the report of the International Scientific Committee. The World Heritage Committee further requested the State Party to invite a joint World Heritage Centre / Advisory Bodies mission to examine the overall state of conservation of the property, and in particular the specific threats to the Lascaux cave paintings; and suggested that in the absence of substantial progress in finding out the causes of and treatment for the damage to the art, the inscription of the property on the List of World Heritage in Danger should be considered at the next session.

On 30 January 2009, the State Party submitted the state of conservation report on the property. This provided progress on the isolation of the hill, the structure of the International Scientific Committee and the conservation work.

#### *a) International Scientific Committee*

On the structure of the International Scientific Committee it is stated that its mandate, which expires in June 2009, will be renewed and that the Minister for Culture and Communication is favourable, in principle, to opening the International Scientific Committee to representatives of the Advisory bodies and UNESCO. An executive committee will also be set up to ensure administrative and technical follow-up and this will dissociate the scientific advice from the overall administration. The administrative authority will be the responsibility of the regional director of cultural affairs but entrusted to the conservator of the cave of Lascaux, while the scientific authority will be entrusted to the scientific director of archaeological research.

#### *b) Sanctuarisation of the hill*

On the issue of isolation or "sanctuarisation" of the hill, the State Party has confirmed that, on the basis of a research project by the University of Bordeaux, which showed that the water

catchment area for the cave was larger than the area in State ownership, the State Party embarked on a series of land acquisitions in order to acquire the whole watershed which should be completed by 2010. Since 2006, the “sanctuarisation” of the hill has been part of the local plan of the commune of Montignac. This will ultimately lead to a “re-naturalisation” of the hill, linked to moving parking spaces and the creation of a centre of interpretation. A work group has been set up to take forward this process.

c) *Conservation works*

The report outlines the effects of the recent works carried out in the cave. In November 2007, the Scientific Committee recommended further biocide treatment on certain zones and then to leave the cave at rest for three months. The intervention was carried out by specialized restorers in January 2008. Follow-up has showed that there was an unquestionable reduction in metabolic activity on nine of the eleven pilot zones.

In certain sections, in particular on the walls of the Apse, in spite of regular cleaning, the micro-organisms are still present. New appearances on the vault of the Passage and the vault of the Apse have been observed, but with a rate/rhythm of development slower than the phenomenon of the “black spots” between December 2007 and June 2008. However, the comparison between recent photographs and those taken in June 2008 makes it possible to observe a deceleration of the development of visible fungus colonisations. A photographic analysis will be carried out in February 2009 in order to establish a precise cartography of these evolutions.

In July 2008 it was decided to test a combination of manual cleaning and biocide treatment on various types of moulds (“black spots”) observed in the right part of the cave to evaluate the effectiveness of this coupling and to consider other areas where it might be used (for instance where there is a brittle calcareous substrate).

In July 2008, members of the International Scientific Committee drew up a protocol of intervention and follow-up, based on the idea of testing possible intervention, investigating their subsequent effectiveness and using computer simulations of the interior climate in various parts of the cave. Four test areas were then identified each of which has different geological, archaeological and microbiological conditions. The zones treated within the framework of this impact study will be the subject of a regular evaluation and a microbiological follow-up, during the year 2009, in order to ascertain the effects of different cleaning and biocides treatments.

In parallel with the impact study, two research programmes will be set up in 2009. The first, entrusted to a German microbiologist, relates to the study and the evaluation of pesticides biocides which might be applied if the situation required it. The second relates to the microbial ecology of the cave of Lascaux and the metabolic activity of the mushrooms with production of melanin which compose the majority of the “black spots”. A cave without archaeological interest, but selected on the basis of its similarity with the cave of Lascaux, will be equipped as an experimental site.

d) *Climatic Control*

A working group has been set up in order to develop a collective reflexion on the hygrothermic control of the cave. Although broad parts of this work programme have been completed, the very precise exploration of the biological landscape of the cave remains to be researched. Two further years work will be necessary.

As in parallel with the research, mushrooms and bacteria have continued to multiply and diversify; the report underlines the fact that only when all the microbiological complexity and its microclimatic context have been understood, will it be possible to define the actions needed to stabilize the biological balance without resorting to chemical treatments.

e) *Communication*

After each International Scientific Committee meeting, information is now immediately transmitted to the press and is also available on the internet. Furthermore, several articles have been published and an International Scientific Symposium was organized by the Ministry of Culture. A file on the research agenda and on progress has been deposited for interested State Parties with the Ambassador to UNESCO.

f) *Future work*

From the beginning of 2009, the Scientific Committee will focus its efforts on three areas: 1. Completion of microbiological studies; 2. Development of a new system of climatic control and 3. Control of the external environment of the cave.

g) *International Symposium*

From 26 to 27 February 2009, the State Party hosted an International Scientific Symposium regarding the state of conservation of the property entitled "Lascaux et la Conservation en Milieu Souterrain". Experts from 12 countries were invited to attend the symposium along with representatives of ICCROM, ICOMOS and UNESCO. At this symposium, both scientific and management aspects of the conservation of the property were discussed. The Minister of Culture, who opened the meeting, reiterated the commitment of France to support all research and conservation activities needed for the safeguarding of the cave. She further indicated that the State Party was open to working with recognized experts from around the world with knowledge of conservation of prehistoric painted caves. The conclusions of the international symposium emphasized the importance of pursuing an international, multidisciplinary debate regarding the Lascaux caves, the need for conducting thorough impact assessments before all interventions, and the establishment of "report card" on the health of the caves every six months. In addition, the following decisions were announced: (a) The installation of a new independent, international scientific committee; (b) The putting in place of the necessary investments for the conservation and research programmes; (c) The opening of a "study cave" to test potential treatments and interventions; and (d) The protection of the hill surrounding the Lascaux caves. The proceedings of the symposium are under preparation.

h) *State of conservation and results of the reactive monitoring mission*

On 17 March 2009, an ICOMOS mission visited the property and inspected the cave. The mission report which is available at <http://whc.unesco.org/en/sessions/33COM/> considered the overall state of conservation of the site and the work of the International Scientific Committee to be satisfactory.

The impression from the short visit was that only a small amount of the overall painting has been affected by the mushrooms or black spots. Only 14 figures of painted or engraved animals out of a total of 915 were directly touched by mushrooms/melanin; and the presence of the black spots, in spite of reduction in the contrast of the figures against the rock, affects only a little the direct observation and reading of the painted figures.

With regard to the identification of the causes of the microbiological threats, it was noted that the latest hydro-geological analyses presented to the mission indicated the presence of nutritive elements in the water leaching from the walls which confirms that human activity contributed nutritive elements for the bacteria and mushrooms. The specialist in hydrogeology suggested that the origin of these nutritive elements could be the presence of the molecules of biocides or the products of their decomposition, which must be evaluated before deciding new biocides treatments. This thesis is however refuted by the microbiologist of the Laboratoire de Recherches des Monuments Historiques (LRMH). The views on the undesirable medium- and long-term effects of biocides reflects a disparity between the microbiologists on the International Scientific Committee of the Cave of Lascaux. However the mission considered that the Committee has the mechanisms to resolve these differences.

The mission considered that there can be no doubt about the co-operation between the Ministry for Culture and Communication and the International Scientific Committee for

Lascaux and that the management is of sufficient intensity and quality. The revised arrangements for the International Scientific Committee, due to be implemented in June 2009, will allow the Chair of this Committee, after discussion with specialists, to propose criteria for intervention which are in line with research findings. It will be the responsibility of the Ministry of Culture and Communication to implement these through the people responsible at the property. There will thus be a separation of technical and administrative functions.

The reactive monitoring mission considered that the Scientific Committee had benefited from the foreign specialists from Spain, Italy, and Germany. The mission also considered that it would be desirable to maintain the presence of the same specialists and current scientists on the Scientific Committee while reinforcing it with further external experts. The mission considered that the presence of observers from the Advisory Bodies (ICOMOS, ICCROM or IUCN) could be positive.

Concerning conservation interventions, the mission considered that it would be helpful for the protocol on interventions to be a public document. It could be used as a model for other painted caves.

The mission noted that regular information is available, on line, on the Internet site of the Ministry of Culture and Communication. The International symposium "Lascaux and the conservation in underground medium", held from 26 to 27 February 2009 in Paris, to discuss the current state of conservation of Lascaux, and work in progress was a model of public communication. While acknowledging the work carried out, the mission considered that it would be helpful to establish a communication plan in order to develop a consistency in what is made public.

*i) Overall comments*

The mission recalls that conditions in the cave have been transformed by human action over the past 65 years, particularly through the installation of the ventilation system, all of which have contributed to recent microbiological crises. It is not possible to return the cave to its preceding state (and anyway there is no technical knowledge of this state). The aim must be to find the most beneficial equilibrium possible based on existing knowledge and current technologies. However, even with good management and conservation mechanisms, there is no guarantee that in the future environmental or microbiological accidents will not occur again.

The mission did not consider that there had been serious and irreversible deterioration of the paintings, nor could it be said that actions taken are irreversible or in opposition with conservation. There is disagreement on the application of biocides but the International Scientific Committee has mechanisms to resolve these differences adequately. The threats and the risks which affect Lascaux are being correctly addressed with the current level of microbiological knowledge in spite of the professional debate on biocides. In this regard, in the absence of a further crisis, the mission considers that it is necessary to act with prudence in the context of the prevention and evaluation of impacts in the short- and long-term. The mission did not consider that overall there were arguments to support the idea of considering Lascaux for the List of the World Heritage in Danger.

The World Heritage Centre and the Advisory Bodies consider that the State Party has made progress in setting out a rational approach to monitoring, intervention, research and communications, and in putting forward proposals to strengthen the functioning of the International Scientific Committee, as a multi-faceted group of experts, and to separate scientific and administrative authority. This has helped to allay fears about the impact of the latest outbreak in the cave and allowed an understanding of the basis for future work. Clearly

the cave is a highly complex unit and only when its microbiological complexity and its microclimatic context have been fully understood (including its external climate) will it be possible to define the actions needed to stabilize the biological balance without resorting to chemical treatments. However, while research is being carried out, mushrooms and bacteria continue to multiply and diversify, so future active measures will need to be taken to slow down these processes, and in due course eliminate their impacts, but these need to be carried out with the utmost prudence.

The World Heritage Centre and the Advisory Bodies note the future work plan adopted by the International Scientific Committee and consider that it would be helpful to articulate more clearly the timeframe for the various activities. They welcome the proposed re-structuring of the management arrangements to allow a differentiation between scientific and administrative responsibilities and to strengthen representation on the scientific committee and consider that these need to be implemented as soon as possible. They also welcome arrangements put in place to share information on the overall approach to research, analysis and interventions. They consider that there is a need to define clearly the methodological approach for the conservation interventions being undertaken and proposed.

The World Heritage Centre and the Advisory Bodies note that a rigorous approach needs to be taken to address all the issues raised both during the International Scientific Symposium of February 2009 and by the reactive monitoring mission carried out in March 2009.

**Draft Decision:        33 COM 7B.100**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.88**, adopted at its 32nd session (Quebec City, 2008),*
3. *Considers that the State Party has made considerable progress in putting in place measures to strengthening the functioning of the International Scientific Committee and in proposing changes in governance to separate administrative and scientific functions, and requests that these need to be implemented as soon as possible;*
4. *Notes the work planned to consider the impact of different mitigation approaches and also considers that the Protocol on Intervention that has been developed should be made public, as this could be used as a best practice example for other similar properties;*
5. *Also notes the progress made in communicating details of work and approaches and consider that it would be helpful to develop a communications strategy to ensure consistency;*
6. *Further notes that the results of the March 2009 reactive monitoring mission to the property which concluded that the overall impact of the various outbreaks of mould on the paintings has not so far threatened the Outstanding Universal Value and integrity of the property;*
7. *Further considers nevertheless the extreme urgency of the work being undertaken to identify the optimum approaches to mitigation and research to document and map the*

overall climatic conditions of the cave as a precursor to the development of appropriate climate control mechanisms;

8. Considers furthermore that interventions should be based on prudence and a clearly articulated conservation approach in the absence of further emergencies;
9. Urges the State Party to formalize the new management framework based on a separation between administrative and scientific functions, and also requests the State Party to give appropriate resources to the new Scientific Committee;
10. Further requests that the State Party develop, on the basis of the priorities adopted by the International Scientific Committee, a detailed action plan with a timeframe for the next three years;
11. Requests furthermore the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property with respect to the points above and on progress made in the creation of the above-mentioned action plan, for the examination of the World Heritage Committee at its 34th session in 2010.

#### **101. Bordeaux, Port of the Moon (France) (C 1256)**

##### Year of inscription on the World Heritage List

2007

##### Criteria

(ii) (iv)

##### Previous Committee Decisions

**31 COM 8B.38; 32 COM 7B.89**

**Application of the Reinforced monitoring Mechanism at the property since 2008 (32 COM 7B.89)**

##### International Assistance

N/A

##### UNESCO extra-budgetary funds

N/A

##### Previous monitoring missions

January 2009: joint World Heritage Centre/ICOMOS reactive monitoring mission

##### Main threats identified in previous reports

- a) Destruction of the Pertuis Bridge;
- b) Project of the draw bridge over the Garonne;

### Illustrative material

<http://whc.unesco.org/en/list/1256>

### Current conservation issues

At its 32nd session (Quebec City, 2008), the World Heritage Committee strongly regretted the destruction of the “Pont de Pertuis” bridge in the dock area, almost immediately after inscription in 2007, and expressed its concern over the possible adverse impact of a proposed large new road bridge across the River Garonne and the fact that this project had not been formally notified to the Committee. It requested the State Party to “invite a joint World Heritage Centre-ICOMOS reactive monitoring mission to evaluate to what degree the Outstanding Universal Value of the property was affected following the destruction of the Perthuis swing bridge, and the impact of the drawbridge project on the Outstanding Universal Value and integrity of the property”.

On 30 January 2009, the State Party submitted its state of conservation report, requested by the Committee. This provided information on the Pont de Pertuis and the proposed bridge across the River Garonne as well as on the proposed demolition of the Cassagnol College wine warehouse, about which ICOMOS had expressed concern. The State Party report mentioned the following points:

#### *a) Pont de Pertuis*

The State Party apologised for the demolition of this revolving metal bridge built in 1911 between two wet docks located in the old port area. This demolition had been considered necessary by the Port Authority, because of its poor condition. But it should have been valued as part of the attributes of Outstanding Universal Value. Its demolition is said to have resulted from a lack of dialogue between the owner and the responsible authorities. Lessons have been learnt and an inventory of the harbour remains are being carried out and these will be respected in any future development.

#### *b) The Pont Bacalan-Bastide*

The State Party sets out its rationale for a river crossing and in particular for a bridge at the proposed site. It considers that Bordeaux, as it is densely urbanised and tightly constrained, could develop on the Right Bank of the river, an area that is now being abandoned by various industries. It considers that there is a demographic and financial need for this development and that it is essential to maintain the health and dynamism of the city. The technical solution proposed, that of a bridge, with a central raising platform, connected to the existing network of streets by signal-controlled junctions, is considered to be an urban rather than a motorway bridge, which would connect two districts of the city, while allowing the passage of large maritime boats along the river.

The State Party stated that a lower, fixed bridge would remove the maritime function from the city, that a swing or tilt bridge would require considerable infrastructure because of the nature of the river, and that a tunnel, would cause problems with the ecosystems, and would introduce strong discontinuities into the urban fabric because of the need for ramped approaches that would intrude around 500 m into the urban areas. The proposed bridge would be located at the northern part of the property, some 2.5 km from the old city from where it is almost invisible, in a zone developed in the 19th and 20th century as a commercial port (and partially occupied today by pleasure boats). It would be an extension of the 19th century boulevards. The State Party considers that the proposed bridge does not compromise the integrity of the property nor its Outstanding Universal Value, as only 10% of the overall property is said to have co-visibility with the bridge. The bridge is considered to preserve the visual integrity of the property, the visual quality of the quays of the right and left banks and the silhouette of the “traditional and neo-classical city”. With regard to traffic

movements, it is projected that the bridge will reduce circulation in the centre of the city, on the left bank quays and overall in the whole of the inscribed property. Finally, the State Party indicates that a workshop of experts has put forward a proposal for slight amendments to the tall pylons of the bridge in order to give them a more restrained elegance. This seems to be acceptable by the bridge designers.

c) *Cassagnol College*

Following a report by ICOMOS expressing concerns over the proposed demolition and re-development of a wine warehouse as part of Cassagnol College, a building permit has been refused by the city and a new project is being developed that would preserve the facade of the warehouse and the fountain in front.

A joint World Heritage Centre/ICOMOS reactive monitoring mission visited the property from 20 to 22 January 2009. The main conclusions of the mission are shown below, followed by the comments of the World Heritage Centre and ICOMOS. The mission report is available at <http://whc.unesco.org/en/sessions/33COM>

d) *State of conservation in general*

In broad terms, the measures taken to protect and enhance the World Heritage site are considered to be satisfactory, notably the protection of whole areas as well as individual buildings. The programme of cleaning of historic facades is extensive and continuing. The treatment of public spaces and streets is of high quality, notably the new tram system which is without overhead cables and pylons in the property. The programme of opening up the quays along the river has had the effect of creating a fine promenade revealing the long line of historic fronts to advantage. The documentation of historic buildings and areas is well advanced. However the "bassins à flot" area that is controlled by the autonomous port authority has not been so well cared for as other parts of the property. It presents a neglected and ragged appearance, both in terms of open spaces and buildings, in stark contrast to the beauty of the large sheets of water. It is recommended that much higher standards of protection and development need to be set in this area within a given timeframe.

e) *Destruction of the Pont de Pertuis*

The demolition of this bridge is a serious loss. Its poor condition was substantially due to lack of maintenance and regular inspection. The replacement bridge is of inadequate quality for the property. As the bridge was one of the most important surviving features in the dock, it should have been repaired and preserved. It was a notable and impressive example of a swing bridge, a type of bridge which forms one of the principal points of interest in historic dockland locations. Its destruction impacts adversely on key attributes related to the port that reflects the Outstanding Universal Value of the property. It was the oldest preserved swing bridge in France.

The World Heritage Centre and ICOMOS had clearly signalled their concern several times at the imminent loss and the adverse impact of such demolition on the property to the State Party, as this bridge was considered to be contributory to the Outstanding Universal Value of the property. Yet despite the obvious urgency, the concerns were not taken into consideration.

While the greater part of the World Heritage property is protected by official designation of monuments and protected areas, the bassin à flot has not been fully assessed and protected. This is in strong contrast to most of the rest of the city where the authorities have

been carrying a sustained and detailed inventory, documenting both historic areas and specific types of historic building.

The mission was concerned to learn that a proposal to protect a number of structures in the area of the bassin à flot, including the Pont de Pertuis, had been vetoed by the Prefect of Aquitaine.

The core of the problem appears to be that the autonomous port authority (PAB), state public establishment, operates outside the normal city planning regulations and that therefore no proper assessment had been made of the historic interest of the area or indeed of more general town planning considerations. The Pont de Pertuis was one of three bridges across the bassin à flot, two of which had already been rebuilt in connection with the city's tramway system. The replacement bridges and the associated road works are of a lower standard of design, workmanship and landscaping than similar works associated with the tramway in the city centre and along the promenades. The replacement bridge has considerably narrowed the navigable channel between the two docks, from 25 metres to 9 metres. At the earliest opportunity the passage channel should be restored to its original dimensions.

The World Heritage Centre and ICOMOS note that the State Party regrets the demolition of the Pont de Pertuis and that measures are at hand to carry out an inventory of the harbour remains so that these will be respected in any future development in order to avoid any future error. They consider that at the earliest opportunity the passage channel should be restored to its original dimensions, as recommended by the mission.

*f) The proposed Bacalan-Bastide bridge*

The proposed bridge is a large structure in a prominent position at the north of the property. The height of the bridge's piles is 87m, to allow the lifting of the highway up to 60 m. Its width is approximately 30m and its length 433m.

Studies have been made by the State Party of both alternative locations and types of crossing and also of their impacts. The bridge is designed to allow the central portion to be raised to allow the passage of tall ships.

*g) Traffic*

The solution of a river crossing constitutes an important urban infrastructure as it allows the creation of an "inner belt", able to reduce the vehicular traffic through the centre of the city, with significant improvement of the urban environment in the historic areas, and linking the right bank with the left. Motorway traffic from Paris continuing to Bayonne and Toulouse to the south can use the Pont d'Aquitaine to the north and the second motorway bridge to the south. Assessment has been undertaken of the location and use of the bridge within the context of the city and its traffic flows.

According to the State Party, the proposed bridge would be an urban bridge, not a motorway bridge. It will start from the level of the quays. Connecting with the existing main road (rue Lucien Faure) which is part of the inner ring road around the core of the old town, it will form a continuation of this road carrying traffic across the river. The bridge approaches will be controlled by traffic lights which will allow vehicles to turn left and right at either end of the bridge onto the quays. This halting of traffic will reduce the noise of traffic which will also be subject to the normal urban speed limit of 50km per hour. Moving the bridge further north would impede traffic flows and prompt some traffic to turn south along the quays to use existing bridges, thereby increasing traffic and congestion in a key part of the property. The new bridge will play a major role linking the right bank to the left and in developing of former industrial areas which are now being cleared.

#### *h) Alternative options*

At the end of the 19th century a tunnel crossing was considered and in the early 20th century designs for a stone transporter bridge were drawn up. Then as now the need to have large ships come downstream into the city was considered as a way of animating Bordeaux's links with the ocean. A bridge was seen as a symbolic link between the two banks of the river in contrast to a tunnel which was seen to divide the two areas. Several alternatives were considered by the engineers and architects such as, swing bridges, retractable bridges, bascule bridges, folding bridges, and others since the launch of this project in 2000. However, none of these types of bridge, all of which would have had limited visual impacts, was considered fitting the special characteristics of the site and the project requirements (width of the opening, navigation security, etc.).

A tunnel has again been considered more recently as alternative to the proposed bridge with regard to the functionality criteria for such river crossing. The tunnel proposal, which would have assured minimal landscape impacts and a continuous flow of vehicles, was not retained for reasons linked to its cost (estimated at about twice the cost of a bridge) and for the excessive impacts of the ramps on the two neighbourhoods. More fundamentally, it was not seen as a "positive link" by the authorities and was also considered to have the disadvantage of being less suitable for pedestrians or cyclists. By contrast the proposed bridge would serve as a third quay on the river, connecting the other two and provides a crossing for both those on foot and on bicycle. It would shorten journeys for significant numbers of people.

It should be mentioned that only the lifting bridge option was opened for competition by the authorities in 2003. 5 proposals were reviewed by a jury in 2006 which selected the present project; the only proposal presented to the mission.

Taking into account the fact that the discussion on the solution preceded the inscription on the World Heritage List, the issue of conservation of the visual integrity of the World Heritage property and of the Outstanding Universal Value was not considered in the decision-making process for the bridge proposal. It is unclear to what extent the impacts on the heritage values of the city in general were taken into account in the decision.

Due to complementary points of view between the World Heritage Centre and ICOMOS on the conclusions of the bridge issue, their conclusions are presented separately below. The following conclusions/positions are extensively detailed in the joint reactive monitoring mission report.

#### *i) Conclusions of ICOMOS*

The quality of the design of the bridge has been a constant factor and the chosen option is the one that is seen to provide an elegant technical and functional solution, with acceptable impacts on the values of the World Heritage property. The proposed bridge stands in a long line of moving bridges including lift and swing bridges of various ingenious types, some of which are now seen as engineering landmarks, such as the Vizcaya transporter bridge, Bilbao, Spain (inscribed in 2006). Other designs considered used portals as opposed to the four corner pillars proposed. These solutions would have produced a much less elegant bridge and one that overall introduced more mass into the landscape.

The design of the bridge has been evaluated in relation to the banks of the river, views to and from the historic core of the city and in terms of its overall impact on the World Heritage property. On balance, ICOMOS considers that the bridge could form an acceptable addition to the working city and that its function, location and design, understood to meet a range of conditions and practical needs, could be seen to complement the attributes of Outstanding Universal Value as a port city. The Statement of Outstanding Universal Value recognises that

“the urban form and architecture of the city are the result of continuous extensions and renovations since Roman times up to the 20th century.”

One danger is that the height of the bridge pillars could be held to set a precedent for further high structures on the right bank. ICOMOS considers that this would have a detrimental impact on the Outstanding Universal Value of the World Heritage property. It is for this reason that it is strongly recommended that a height limit on new construction in this area is put in place, and that the State Party is requested to indicate its time frame and work programme for ensuring that this is achieved.

ICOMOS, having considered the extensive studies undertaken on possible river crossings and their impact, and acknowledging that a new river crossing could facilitate the re-development of the Right Bank of the river, contribute to the overall dynamism of the property and reduce traffic along the quays and within the overall property, considers that the proposed bridge could be an acceptable addition to the World Heritage property, as well as providing an elegant technical and functional solution that continues to allow all ships into the heart of the city.

j) *Conclusions of the World Heritage Centre*

The World Heritage Centre concluded that the solution adopted for the crossing of the Garonne River in Bordeaux is not the best compromise between the need to preserve heritage values and the need to modernize and develop an urban area.

With respect to the values for which the property was inscribed, the proposed bridge has a considerable impact: It represents a modern structure that contrasts the urban continuity of the property, and it brings about new vertical elements, formed by the four 87m pylons, that compete with the highest vertical elevations of the historic city (i.e. the St Michel Cathedral, whose steeple reaches 114m). This contrast could have been avoided with the choice of any of the available technical alternatives, under or above the river. With respect to the proposal, the World Heritage Centre notes that the Statement of Outstanding Universal Value adopted by the World Heritage Committee for the property clearly identifies the exceptional value of the city in (Criterion iv) “*the unity of its urban and architectural classical and neo-classical expression, which has not undergone any stylistic rupture over more than two centuries*”.

Given the size of the proposed bridge, these impacts on the visual integrity of the historic urban landscape cannot be avoided, even considering the great effort deployed in the design and planning of the new infrastructure.

The solution proposed is based on the principle to allow large cruise ships to enter the Port of Bordeaux and be moored at the centre of the city. This principle leads to the design of a bridge solution that is largely oversized and economically not viable, due to the high costs of construction (twice the cost of affixed bridge) and management (about 1.5 million Euros per year), as demonstrated by the experience of a similar bridge recently completed in Rouen – that was never used since its inauguration in 2008 as the berthing area of large cruise ships was relocated downstream. It should be noticed that only about 30 cruise ships per year make today their way to Bordeaux.

The World Heritage Centre confirms therefore the preliminary conclusions expressed by the World Heritage Committee in 2008 (Decision **32 COM 7B.89**, paragraph 5): “*...that such a drawbridge would constitute, by its size and cost, an inadequate solution that would have a significant impact on the Outstanding Universal Value and integrity of the property and that would be very difficult to reverse;*”

The World Heritage Centre therefore recommends reconsidering the solution adopted, studying alternatives that do not include the transit of large cruise ships in front of the historic areas, keeping in mind the importance of limiting the visual impacts on the protected areas. In particular, it recommends to take into consideration other bridge design alternatives

allowing smaller ships to access the harbour and to consider the relocation of the large cruise ship berthing area downstream of the proposed location of the Bacalan-Bastide bridge.

**Draft Decision: 33 COM 7B.101**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.89**, adopted at its 32d session (Quebec City, 2008),
3. Notes that the State Party regrets the demolition of the Pont de Pertuis and has instated an inventory of the harbour remains;
4. Requests that in order to avoid any similar errors affecting the World Heritage property much higher standards for protection and development be set for the two banks setting height limits; and for the left bank based on the new inventory of the harbour remains, and also requests to indicate its time frame and work programme for ensuring that this is achieved ;
5. Considers that the replacement bridge for the Pont de Pertuis is of an inappropriate character for the property also narrowing the navigable channel between two docks, and further requests that consideration be given to restoring the passage channel to its original dimensions at the earliest opportunity;
6. Taking note of the studies on the crossing of the river and of its benefits for traffic management within the property and for the re-development of the right bank, also considers that a bridge is in this case an acceptable solution;
7. Urges however the State Party to reconsider the proposed Bacalan-Bastide bridge project and to study alternatives that do not include the transit of large cruise ships in front of the historic areas, allowing only smaller ships to access the harbour, in order to limit visual impact on the property, as well as to consider the relocation of the large cruise ship berthing area downstream of the proposed location of the bridge;
8. Further considers that the facade of the former chai (wine warehouse), now part of the College Cassagnol, should be kept and not demolished, as it contributes to the attributes of Outstanding Universal Value, and also notes that a building permit for its demolition has been refused and that a revised scheme is being prepared; and requests furthermore the State Party that details of the new scheme be submitted to the World Heritage Centre for assessment by ICOMOS;
9. **Decides not to continue to apply the Reinforced monitoring mechanism to the property;**
10. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property with respect to the points above, for examination by the World Heritage Committee at its 34th Session in 2010.

## 104. Upper Middle Rhine Valley (Germany) (C 1066)

### Year of inscription on the World Heritage List

2002

### Criteria

(ii) (iv) (v)

### Previous Committee Decisions

**26 COM 23.9; 32 COM 7B.93**

### International Assistance

N/A

### UNESCO extra-budgetary funds

N/A

### Previous monitoring missions

February 2008: Joint World Heritage Centre / ICOMOS advisory mission

### Main threats identified in previous missions

- a) Noise pollution and traffic increase
- b) Potential impacts by Rhine crossing project

### Illustrative material

<http://whc.unesco.org/en/list/1066>

### Current conservation issues

At its 32<sup>nd</sup> session, (Quebec City, 2008), the Committee considered the recommendations of a World Heritage Centre/ICOMOS advisory mission which investigated the impact on Outstanding Universal Value of proposals being considered by the State Party for a crossing of the river in the Upper Middle Rhine valley area. The mission looked at the two projects under consideration: the "Wellmich-Fellen low bridge" and a tunnel that would link the B274 road to the east with the L208 road to the west, between the localities of St Goar and St Goarshausen.

The World Heritage Committee requested the State Party to carry out an Environmental Impact Assessment of the Rhine crossing options, as well as to prepare an additional transport plan to evaluate in a more detailed manner the feasibility of possible construction and traffic management, whilst respecting the Outstanding Universal Value of the property.

The State Party has submitted the following new documents:

- Summary in English of an environmental impact assessment. A copy of the full German text has been requested but at the time of the preparation of this document has not been received.
- Covering letter which provides information on a European wide tendering process for the design of the bridge which should be concluded by end of April 2009;

- Letter giving a response to a petition by the “Bürgerinitiative im Mittelrheintal” campaigning against environmental damage by the railways;
- Supplementary traffic study for two low bridges, a high bridge, and a tunnel.

No information was provided on commercial rail traffic, a mid-term rail plan or on overall sound levels.

The State Party submitted an interim report dated 28 January 2009 on the state of conservation of the World Heritage property informing about the plans for a fixed structure crossing the Middle Rhine Valley between St. Goar and St. Goarshausen. It noted that an Environmental Impact Study had been commissioned from the engineering consultancy Cochet Consult and that the full study would be submitted later. It also informed that an extensive traffic study had been undertaken which was received by the World Heritage Centre on 3 March 2009 and that an EU-wide design competition had been launched.

On 3 March 2009, the Centre received, electronically, a letter dated 3 March 2009 from the State Party, transmitting the same information that was already submitted to the UNESCO World Heritage Centre in August 2007 (“Structures Crossing the Rhine in the Middle Rhine Valley”), and a summary of the results of the Environmental Impact Study (dated February 2009).

The State Party explained that stabilising the population trend in the Middle Rhine Valley and creating an economic incentive to improve the declining economy in this area, including in terms of new jobs creation, requires transport conditions and infrastructure to be upgraded. It noted that the ferry, with its limited capacity, would not satisfy current and future demands for a modern transport connection. It is of the opinion that this could be achieved with a fixed structure crossing the Rhine.

With the exception of the negative effects in the side valleys foreseen for the tunnel portals, a tunnel solution above high water levels was said to entail the least negative visual impact. However, the tunnel option has particular drawbacks in terms of processing the volumes of earth excavated, the local pollution situation at the tunnel portals, and the issues related to pedestrian traffic, and in particular cyclists.

It noted that the bridge options included in the study involve varying degrees of changes to the landscape setting and the natural environment, with clear differences among the options studied. Whereas the central low bridge and high bridge option entail the danger of substantial negative effects on the landscape, based on the location, given topography and existing transport infrastructure, embankments and buildings, the low bridge outside the town may be the preferable location for a fixed crossing over the Rhine, in terms of lesser impacts.

On 18 March 2009, the Centre received, electronically, a letter dated 16 March 2009 from the State Party, transmitting the summary of the results of a supplementary traffic study “Structures crossing the Rhine in the World Heritage site Middle Rhine Valley”. In the additional traffic study, special traffic considerations were analysed with respect to the construction of a new fixed structure crossing the Rhine in the World Heritage property. The study updated the base data from 2000, making a traffic forecast to 2025; extending the area for development to the side valleys; evaluating traffic impact on the towns of St. Goar and St. Goarshausen; assessing the development of lorry and commercial traffic; measuring the impact on bicycle transport, and differentiating by local development, regional, and interregional traffic.

The four options considered for a fixed structure crossing the Rhine were: (1) The 'low bridge' (2) The 'high bridge' (3) The 'tunnel' and (4) The 'low bridge outside town' and these were compared to a zero option without a fixed structure.

As a result of the traffic model calculations, the new traffic forecast would be as follows: 'Low bridge' option - 2,400 vehicles/day; 'High bridge' option -1,700 vehicles/day; 'Tunnel' option - 1,900 vehicles/day; and 'Low bridge outside town' option-1,200 vehicles/day.

The authorities consider that the 'low bridge outside town' option is a reasonable alternative, even if it has a rather "circuitous route" because of its location in the road network. To minimise the disadvantages, this option would need further planning, especially the connections to the existing road network.

On 12 May 2009, the Centre received a letter dated 6 May 2009 from the State Party setting out the results of the architectural competition for the bridge over the River Rhine: the first prize was awarded to Heneghan Peng Architects/Arup Consulting Engineers/Mitchell and Associates. According to the letter, the proposed structure of the winning entry would only minimally intrude on the landscape.

All documents were transmitted to ICOMOS for review and comments.

ICOMOS has considered the summary version of the environmental impact assessment. It considers that the environmental impact assessment should assess the potential impact of the proposed river crossings on the Outstanding Universal Value of the World Heritage site. In order to achieve this, it is necessary to define as a starting point the scope of the investigation in terms of the 'asset' and the way impact on the asset will be evaluated. The asset should be a list of the attributes that reflect Outstanding Universal Value. In the documents submitted, no inventory of cultural attributes has been drawn up: all that are detailed are the criteria under which the property was inscribed and short descriptions of the landscape in the area of the proposed crossings. The evaluation of the functional and sensory impact of the proposed crossings on the property (such as increases in traffic on two centres and the impact of the bridges on the landscape) is insufficient. The study shows the impact on the 'natural' landscape from individual viewpoints by using photo montages. However, neither the criteria for the selection of views nor the number of viewpoints are methodologically justified. The perception of the Middle Rhine landscape does not take place from a few fixed viewpoints; rather it is a sequence of constantly changing spatial impressions and view axes, which differ considerably depending on the traffic route and the means of locomotion (by boat, train, car, or as cyclist or pedestrian).

ICOMOS also notes that a cultural landscape is more than natural scenery and impact needs to consider the full range of attributes of the cultural landscape – not just visual parameters. The Upper Middle Rhine Valley is of outstanding importance as a Romantic landscape, which inspired writers, painters and musicians and particularly in the 19th century was visited by countless travellers from all over Europe. Especially the central stretch of the transverse valley in the area of St Goar and St Goarshausen fulfils the idea of the picturesque and romantic Rhine valley. The nearby Loreley rock is the most important place of Rhine mythology. No attempt has been made to compile an inventory of historic views relevant for an evaluation of the consequences of a Rhine bridge for the associative dimension of the cultural landscape.

The present study has little detailed assessment and description of the existing traffic infrastructure in the Upper Middle Rhine Valley or of its development over time. The studies appear to disregard the fact that the roads on the left side of the Rhine leading to motorway A 61 are narrow and not sufficient for increased traffic, especially for trucks, without road widening. The planned fix crossing would interfere severely with the traditional traffic network and threatens the continued existence of the old-established Rhine ferries, which are an essential part of the historic traffic structure of the property.

Furthermore, according to the latest plans, as a consequence of the competition for the bridge, the position of the proposed crossing has been moved further north from Fellen / Wellmich to an area with important nature reserves, an aspect that was not critically questioned in the present assessment.

ICOMOS considers that the summary Environmental Impact Assessment has not demonstrated a fair and rational assessment of the impact of the proposed bridges on the Outstanding Universal Value of the property

The World Heritage Centre and ICOMOS regret that a full version of the impact study carried out by Cochet Consult has not been submitted for scrutiny. The shortened version does not set out a robust methodology for assessing the impact of the proposed bridge on the attributes of the cultural landscape that contribute to its Outstanding Universal Value, and fails to adequately quantify the limitations of the current road network and thus the impact of increased traffic on its infrastructure.

**Draft Decision: 33 COM 7B.104**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.93**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes the summary version of the Environmental Impact Study of the Rhine crossing options and the traffic analysis provided by the State Party and that an architectural competition has taken place for the proposed bridge;*
4. *Regrets that the full version of the Environmental Impact Study was not submitted;*
5. *Considers that the summary version of the Environmental Impact Study fails to set out an adequate methodology to interrogate the impact of the proposed bridge on the Outstanding Universal Value of the property, and that the traffic analysis does not consider the resilience or limitations of parts of the current road network to increased traffic;*
6. *In order that the recommendations of the 2008 World Heritage Centre/ICOMOS advisory mission be fully considered in terms of the potential impacts of a proposed crossing on the Outstanding Universal Value and integrity of the property, including on important views, requests the State Party to submit as soon as possible, for assessment by ICOMOS, the complete Environmental Impact Study to allow a full assessment of the proposed bridge and tunnel solutions on the Outstanding Universal Value of the property;*
7. *Also requests the State Party to examine a reduction in commercial railway traffic as well as a mid-term regional railway plan, and requests a chart showing the overall sound levels within the inscribed property;*
8. *Further requests the State Party to submit to the World Heritage Centre by **1 February 2010** an update report on progress in the decision making on the Rhine crossing for review by the World Heritage Centre and the Advisory Bodies, for examination by the World Heritage Committee at its 34th session in 2010.*

## 115. Kremlin and Red Square, Moscow (Russian Federation) (C 545)

### Year of inscription on the World Heritage List

1990

### Criteria

(i) (ii) (iv) (vi)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**31 COM 7B.103; 32 COM 7B.106**

### International Assistance

N/A

### UNESCO Extra-budgetary funds

N/A

### Previous monitoring missions

December 2007: joint World Heritage Centre / ICOMOS / ICCROM reactive monitoring mission;

### Main threats identified in previous reports

- a) Erection of a monument in honour of Marshal G. Zhukov;
- b) Ongoing and accelerated urban development pressures;

### Illustrative material

<http://whc.unesco.org/en/list/545>

### Current conservation issues

The World Heritage Committee at its 32nd session (Quebec City, 2008) requested the State Party, in line with the recommendations of the reactive monitoring mission carried out in December 2007, to halt any new construction within the property or in the surrounding area of the property which could visually affect it prior to the:

- Delineation and approval of a buffer zone;
- Approval of adequate and effective protective juridical regulations within the buffer zone;
- Establishment of an effective control mechanism and institutional framework between all stakeholders involved in the management and protection of the Kremlin and Red

Square in Moscow, including the establishing of a Special Coordination Board aiming at enhancing the protection of the property and its buffer zone;

- Preparation of the visual impact study for existing construction projects;

The World Heritage Committee also requested the State Party to provide the World Heritage Centre with 3 copies of the Kremlin and Red Square, Moscow, World Heritage property management plan, as well as to implement the recommendations of the reactive monitoring mission, and in particular, to submit to the World Heritage Centre details concerning all ongoing projects, including visual impact studies for the projects of the "Middle Trading Rows" complex and the "Zaryadye" complex (former Hotel "Russiya"), as well as other planned urban development projects within or nearby the World Heritage property, and to conduct, prior to the construction works within the "Middle Trading Rows" complex, necessary soil investigations under the Red Square, St. Basil Cathedral, Kremlin Walls and the "Middle Trading Rows", including the underground water levels, in order to minimise any impact of future construction inside of the "Middle Trading Rows" on components of the World Heritage property,

The Committee requested moreover the State Party to submit to the World Heritage Centre, by 1 February 2009, a detailed report on the state of conservation of the property, including progress reports on the requested measures noted above and described in the reactive monitoring mission report, for examination by the World Heritage Committee at its 33rd session in 2009.

Following the transmission letter with the World Heritage Committee's Decision **32 COM 7B.106** dated 11 September 2008, a number of communications between the State Party and the World Heritage Centre took place in October 2008, March and May 2009 in an effort to stress the urgency of responding to the World Heritage Committee's request.

Despite the efforts, no report has been received from the State Party.

In the absence of the state of conservation report from the State Party, the World Heritage Centre and ICOMOS are seriously concerned over the implementation of the recommendations of the 2007 reactive monitoring mission.

**Draft Decision:      33 COM 7B.115**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.106**, adopted at its 32nd session (Quebec City, 2008),
3. Regrets that the State Party has not provided a state of conservation report for the property, as requested in Decision **32 COM 7B.106**;
4. Reiterates its request to the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and further progress achieved on the implementation of the recommendations made by the 2007 reactive monitoring mission, for examination by the World Heritage Committee at its 34th session in 2010.

## **118. Historic Centre of Saint Petersburg and Related Groups of Monuments (Russian Federation) (C 540)**

### Year of inscription on the World Heritage List

1990

### Criteria

(i) (ii) (iv) (vi)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**30 COM.7B.78; 31 COM 7B.102; 32 COM 7B.105**

### International Assistance

Total amount provided to the property: USD 17,620 for the St Petersburg International Conference, January 2007;

### UNESCO extra-budgetary funds

Total amount provided to the property: USD 18,000 from the Dutch Funds-in-Trust

### Previous monitoring missions:

February 2006: Joint World Heritage Centre / ICOMOS mission; 28 January to 3 February 2007: International Conference of Eastern and Central Europe Countries on the Application of Scientific and Technological Achievements in the Management and Preservation of Historic Cities inscribed on the World Heritage List, St Petersburg;

### Main threats identified in previous reports

- a) Quality of new design projects in the inscribed zone;
- b) High-rise development
- c) Confusion over definition and extent of inscribed zone and buffer zone;

### Current conservation issues

At its 32nd session (Quebec City, 2008) the World Heritage Committee regretted that the State Party did not provide a detailed state of conservation report, and that the maps submitted by the State Party did not provide detailed boundaries and buffer zones of all components of the property, including the Leningrad Region; it invited the State Party to establish, in coordination with the World Heritage Centre and ICOMOS, an international expert group on the St. Petersburg Retrospective Inventory. The Committee also urged the State Party to finalize the boundary of the property and its buffer zone.

The Committee expressed its grave concern about the proposed Gazprom tower of the "Ohkta Centre", which could affect the Outstanding Universal Value of this property and urged the State Party to inform the World Heritage Centre on the official position of the proposed project and also requested the State Party to invite a joint World Heritage Centre / ICOMOS reactive monitoring mission to the property to evaluate the potential impact of the proposed Ohkta Tower on the Outstanding Universal Value, integrity and authenticity of the property, and not to take action on any project until the results of the mission are available.

The Committee also requested the State Party, to develop a draft Statement of Outstanding Universal Value for examination by the World Heritage Committee at its 33rd session in 2009; it further requested the State Party to submit to the World Heritage Centre, a state of conservation report, including details on the Gazprom project, with a view to considering, in the absence of substantial progress, the inscription of the property on the List of World Heritage in Danger.

Although the World Heritage Committee, at its 32nd session requested the State Party to submit a state of conservation report, and a draft Statement of Outstanding Universal Value, but the State Party has not submitted either.

A joint World Heritage Centre-ICOMOS reactive monitoring mission visited the property from 11 to 17 May 2009 and considered the following issues:

a) *Legal Protection*

At federal level, the property is treated as national heritage, although there is no specific legislation for World Heritage. The mission noted that the adoption of "The Law of St. Petersburg" (2006), that delineates protection zones and regimes of land use within designated areas, greatly contributes to the protection of the property. However the Act regulates protection only on the portion of the property located within the boundaries of St. Petersburg. Other parts, located on the territory of the Leningrad district, have no protected areas.

b) *Boundaries*

The mission reviewed the boundary issues: In 1990, at the time of inscription, the boundaries initially proposed were approved by Resolution No. 1045 of 30/12/1988 of the Leningrad City Council. A buffer zone was not provided. In 2007, the State Party submitted to the World Heritage Centre a new version of the boundaries in which the limits of the property were significantly reduced. In 2009, further new maps were sent to the World Heritage Centre. The limits identified in 1990 as being for the property were set out as limits of the buffer zone, while the territory of the property was again greatly reduced. The gap between the proposed boundaries today and those that were included in 1990 poses a serious problem concerning the status of the property. Another problem is related to the lack of correspondence between the Convention and national legislation on the issue of boundaries. The federal law establishes a system of three types of areas of protection, while the Law of St. Petersburg delineates 6 types of protected areas. The maps of the boundaries submitted in 2009, thus have no direct legal basis with the property consisting of an assemblage of different areas of protection.

The mission also noted the evolving liberalisation of protection regimes. During the period 1713-1918, there were very strict regulations for the height of buildings. This regulation complied with the so-called "celestial line" horizontal panorama of buildings and ensembles that reflected the surrounding landscape. In 2004 building heights rose up to 24 meters for the city centre and up to 48 meters outside the centre; today in certain construction areas outside the centre, heights may go up to 100 metres. Moreover, a not entirely clear procedure is envisaged, which provides for the possibility of exceeding this height (such as for the proposed Okhta tower with a height of 396 metres).

c) *Management*

The management of the property is shared between the two Federal districts: Saint-Petersburg and the Leningrad District. They are significantly uneven as regards their staff (150 persons on one side, 18 people on the other side). This arrangement means that there is no single entity with responsibility for the World Heritage property. There is no management plan for the property, which might cover stakeholders, activities and resources.

The mission notes that the system of planning instruments for the management of the property is relatively ineffective for the following reasons: there is a lack of a master plan and planning for the whole of the property that would allow integrated territorial management; there is no link between spatial planning and the system of protected areas with conservation schemes; the various planning tools have limited effectiveness in controlling the height of buildings, as permissions are often given to plans with no elevations, or in coordinating architecture and urban planning.

At the time of inscription in 1990, the property was nominated as a collection of monuments and ensembles, although the ICOMOS evaluation stressed the landscape scale of the property. Since then in tune with changing concepts of cultural heritage, the property has come to be seen more as an urban landscape closely linked to and shaped by its riverine structure and with its panoramas focusing on the watercourses that were its main transport arteries. Of particular significance is the panorama along the Neva, which maintains the "celestial line" horizontal landscape. The property needs to be managed as a landscape for the interconnection between its attributes and for their overall panoramas.

d) *Gazprom Okhta Centre*

This proposed tower exemplifies the difficulties inherent in the current legal, planning and management systems. In 2006, Gazprom launched an international competition for the project on the banks of the Neva, in the area of the estuary of the Okhta. The specifications for the competition were not in tune with the organs of protection. The project is a tower of 300 metres, while the current system limits the height to 100 metres. The competition winner, RMJM (Great Britain), proposes to build a tower of 396 metres.

Requests to the State Party for more information on the project have not been met. The tower is said to fulfil a social need. Currently, archaeological excavations are being carried out on the site where the remains of XIV-XVII century Swedish fortress have been discovered. The sponsors are considering a design that takes account of these remains without them being retained in situ. The proposal to build the Okhta tower has provoked a strong reaction from civil society organizations.

The mission is of the opinion that, in its current position and with its height, the tower threatens the Outstanding Universal Value of the property:

- The tower is in contradiction with the characteristics of the property as a horizontal, riverine, urban landscape;
- The tower threatens the authenticity and integrity of the property coming into dissonance with the "celestial line" historical panorama of the Neva River;
- The tower will compromise certain key visual axes;
- The proposed height of the tower violates existing regimes for the territory and could constitute a dangerous precedent;

As requested by the 32nd session of the Committee, high-level meetings between the Chairperson of the Committee, the Director of the Centre and the authorities of St Petersburg took place, including with the governor.

e) *State of conservation*

The mission was made aware of some current restorations projects such as the palace of Prince Alexei Alexandrovič, and the Theater Kamennooostrovskii. Beside these laudable achievements, the mission noted a number of negative examples, as a result of factors mentioned above and the lack of effective management. These include demolitions and inappropriate development at hotel buildings (Ambassador Hotel, Hotel Astor), where only

the facade of the monument has been preserved and buildings that appear to contravene regulations, such as the Renaissance Hotel, where the rue Potchtanskaïa is overhung.

f) *Mission recommendations*

The mission made the following recommendations:

- As the boundaries put forward in the most recent maps do not conform to what was inscribed in 1990, the State Party is requested to propose formally any amendments it wishes to make to the boundaries in line with the Convention and national legislation. It further recommends that the proposal includes a buffer zone which should protect the wider landscape and especially the panorama along the Neva.
- The State Party is requested to improve the management of the property and its buffer zone in the following areas: Create a leading management authority for the property and its buffer zone; Develop a management plan that would allow coordination between actors, activities and resources for the preservation and development of the property, guide the urbanization process, and define the recommended degree of intervention for elements of the property and the buffer zone, in accordance with territorial plans.
- The World Heritage Committee should not support the construction of the Okhta tower in its current form, as it constitutes a threat to the Outstanding Universal Value of the property. The mission recommends that the Committee could remain open to alternative proposals that respected the authenticity and integrity of the property. Any new proposal must be accompanied by an independent environmental impact assessment.
- The mission considers that the threats to the Outstanding Universal Value identified above suggest that the World Heritage Committee should issue a warning to the State Party about the possible inclusion on the List in Danger if the recommended measures are not addressed.
- The mission suggests holding an international conference in Saint Petersburg on the preservation and management of World Heritage sites that are urban landscapes with similar characteristics to the property.

The World Heritage Centre and ICOMOS remain concerned at the discrepancy between the boundaries of the property as inscribed in 1990 and what is now being put forward by the State Party as the inscribed area, as this shows a significant reduction. It suggests that if the State Party wishes to reduce the boundaries this needs to be part of a formal submission to the Committee. The lack of concerted management is clearly having undesirable consequences in terms of inappropriate development and re-development. They consider that a management system, with a defined management authority and management plan, need to be put in place as a matter of urgency. The Okhta tower would fundamentally and irreversibly alter the horizontal skyline of the property which has been a conscious feature of the city since its inception, and be a threat to its integrity and Outstanding Universal Value, and they consider that work on this project should be suspended.

In the absence of substantial progress, the World Heritage Committee may wish to consider the property for inscription on the List of World Heritage in Danger.

**Draft Decision:      33 COM 7B.118**

The World Heritage Committee,

1. Having examined Document WHC-08/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.105**, adopted at its 32nd session (Quebec City, 2008),
3. Regrets that the State Party did not provide a detailed state of conservation report, or a draft Statement of Outstanding Universal Value;
4. Notes with concern, that the maps provided by the State Party define boundaries that include a significantly smaller area than that inscribed, and encourages the State Party to submit formally a significant boundary modification to allow the Committee to consider this issue;
5. Also notes that the buffer zone proposed does not extend to encompass the landscape setting of the property and in particular the panorama along the Neva River, and requests the State Party to reconsider this buffer zone and submit it formally to the World Heritage Centre;
6. Reiterates its request to the State Party to develop, in consultation with the World Heritage Centre and ICOMOS, a draft Statement of Outstanding Universal Value, including the conditions of integrity and authenticity, for examination by the World Heritage Committee;
7. Expresses again its grave concern that the proposed Gazprom tower of the “Ohkta Centre” could affect the Outstanding Universal Value of the property, and requests the State Party to suspend work on this project and submit modified designs, in accordance with federal legislation and accompanied by an independent environmental impact assessment;
8. In order to address the lack coordinated management and its adverse impacts, also requests the State Party to create, as soon as possible, a leading management authority for the property and its buffer zone, and to develop a management plan for the preservation and development of the property, to guide the urbanization process, and to define the recommended degree of intervention in accordance with territorial plans;
9. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a state of conservation report for the property that address the above points for examination by the World Heritage Committee at its 34th session in 2010.

**120. Historical Centre of the City of Yaroslavl (Russian Federation) (C 1170)**

Year of inscription on the World Heritage List

2005

Criteria

(ii) (iv)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**29 COM 8B.43; 32 COM 7B.107**

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

N/A

Main threats identified in previous reports

Changes in the built fabric: construction and restoration projects

Illustrative material

<http://whc.unesco.org/en/list/1170>

Current conservation issues

The World Heritage Committee at its 32nd session (Decision 32 COM 7B.107, Quebec City, 2008) expressed its concern about numerous construction and restoration projects within the boundaries of the property which could affect its Outstanding Universal Value and requested the State Party to invite a joint World Heritage Centre / ICOMOS reactive monitoring mission to assess the state of conservation of the property and to evaluate the potential impact of the development projects under consideration on the Outstanding Universal Value of the property. The Committee also requested the State Party to delay all construction works until the afore-mentioned mission has taken place and the impact study is available, as well as to submit to the World Heritage Centre a detailed state of conservation report including, the description of any intention to undertake or to authorize major restoration or new construction which may affect the Outstanding Universal Value of the property, for examination by the World Heritage Committee at its 33rd session in 2009.

The State Party submitted a state of conservation report on 27 January 2009.

The report provides a list of Yaroslavl Region normative legislative acts aimed at the preservation of the property. It also reports that there were 23 properties in the property to be restored during 2008 at an estimated cost of 112 million roubles. In addition another 21 properties are being restored by investors, with a further 20 new building projects licensed by the Yaroslavl Mayor's office. Illustrated details of these are included in the report.

The report also lists a number of sanctions imposed on cultural heritage properties involving:

- 40 court cases
- 19 Public Prosecution complaints
- 39 penalty claim letters
- 159 prescriptions of breach of protection terms sent to occupants
- 5 administrative measures.

Consequently in the period 2005-8, the State Building Inspection of the Regional Administration imposed fines upon 105 responsible occupants; brought actions against 2 occupants; and brought 27 issues before public prosecution bodies.

The Urban Master Plan for Yaroslavl was established in 2006, and provides a general development strategy for city planning until 2030, with the first stage of development due by 2010.

A regulatory act regarding the conservation area of the property "The Historical Centre of Yaroslavl" was initiated in 2008. It notes that house building must be restricted; restoration work must be carried out in accordance with Regulations; the surrounding characteristics should be retained; and original appearance of buildings remains. In the historic centre a number of restrictions are imposed, including:

- Measures to reduce the amount of damaging freight traffic
- Construction of new buildings
- Rebuilding and restoration to be carried out in accordance with the regulatory act
- Restricting the construction of high-rise
- Demolitions, the need for surveys and planning integration
- Control on engineering equipment on building facades
- Restrictions on temporary buildings
- Restrictions on advertising on buildings.

The report notes that UNESCO must be informed of renovation or construction that can affect the value of the property. It also notes that considerable efforts are being made to expand the tourist infrastructure, with 19 hotels being constructed by 2010 and 71.7 million roubles being allocated to current tourism development programme.

The joint World Heritage Centre / ICOMOS reactive monitoring mission to the Historical City of Yaroslavl was carried out from 11 to 15 May 2009. The mission evaluated the information provided by the State Party, as well as the projects within the boundaries of the property and its buffer zone which could affect its Outstanding Universal Value and integrity.

The overall conclusion of the mission is that, to this date, the Outstanding Universal Value of the property has not been irreversibly threatened by the restoration and renovation projects for the millennium celebration of the City of Yaroslavl in 2010. However, the changes to the horizontal urban skyline through the construction of the new Cathedral of the Assumption situated at the Volga embankment within the boundaries of the property has impacted adversely on visual integrity and on authenticity in terms of the ability of the main structures of the historic city to reflect their value.

The creation of this new urban skyline dominates the city. This change brings the risk that the height of the new Cathedral could be used, in the future, as an "authentic urban element", in order to increase the existing limit of height for new constructions. Particular attention has to be paid to the careful review of all projects and urban planning, as there is considerable interest by developers and promoters since the inscription of this property on the World Heritage List. While the authorities provided assurances that prior to the delivery of construction permissions, all existing juridical instruments are taken into account, the mission has been informed about some situations, where the site manager and concerned authorities did not appear to be involved in a project review and approval of the construction permissions.

All the high rise projects proposed on the embankment of the Volga have been cancelled or postponed for future planning.

The provision of information to the World Heritage Centre and to ICOMOS, as well as to the general public about proposed projects has been inadequate.

The recommendations of the mission are specifically:

- a) The process of review and delivery of the building permissions should be clearly established and approved in conformity with the official juridical documents, in order to fully involve all stakeholders concerned;
- b) All projects which could impact on the Outstanding Universal Value, integrity and authenticity of the property should be officially transmitted by the authority responsible for the site management directly to the World Heritage Centre and ICOMOS, for review, prior to any approval and delivery of the building permissions;
- c) The planning and decision making processes should be made transparent to the public;
- d) The administration in charge of the process of monitoring of the state of conservation of the property should be clarified and agreed with the Federal authorities;
- e) The human resources for the management and monitoring of the property should be adequate;
- f) The excessive use and opening of underground spaces should be limited within the boundaries of the World Heritage property and its buffer zone;
- g) The use of new and inappropriate materials (such as metal and glass) as main materials on the facades should be avoided;
- h) Restrictions of outdoor advertisements should be implemented.

The World Heritage Centre and ICOMOS are concerned at the major changes to the property's skyline that have occurred without prior notification, particularly the construction of the new Cathedral of the Assumption. They consider that the gradual changes to the urban fabric represent a potential threat that could affect the Outstanding Universal Value of the property. The establishment of clear, transparent and effective coordination between the authorities concerned with direct involvement of the international experts in the process of the evaluation of all projects which could represent a potential threat to this property is a necessary step in its monitoring and management and needs to be put in place as a matter of urgency.

**Draft Decision:     33 COM 7B.120**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7BAdd,*
2. *Recalling Decision **32 COM 7B.107**, adopted at its 32nd session (Quebec City, 2008),*
3. *Acknowledges the results of the May 2009 World Heritage Centre / ICOMOS reactive monitoring mission;*
4. *Notes the restoration and renovation efforts of the Regional and local authorities in the preparation of the celebration of the millennium of the City of Yaroslavl;*
5. *Expresses its serious concern about the changes to the horizontal urban skyline and in particular the construction of a new cathedral of the Assumption;*

6. *Reiterates its concern* about numerous planned constructions within the boundaries of the property which could affect its Outstanding Universal Value, integrity and authenticity;
7. *Requests* the State Party to pay particular attention to paragraph 172 of the Operational Guidelines and to provide to the World Heritage Centre information on all major projects within the boundaries of the property which could affect its Outstanding Universal Value prior to its evaluation, review, recommendations and approval by the authorities;
8. *Also requests* the State Party to submit to the World Heritage Centre by **1 February 2011**, a detailed progress report on the implementation of the recommendations of the May 2009 World Heritage Centre / ICOMOS reactive monitoring mission and on state of conservation of the property, for examination by the World Heritage Committee at its 34th session in 2011.

### **123. Cathedral, Alcázar and Archivo de Indias in Seville (Spain) (C 383 rev)**

Year of inscription on the World Heritage List

1987

Criteria

(i) (ii) (iii) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

N/A

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

N/A

Main threats identified in previous reports

N/A

### Illustrative material

<http://whc.unesco.org/en/list/383>

### Current conservation issues

In October 2008, the World Heritage Centre and ICOMOS were made aware of plans to construct a tall tower (178 metres) known as Torre Cajasol (or Torre Pelli) in the vicinity of the inscribed serial property.

By letters dated 14 October 2008 and 2 March 2009, the State Party was requested to provide recent documentation on the project in order to allow a proper assessment of its impact. It was further pointed out that ICOMOS had expressed concern over its potential impact and requested the project to be halted until available documentation has been thoroughly studied. At the time of the preparation of this report, no response has been received from the State Party.

The inscribed property consists of three monuments: the Cathedral, Alcázar and the Archivo de Indias in the historic city centre. The buildings relate spatially to one another but have been delineated separately. No buffer-zone has been defined. The three buildings are located approximately 300m east of the Guadalquivir river.

#### *Torre Cajasol ("Torre Pelli")*

The proposed tower is on the western bank of the river approximately 600 metres from the boundaries of the Alcazar. It is part of the development of an area known as "Puerto Triana" which extends to 66,500 square meters, located between Triana and La Cartuja, whose name relates to a Carthusian monastery. The proposals for this development project include the 40 storey elliptical office tower, a conference centre, and further public and private areas (office space, shops, restaurants, sports areas). A new bridge is planned to link the development area to the historic centre on the opposite bank of the river.

The development is promoted by the Cajasol Company, the board of which includes representatives from regional and local authorities. The architects are Clarke and Pelli.

According to information received from several non-governmental organizations, permission has been granted and construction works are about to start on the ground. It is further understood that this construction permission was given on an exceptional basis, and that the urban development plan of Seville does not allow for such development on this area. It is reported that numerous non-governmental organizations have expressed objections to the tower part of the scheme and the associated bridge, and that a challenge has been brought before the Courts.

The available information suggests that no impact assessment was carried out of the potential visual impacts of the tower on the World Heritage property, such as from important views from the public belvedere of the Giralda or towards the monuments from the banks of the river.

The Director of the World Heritage Centre, the Chief Europe and North America and a representative of ICOMOS met with the State Party authorities on 7 May 2009. During the meeting the World Heritage Centre received a letter dated 6 May 2009, by which the State Party of Spain provided comprehensive documentation, including a visual impact study carried out by a research group (CARMA) of the University of Seville (complete documentation in 5 volumes called "Estudios y Documentos realizados sobre la posible afección de la Torre Cajasol sobre la lista de edificios de Sevilla declarados por la UNESCO Patrimonio Mundial (Tomo 1.- GMU / Tomo 2.- GAIA / Tomo 3.- CARMA (Criterios de evaluación de afecciones arquitectónicas visuales a los monumentos. Estudio de caso: El Patrimonio Mundial de Sevilla y la Torre Cajasol) / Tomo 4.- Documentación complementaria

/ Tomo 5.- Resumen ponencias)"). The documentation has been transmitted to ICOMOS for review.

The World Heritage Centre and ICOMOS were also informed about considerations to create a commission to deal with the impact assessment for the project and ICOMOS and the World Heritage Centre were requested to join this commission.

ICOMOS considers that it should remain separate from local experts in coming to conclusions on any impacts. It can offer advice on methodologies and what needs to be considered but then they should independently assess the results of impact studies. The World Heritage Centre shares this view. The World Heritage Centre and ICOMOS therefore encourage the creation of such a commission to provide a report for consideration by the World Heritage Centre and ICOMOS.

The World Heritage Centre and ICOMOS remain concerned that permission has been given for this 40 storey tower without the project being reported to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*. An adequate impact assessment concerning the Outstanding Universal Value of this serial World Heritage property and its setting should be completed before any further work is undertaken.

**Draft Decision:      33 COM 7B.123**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Expresses its concern that the State Party has not provided any information on the proposed Cajasol tower, in conformity with Paragraph 172 of the Operational Guidelines;*
3. *Notes the documentation provided by the State Party in May 2009;*
4. *Urges the State Party to carry out, if not already undertaken, a comprehensive impact assessment of the proposed developments on the Outstanding Universal Value of the World Heritage property and its setting;*
5. *Also urges the State Party to halt any construction works on this project until such a comprehensive impact assessment has been completed and reviewed by ICOMOS;*
6. *Requests the State Party, in consultation with the World Heritage Centre and ICOMOS, to develop a draft Statement of Outstanding Universal Value including the conditions of integrity and authenticity, for examination by the World Heritage Committee;*
7. *Also requests the State Party to define a buffer zone for the World Heritage property and to submit a map by **1 February 2010**, for examination by the World Heritage Committee at its 34th session in 2010;*
8. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations set out above, for examination by the World Heritage Committee at its 34th session in 2010.*

## 124. Historic Areas of Istanbul (Turkey) (C 356)

### Year of inscription on the World Heritage List

1985

### Criteria

(i), (ii), (iii), (iv)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**30 COM 7B.73; 31 COM 7B.89; 32 COM 7B.110**

### International Assistance

Total amount provided to the property (from 1987 to 2004): USD 371,357

### UNESCO extra-budgetary funds

Total amount provided to the property: USD 211,900 (Conservation of Hagia Sophia); USD 36,686.30 (France/UNESCO Cooperation Agreement); UNESCO CLT/CH USD 155,000 (in the framework of the International Safeguarding Campaign for Istanbul and Göreme).

### Previous monitoring missions

2000, 2001, 2002, 2003, 2004: World Heritage Centre missions, April 2006, May 2008, March 2009: World Heritage Centre / ICOMOS reactive monitoring missions

### Main threats identified in previous reports

- a) Continued degradation of the vernacular architecture within the protected zones (particularly Ottoman-period timber houses in the Zeyrek and Süleymaniye core areas);
- b) Quality of repairs and reconstruction of the Roman and Byzantine Walls and associated palace structures, including Tekfur Saray and the 'Anemas Dungeon' (Blachernae Palace);
- c) Uncontrolled development and absence of a World Heritage management plan;
- d) Lack of coordination between national and municipal authorities, and of organisational relationships between decision-making bodies for the safeguarding of World Heritage at the site;
- e) Potential impacts of new buildings and new development projects on the World Heritage site and the lack of impact studies before large-scale developments are implemented.

### Illustrative material

<http://whc.unesco.org/en/list/356>

### Current conservation issues

Over its last six sessions, the World Heritage Committee has expressed concern at a variety of significant threats, including the demolition of Ottoman-period timber houses, the poor quality of repairs and excessive reconstruction of the Roman and Byzantine Walls, the potential negative effects of the construction of the Marmaray Rail Tube Tunnel, the Gebze-Halkalı Surface Metro System, and the Haliç bridge project and the absence of a World Heritage management plan. Concern has also been expressed over the legislative arrangements, and the effectiveness of organisational and coordination relationships between decision making bodies responsible for safeguarding the property.

At its last session (Quebec City, 2008), the Committee requested the State Party to finalize the integrated and comprehensive World Heritage management plan, including putting in place a buffer zone to protect the integrity of the property, provide the World Heritage Centre with information on impact studies, including a visual impact assessment, according to international standards for all new large-scale projects which may threaten the important views to and from the property and its buffer zone, including the Haliç bridge across the Golden Horn, as well as impact studies for large-scale urban renewal projects proposed for implementation within the framework of Law 5366. It further requested the State Party to invite a joint WHC/ICOMOS mission and to submit a progress report to enable the Committee to review a potential inscription of the property on the List of World Heritage in Danger.

The State Party submitted an extensive state of conservation report on 30 January 2009. This addressed the following:

a) *Statement of Outstanding Universal Value*  
This will be evaluated separately by ICOMOS.

b) *Financial support for the conservation activities*  
The mechanism for awarding grants came into force in 2005. In the financial year 2008, USD 20.061 was allocated for projects on 7 historic buildings and USD 89.974 was allocated for the restoration of 7 historic buildings within Istanbul. Municipalities benefit from a Tax sharing initiative, which also came into force in 2005, and this has enabled work on 159 restoration projects throughout the municipalities.

c) *New management structure*  
The Site Management Directorship was founded in 2006 by the Istanbul Metropolitan Municipality under the Law for Conservation of Cultural and National Heritage. Its secretariat is provided by the Istanbul Metropolitan Municipality. It consists of a site coordinator (Manager), Advisory Council, Coordination Council and Audit Unit. The Site Coordinator was appointed in October 2006. The Advisory Council includes representatives of the Governorship, of the Universities in Istanbul, of the Metropolitan Authorities, of the Chamber of Trade and Chamber of Architects. The Coordination Council is responsible for approving and implementing the management plan.

d) *Management plan and boundaries*  
The management plan for the property is being prepared by the Istanbul Metropolitan Municipality. The Ministry of Culture and Tourism initiated a multi-disciplinary study of the property's boundaries. The technical studies were completed in January 2009. The boundaries of the property will be set out and confirmed (see below).

e) *The Golden Horn Bridge Project*

The environmental impact assessment has been prepared for this large metro bridge across the Golden Horn, and submitted in Turkish. The English version of the document was submitted on 6 February 2009.

Information was also provided on proposed New Large-Scale Development Proposals and on conservation and restoration projects.

A joint WHC/ICOMOS reactive monitoring mission visited the property from 27 to 30 April 2009. It addressed the following issues:

f) *Boundaries of the property*

There is a need for clarification of the inscribed boundaries as part of the Retrospective Inventory Project launched by the World Heritage Centre in 2005. A project to define the boundaries of the four discrete areas has recommended that part of the forth inscribed area (the City Land Walls) should be changed to buffer zone. It is understood that a proposal to designate a buffer zone to protect the setting of the rest of the Historic Peninsula was rejected by the Protection Council.

Proposed maps need to be submitted to the World Heritage Centre for assessment. However, the mission reiterated the recommendation of the 2006 mission, endorsed by the Committee, that proposed buffer zone should include the Eyüp conservation area, the historic core of Galata-Beyoğlu, the protected Front Perspective Area of the Bosphorus and the Princes Islands in the Sea of Marmara.

g) *Management and conservation plans and management structure*

A World Heritage management unit has been established and a World Heritage Coordinator has been appointed, but his role is advisory and not executive. The mission was informed that the World Heritage Advisory Board will resume meetings soon. The mission was not made aware of substantial progress with putting into effect the remainder of the management structure recommended by the 2008 mission. Responsibilities and competencies still remain largely unclear. There was no evidence of substantial coordination between local, metropolitan and ministerial authorities and indeed the lack of coordination appeared to be contributing to planning difficulties, such as the Four Season's hotel annex project. In consequence, problems in monitoring and implementing conservation policies still remain and collaboration between central government and local authorities needs improvement.

No World Heritage management plan has yet been prepared, but the boundary to be covered by the plan was approved by the Ministry of Culture and Tourism on 21 April 2009. A general outline of the plan was provided in the State Party's report. However, there is still an urgent need to set out as a fundamental basis for the management plan clear statements about responsibilities of the key stakeholders such as the Governorship, Ministry of Culture and Tourism, Metropolitan Municipalities and District Municipalities. There is also a need to clarify the overall legal framework within which these responsibilities operate. Funding is being sought from the Istanbul European Capital of Culture 2010 initiative to finance preparation of the plan, which may take one year according to the authorities.

It is understood that on 29 November 2007, the Administrative Court took the decision to suspend the execution of the 1:5000 management plan, the Protection Board took the decision to suspend the 1:1000 plan also. The two plans are now being prepared again, but they are 90% the same, taking into account the objections raised before. The mission was informed that these decisions do not cause an impediment to the preparation of the World Heritage management plan.

*h) Awareness raising*

All professional personnel of the KUDEBs of the Metropolitan Municipality and Fatih Municipality receive 3 months training at the Protection Board before they start work. Fatih Municipality's KUDEB has five employees – art historians, archaeologists and architects. The amalgamation with Eminönü municipality took place only just before the mission and the practical effects on conservation management will take time to become apparent. A promotional film has been prepared which has been shown on national television. There is still little promotion amongst local people and no overall World Heritage awareness-building programme.

*i) Conservation standards*

As stressed by the 2008 mission, there is still a need to ensure that all work at monuments meet international standards and is preceded by adequate documentation and analysis.

As also stressed by the previous mission there is concern at urban renewal projects with a focus on land development which are inappropriate for the World Heritage core areas and major infrastructure projects in the historic peninsula. The mission reiterates the recommendations of the 2006 and 2008 missions that all such projects should respect the conservation of existing historic structures rather than rebuilding and new construction. No significant modification appears to have been made to urban renewal projects proposed within the framework of Law 5366 for the “Preservation by Renovation and Utilization by Revitalizing of Deteriorated Immovable Historical and Cultural Properties” and they have not been revised to constitute conservation plans appropriate for a World Heritage property. The implementation in practice of Law 5366 therefore remains a significant potential threat to the integrity of the World Heritage core areas. This is relevant not just for individual monuments but also for areas such as Sulukule, part of the property located near the Theodosian Walls where the mission considered that there had been unacceptable loss of tangible and intangible attributes through the destruction of listed buildings and the dispersal of communities through a programme of gentrification by local authorities. This was referred to as a social project in the State Party report, but the mission considered that economic factors had been a dominant factor in the relocation of inhabitants.

Fatih Municipality has now submitted a development plan for the area within the framework of Law 5366. It was not possible for the mission to examine the detailed proposals, as they have been submitted for evaluation to the Protection Council, but an outline elevation shown to the mission appeared to involve the demolition of houses located on the Sea Walls and the construction of an imperial staircase in front of the walls framing the former palace of the Bulgarian exarch. This is a development rather than a conservation project and not the assistance to individual owners as recommended by previous missions.

*j) Four Seasons Hotel*

A visual impact assessment for the Four Seasons hotel extension was submitted in 2008, but it does not include an assessment of the third hotel extension building. The Sultanahmet Tourism Company and the Associazione Palatina-Istanbul have been in discussion about the improved overall interpretation of the Sultanahmet core area, incorporating the development of the Archaeological Park, but permission for both the hotel extension and the archaeological park was suspended by the Administrative Court on 25 February 2009 and all work has stopped, including further archaeological research and conservation works to the excavated remains, because of the court order. This places these important archaeological remains at risk, due to potential prolonged exposure to adverse weather.

*k) Metro bridge across the Golden Horn:*

The new metro bridge across the Golden Horn is proposed as a towering cable-stay structure which would have a significant negative impact on the setting of the Historic Peninsula, the Golden Horn itself and the Süleymaniye Mosque in particular – the single most important Ottoman-period monument in the city, masterpiece of the architect Sinan, which was identified at the time of inscription as a work of human genius. The design for the Haliç metro crossing presented to the mission is for a structure that uniquely combines a swing bridge which opens for ships and a metro bridge incorporating a station above the deck. The bridge is 460 metres long, 65 metres high (pylons) from the water and the platform about 15 mt above the water level (Galata bridge and Atatürk bridge are less than 10 m high). The station will be 180 metres long, about 10 metres high and the bridge deck will be 10 metres wide. This bridge has been planned for 1½ years, could be finished in 13 months and will connect two sections of the metro network which are otherwise 99% completed. The bridge is a cable-stay structure, with pylons topped with “horns” curving. It is planned to be in the immediate vicinity of the Süleymaniye core area and the Süleymaniye Mosque (minarets height 112,40mt).

The mission considers that the design of the bridge is inappropriate for this position, both because it will impede irreversibly many important views of the World Heritage site and because the bridge, presented as a “work of art”, will compete with the Süleymaniye Mosque, identified at the time of inscription as a work of human genius, designed by Sinan. The mission considers it essential that alternative designs for a flat bridge, without significant upward projections, are considered. These must be supported by thorough environmental impact studies based on an assessment of the attributes of Outstanding Universal Value, including the skyline of the historic peninsula.

In the absence of either revisions to the Golden Horn bridge or the abandonment of the project, inscription of the property on the List of World Heritage in Danger could be envisaged by the World Heritage Committee.

#### *l) Traffic Master Plan*

Many of the current development projects are related to the Traffic Master Plan for the peninsula. Indeed metropolitan transport planning appears to be the leading principle of urban development in the property. The traffic plan was not presented to the mission in its entirety. There appears to be no specific study in relation to the World Heritage site.

The 2008 mission was satisfied with the archaeological mitigation activities being undertaken in advance of rail and metro extensions and interchanges. This mission was concerned at the impact of overall plan in terms of proposals for the Haliç bridge, the Bosphorus road tunnel, the 3rd Bosphorus bridge, and the Yenikapı Transport Centre. For instance, the current proposal of the Ministry of Transportation for a Bosphorus road tunnel from Harem on the Asian shore to Kumkapı in the Historic Peninsula, just to the west of the Sultanahmet core area, would undoubtedly bring large volumes of traffic from the suburbs to the east of the Bosphorus directly into the heart of the World Heritage property.

And at Yenikapı archaeological site a new traffic centre is planned where streets, railway and metro meet as an interchange for two continents. This new urban centre project will introduce changes of scale into the urban fabric and changes to functional and social structures near to the centre of the property in one of the most traditional parts and where Neolithic traces have been discovered.

#### *m) Restoration of Timber Houses*

KUDEB provides conservation training and demonstrates through the restoration of individual houses the advantages of protection and conservation of vernacular architecture. This approach needs encouragement to allow a greater continuity and a greater number of

projects, as currently only a few buildings have this treatment. Many timber houses, are in danger not only because of substantial deterioration but also because they are not yet listed and as such have no financial and technical support. Empty houses are increasing but there is no holistic conservation or rehabilitation strategy or programme. The conservation of Ottoman houses could contribute substantially to providing houses as well to cultural tourism.

The World Heritage Centre and ICOMOS remain concerned at the adverse potential impact of the proposed massive bridge across the Golden Horn which, through the visuals already provided, has a dominating impact of the evocative and fragile skyline of the historic area. It is essential that a robust and independent environment assessment is carried out based on a clear articulation of the attributes of Outstanding Universal Value for the property, including alternative bridge design without pylons. So far the visual impact of the bridge on the value of the property has not been adequately addressed.

Work is urgently needed on the management plan to provide the framework to ensure that development, and improved infrastructure respects the attributes and value of the property. Without this framework, the property is in increasing danger due to the dynamic development of traffic and building projects in its core and in the Historic Peninsula. Although work is planned for the management plan, so far little progress has been made and there is concern that illegal demolitions, inappropriate reconstruction and development, and the lack of impact studies for some projects, reflect the absence of a Plan. There is an urgent need to make progress with this plan which should be based on agreed boundaries and buffer zones and encompass regeneration, tourism management, traffic management and awareness raising. There are a number of new financial, legal and administrative measures which have the potential to reverse the problem of inner-city decay and neglect. Many of the benchmarks agreed by representatives of the Turkish authorities during the 2006 mission and endorsed by the Committee at its 30th session were not met within the specified timeframe or have yet to be completed, and the same is true of many benchmarks recommended by the 2008 mission and endorsed by the Committee at its 32nd session. Progress in meeting such benchmarks is urgently needed.

Of the new financial and legal provisions recently put in place, of particular concern are projects designed and implemented within the framework of Law 5366 for the "Preservation by Renovation and Utilization by Revitalizing of Deteriorated Immovable Historical and Cultural Properties" could result in a serious loss in authenticity, and that the wholesale demolitions of houses of the Roma minority in Sulukule (in the Theodosian Land Walls core area) indicate how potentially destructive such projects can be.

**Draft Decision:        33 COM 7B.124**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.110**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes the results of the 2009 joint World Heritage Centre / ICOMOS reactive monitoring mission and endorses its recommendations;*
4. *Also notes the appointment of a site manager of the property and encourages the State Party to implement fully the management structure adopted in 2006 and clarify roles and responsibilities;*

5. *Further notes that, although some progress has been made in drafting the scope of a management plan, little progress has been made with its drafting, and urges the State Party to expedite this work to provide the framework for ensuring that development and improved infrastructure respects the attributes and value of the property;*
6. *Reiterates its request for awareness raising on the scope and value of the property amongst stakeholders and particularly the local community;*
7. *Also reiterates the recommendations of the 2006 and 2008 missions that all such development and redevelopment projects should respect the conservation of existing historic structures, and expresses concern that no significant modification appears to have been made to urban renewal projects proposed within the framework of Law 5366 for the “Preservation by Renovation and Utilization by Revitalizing of Deteriorated Immovable Historical and Cultural Properties” in order to incorporate conservation plans appropriate for the property;*
8. *Expresses its grave concern at the potential impact of the proposed new metro bridge across the Golden Horn, as its towering cable-stay structure would have a significant adverse impact on the property and its setting and on the Süleymaniye Mosque in particular, and also urges the State Party to abandon this project or consider alternative proposals and submit details of these, together with an independent environmental impact assessments for assessment by ICOMOS before any irreversible decisions are made;*
9. *Also expresses its concern at the potential impact of the implementation of the Traffic Plan on the historic peninsula, in particular (as well as the Golden Horn bridge) the Bosphorus road tunnel from Harem on the Asian shore to Kumkapı in the Historic Peninsula, just to the west of the Sultanahmet core area, which would undoubtedly bring large volumes of traffic from the suburbs to the east of the Bosphorus directly into the heart of the property, and requests the State Party to provide details of the scheme and an independent environmental impact assessment before any irreversible commitments are made;*
10. *Also expresses its concern that many Ottoman style timber houses are in danger and increasing numbers are empty and further urges the State Party to develop an holistic conservation or rehabilitation strategy or programme as part of the overall management plan;*
11. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a state of conservation report for the property that address the above points for examination by the World Heritage Committee at its 34th session in 2010.*

**125. Kiev: Saint-Sophia Cathedral and Related Monastic Buildings, Kiev-Pechersk Lavra (Ukraine) (C 527 bis)**

Year of inscription on the World Heritage List

1990

### Criteria

(i) (ii) (iii) (iv)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

### Previous Committee Decisions

**28 COM 15B.99 ; 29 COM 8B.56; 32 COM 7B.111**

### International Assistance

Total amount provided to the property: 1998, USD 19,750

### UNESCO Extra-budgetary Funds

N/A

### Previous monitoring missions

May 1999: ICOMOS expert mission; April 2006: expert mission (Italian Funds-in-Trust); November 2007: World Heritage Centre information meeting for site managers

### Main threats identified in previous reports

Urban development pressure

### Illustrative material

<http://whc.unesco.org/en/list/527>

### Current conservation issues

At its 32nd session (Quebec City, 2008) the World Heritage Committee expressed its concern at the numerous construction or reconstruction projects in the buffer zone that could affect the Outstanding Universal Value of the property, invited the State Party to create a national coordination board to coordinate management between the two components of the property, *Saint Sophia Cathedral site and Related Monastic Buildings*, and the *Kiev-Pechersk Lavra* site, requested the State Party to draft a Statement of Outstanding Universal Value and a state of conservation report, that detailed major intended or authorized construction projects that could impact on Outstanding Universal Value, for consideration at its 33rd session.

The State Party submitted its state of conservation report on 20 February 2009.

The report provides details on legislative protection, research and monitoring taken from the Periodic Report. It does not address the request of the World Heritage Committee to provide details of threats in the buffer zone or the creation of a national coordination board.

From 2 to 7 March 2009, a joint World Heritage Centre / ICOMOS reactive monitoring mission visited the property. It considered the following:

#### *a) Legal protection*

The mission recommends regulating, within the context of a general reform of cultural heritage legislation, the mandatory detailed operating regimes for the protection and the development of the territory of the property and its buffer zone. Currently the legal and planning restrictions for the property do not appear to be respected and this has led to development that threatens the property.

b) *Management system*

The lack of precise operating regimes, general and detailed urban development plans, as well as the contradictions between stakeholders, are seriously undermining the urban fabric of the buffer zone around each of the two components of the property.

Currently the two parts of the property are managed completely separately. The mission recommends reforming the management system to allow the two component parts of the property to be managed as a single integral property through a unified management system with effective coordination between the various stakeholders and a unified management plan with an action plan for both parts of the property.

It also considered that there was urgency in establishing an Inter-Ministerial Coordination Bureau as recommended in Decision **32 COM 7B.111** of the World Heritage Committee.

Furthermore it considered that consideration should be given to uniting the two designated reserves within a single institution that would be responsible for the unified operational management of the whole property.

c) *Planned construction work in the buffer zone*

The mission noted a considerable number of threats to the property from construction and reconstruction within the buffer zone and considered that the infringements made in the buffer zone and to the wider landscape of the Dnieper River threaten the property. They undermine the authenticity of its context, modify its silhouette or break important visual axes connecting the two parts of the property.

The buffer zone around the Saint Sophia site has suffered from localised degradation from construction that have not respected the ban on construction not exceeding the traditional heights and scales of existing buildings. For instance two very tall buildings erected on "Patorjinska" Street break an important visual axis for the city looking towards the Saint Sophia ensemble; the new Hyatt hotel undermines the stylistic unity along the major axis between the Saint Sophia and "Sabor Mikhailovski" ensembles and numerous attic extensions are ruining the traditional appearance of the rooftops.

The buffer zone around the Lavra site is under even greater threat from the far more extensive and large-scale constructions planned in the immediate vicinity of the property. In particular, this involves a major residential and hotel complex between Saint Spas of Berestove Church and the property; and a project for a major residential and hotel complex on the site of the former military factory near the Arsenal. In both cases, the municipal powers have sold land before defining its usage, without putting in place any construction restrictions or have ignored the opinion of the Reserve. In the case of the Arsenal site, (where a competition was held), the procedures do not concord with procedures drawn up with the Ministry of Culture and Tourism, do not conform to the detailed urban development plans drawn up by the "Kievgenplan" Institute, nor with the operating regimes of the buffer zone.

Although several particularly aggressive projects for new constructions have been suspended (for example, the construction of a tall building opposite the Saint Sophia site at the corner of Volodimirska and Sofiiska streets, and the height of certain other planned buildings has been revised down, the mission recommended a moratorium on the following planned construction projects:

- Buildings on the territory around the Arsenal and the earth fortification following the international competition;
- A hotel complex around Saint Spas of Berestove Church;
- A hotel and residential complex on the land of the former military factories near the Arsenal;

- Tall buildings that could compromise the panorama of the historical monastic landscape along the Dnieper.

The mission considered that there was a need to compile, within the context of the General Plan for Kiev, a general and detailed urban development plan for the property and its buffer zone. In the light of such a plan, the usage and construction on the above sites should be reassessed.

d) *Buffer zone*

As early as 1990, ICOMOS had drawn attention to the significance of the wider setting of the property in terms of its association with the monastic riverside landscape of the river Dnieper. This panorama became a model for other sites in Ukraine, Belarus and Russia. The mission considered that the protection of this panorama should be one of the key objectives of the overall conservation strategy for the property. The mission recommended that a study be initiated to consider visual perspectives of the property in its river landscape setting.

The mission noted several changes made to the buffer zone and its protection since inscription and considered that there was a need for the State Party to provide an updated survey map of property and its buffer zone showing all the changes that have occurred.

The mission recommends extending the eastern boundary of the buffer zone of the Saint Sophia site to include *Maidant Nezalejnosti* Square an important part of the urban structure of the buffer zone.

e) *State of conservation*

The mission considered that the state of conservation of the fabric of the key monuments of the property is satisfactory due to the training of staff in the two Reserves and in the research institutes. However there are concerns over the integrity and the authenticity of certain structures of lesser value, notably at the Lavra site, where the state of the catacombs is still critical for want of an overall project for their consolidation.

The World Heritage Centre and the Advisory Bodies are concerned at the serious threats to the property arising from the ineffective management system that has allowed inappropriate development, both planned and executed, in the buffer zone and setting of the property, apparently in contravention of existing planning and legislative controls.

The World Heritage Centre and the Advisory Bodies consider that there is a need to reform the management of the property to address these threats through putting in place a system that allows both sites to be managed as a single integral property, and through integrating the management of the property within the planning framework of the wider urban area. It also considers that there is a need for capacity building to allow better management training for heritage specialists and for the way that the Church can contribute to the protection of cultural heritage, and that perhaps the latter could be addressed through an international symposium.

**Draft Decision: 33 COM 7B.125**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.111**, adopted at its 32d session (Quebec City, 2008),

3. Notes the findings of the joint World Heritage Centre/ICOMOS reactive monitoring mission of March 2009 and in particular that the current fragmented management is failing to address the needs of the property and recommended that a unified system is put in place together with a unified management plan;
4. Also notes the satisfactory condition of the key monuments of the property, but expresses concern that other monuments are in a less satisfactory condition and that the catacombs at the Lavra site remain in a critical condition;
5. Requests the State Party to ensure an integrated planning framework of the urban area through the development of a detailed urban development plan for the property and its buffer zone;
6. Also expresses great concern at the threats to the property from development in the buffer zone and setting from construction that appears not to be in conformity with current regulations, and urges the State Party to put in place a moratorium on the following projects until an urban development plan has considered appropriate uses for these sites:
  - a) Buildings on the territory around the Arsenal and the earth fortification following the international competition,
  - b) A hotel complex around Saint Spas of Berestove Church,
  - c) A hotel and residential complex on the land of the former military factories near the Arsenal,
  - d) Tall buildings that could compromise the panorama of the historical monastic landscape along the Dnieper;
7. Recommends the State Party to consider extending the eastern boundary of the buffer zone of the Saint Sophia site to include Maidant Nezalejnosti Square an important part of the urban structure, and to initiate a study on visual perspectives of the property in the wider context of the monastic riverside landscape;
8. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations of the March 2009 reactive monitoring mission and the requests set out above, for examination by the World Heritage Committee at its 34th session in 2010.

## 126. L'viv – the Ensemble of the Historic Centre (Ukraine) (C 865)

### Year of inscription on the World Heritage List

1998

### Criteria

(ii) (v)

### Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**28 COM 15B.100; 29 COM 7B.87; 31 COM 7B.120**

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

2004: ICOMOS-German World Heritage Foundation mission;

Main threats identified in previous reports

- a) New constructions within the historic centre
- b) Lack of valid detailed planning documents
- c) Inadequate infrastructure including the sewage system

Illustrative material

<http://whc.unesco.org/en/list/865>

Current conservation issues

The World Heritage Committee at its 31st session (Decision **31 COM 7B.120**, Christchurch, 2007) urged the State Party to complete the revision of the Master Plan for the World Heritage property. The World Heritage Committee requested the State Party to submit the topographic maps indicating the exact boundaries of the World Heritage property and its buffer zone as inscribed on the World Heritage List, as well as also requested the State Party to provide the World Heritage Centre with an updated report by 1 February 2009 for examination by the World Heritage Committee at its 33rd session in 2009.

The World Heritage Committee also noted the State Party's proposal to create a Training Centre on the protection, preservation and promotion of cultural heritage and encouraged the authorities to cooperate with ICCROM in this regard taking into account the Global Training Strategy.

The World Heritage Committee at its 32nd session (Decision **32 COM 8B.69**, Quebec City, 2008) also examined and approved the minor modification to the boundary of the buffer zone of L'viv – the Ensemble of the Historic Centre, Ukraine. The World Heritage Committee requested the State Party to provide, as soon as possible, details of the overall area of the adjusted buffer zone.

The World Heritage Centre transmitted to the State Party the World Heritage Committee's Decision **31 COM 7B.120** on 27 August 2007 and Decision **32 COM 8B.69** on 8 October 2008. Further communications took place in January and March 2009 in an effort to stress the urgency of responding to the World Heritage Committee's request.

No detailed state of conservation report has been received from the State Party. However, the World Heritage Centre received from the Ukrainian authorities on 6 January 2009, a document entitled "Historical city building argumentation for property development in L'viv", and on 26 February 2009, the following documents: a) a map of the boundaries of the historic area of the City of L'viv; b) a catalogue "Rescued Heritage" concerning the historic Centre of L'viv; c) a list of potential major new constructions that may be envisaged within the boundaries of this World Heritage property in 2010-2012; d) information on a project for the restoration of the lost historical urban fabric in L'viv and its re-use as a tourist complex. In

addition, the State Party provided on 7 April 2009 documents and maps concerning the Hotel Complex Project within the boundaries of the World Heritage property.

In the absence of the detailed state of conservation report from the State Party, the World Heritage Centre and ICOMOS are seriously concerned about numerous construction or restoration projects within the World Heritage property and its buffer zone which could affect the Outstanding Universal Value and integrity of the property. Taking into account the high number of development projects within the World Heritage property and its buffer zone, there is a need to ensure adequate review and environmental and cultural impact assessments for these proposals.

**Draft Decision:        33 COM 7B.126**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **31 COM 7B.120**, adopted at its 31st session (Christchurch, 2007),*
3. *Expresses its concern about numerous construction projects within the World Heritage property and its buffer zone which could affect the Outstanding Universal Value of the property;*
4. *Urges the State Party to complete the revision of the Master Plan for the World Heritage property;*
5. *Requests the State Party to invite a joint World Heritage Centre / ICOMOS reactive monitoring mission to assess the state of conservation of the property and the issues identified in Decision **31 COM 7B.120**, adopted at its 31st session (Christchurch, 2007);*
6. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed state of conservation report of this World Heritage property including the detailed existing projects and description of any intention to undertake or to authorize major restoration or new construction projects which may affect the Outstanding Universal Value of the property, for examination by the World Heritage Committee at its 34th session in 2010.*

## LATIN AMERICA AND THE CARIBBEAN

### 136. City of Quito (Ecuador) (C 2)

#### Year of inscription on the World Heritage List

1978

#### Criteria

(ii) (iv)

#### Year(s) of inscription on the List of World Heritage in Danger

N/A

#### Previous Committee Decisions

**32 COM 7B.121**

#### International Assistance

Total amount provided to the property: USD 371 500 for the consolidation and preservation of some of the historic ensembles of the city as well as management and risk preparedness activities.

#### UNESCO extra-budgetary funds

N/A

#### Previous monitoring missions

N/A

#### Main threats identified in previous reports

N/A

#### Illustrative material

<http://whc.unesco.org/en/list/2>

#### Current conservation issues

The state of conservation of the City of Quito was examined during the 32nd session of the World Heritage Committee (Quebec City, 2008). The decision highlighted the concern about the potential impact that the proposed reconstruction of the tower of *Compañía de Jesús* could have on the Outstanding Universal Value of the property. It requested the State Party to make a clear and unequivocal commitment to cease the intervention and to suspend work on the rehabilitation project for the *Palacio Legislativo y Centro Cívico* until the mission could study the case. As requested, the State Party submitted a report 30 January 2009 responding to Decision **32 COM 7B.121**.

In addition, a joint UNESCO/ ICOMOS reactive monitoring mission took place on March 2 to 4 2009 to assess the current state of conservation and management at the property.

The State Party has reported on the actions implemented in regard to this intervention in recent years, including comments and information exchanges between the cultural heritage authorities, the Municipality and other actors.

Today the Municipality of Quito is still the main management body for the property which includes the Commission for the Historic Centre and the technical subcommission (at the Municipal level), and works in coordination with the FONSAL (Fund for Safeguarding Cultural Heritage) and the INPC (National Institute for Cultural Heritage). The district of Quito, of which the inscribed property forms part of, has been divided into four areas: historical core, surrounding area, buffer zone and environmental protection area. All the areas are equally regulated; construction and renovation processes are given according to the specific classification of each building, which means that there are no special regulations for the area inscribed as World Heritage property.

The responsibilities of the Municipality of Quito regarding the historic centre of Quito include register and inventory; policy and planning for historical areas; interventions; management and control of construction and definition of land uses.

a) *Reconstruction of the Compañía de Jesus Tower*

The church of the Society of Jesus (*La Iglesia de la Compañía de Jesús or La Compañía*) was built in 1605, its dome was completed in 1689 and the tower in 1690. The tower collapsed due to the earthquakes of 1859 and 1868, and since 1929 the church has existed as it physically remains today. *La Compañía* is considered as one of the most significant Jesuit buildings in the Americas, distinguished by its elaborate stone façade, the *mudejar* style coffered ceiling, the coverage of walls and buildings, the altarpieces and works of art inside the building.

Between 1992 and 2005 there were intensive restoration interventions at the Church before it was re-opened to the public. During the reactive monitoring mission, the results of the extensive interventions could be ascertained, including the structural reinforcement of the nave and lateral aisles, the restoration of the coffered ceilings, among others. It should be underscored that the project for the restoration of the architectural ensemble did not include the intervention of the tower.

The Society of Jesus has envisaged the intervention of the tower since 2005 when an agreement between the Society of Jesus and the Community of Madrid (Spain) for the intervention was signed. It is important to mention that the church of *La Compañía* and the cloister is catalogued as a monumental value property by both the INPC and the Municipality, which means that they have the highest level of heritage protection.

The case of the construction of the tower in the Jesuit church was discussed with the Foundation of the Society of Jesus, the Municipality of Quito, the Commission for Historic Areas and Heritage, ICOMOS Ecuador, the FONSAL and the INPC. During the mission's site visit, the engineers and architects in charge of the project made presentations. As indicated by the head of the project, the tower will become a viewing point in the centre of the city. Tourists will be able to have a panoramic view of Quito at 46 metres. It has been calculated that 24 persons can go up in 20 minute timeslots (8 people at a time) and that each person can spend around 20 minutes at the top. Last year 140 000 people visited the Church. To make the viewing point possible, a panoramic elevator has already been installed in the lower part of the tower and can be used to go up to the roof of the church. It was explained that the elevator has an independent structure; nevertheless the mission noted that the original brick fabric of the tower has been modified to insert it. It seems that the elevator cannot be removed without producing major damage in the fabric. In the area around the elevator shaft, a metallic spiral staircase has been built. The mission considered that a further analysis should be made as to guarantee that the staircase meets the basic security measures for this kind and size of construction. The construction of the staircase has also contributed to modify the original fabric of the tower.

The National Institute of Cultural Heritage (INPC), mandated at the national level with the control and monitoring of interventions on Ecuadorian cultural heritage, has expressed its criteria and evaluations of the project, including the request to suspend the implementation of the project and to reconsider the intervention and oriented it to guarantee the structure and stability of the current remains, incorporating reversibility and contemporary criteria. In addition, the World Heritage Committee requested the State Party to stop the interventions (Decision **32 COM 7B.121**). Notwithstanding, the Municipal Commission of Historic Areas of Quito approved the continuation of the intervention in July 2008, in contradiction to the request made by the INPC to definitely suspend the works. Between July 2008 and March 2009 the lift was installed inside the tower.

The project of the tower had been changed several times according to the concerns raised by the Commission and the technical subcommission of Historic Areas, responsible of the approval of the interventions for the historic centre of Quito (see reactive monitoring mission report). When in Quito, the mission attended the presentation of the last structural proposal for the tower which has not yet been officially approved by the Commission.

The mission also observed the following factors of the *Compañía* Church and the whole Jesuit ensemble:

- There is no integral general project for the complete ensemble. Proposals have been presented just individually and partially.
- The church's tower was modified because during the recent construction process, the original thickness of the campanile's walls was reduced to introduce an elevator, affecting the main structure of the building and the traditional constructive techniques and materials.
- Despite the modification inside in the original tower, it could be possible to maintain the elevator in order to preserve and protect the material characteristic and elements.
- Ancient engraving and pictures, considered the basis for the reconstruction, leave ample room for conjectures, as they are not clear enough to make an accurate statement nor can they be considered as comprehensive baseline documentation for the intervention.

The proposal to reconstruct the tower raises philosophical and intervention theory issues as it aims to promote the restitution of the architectural ensemble to a state that existed over 130 years ago, before the 1859 earthquake. Although towers of religious complexes were and continue to be landmarks of the skyline of the colonial cities in Latin America, any intervention needs to be reconsidered and balanced with the values of an exceptional building and in consideration to the integrity, authenticity and values of the property.

Current conservation theory and approaches to the intervention of historic buildings and ensembles do not foster this kind of intervention. In addition, the back and forth decision making process and revisiting the project over the last two years has generated doubts to the mission in terms of technical consistency mechanism. On several occasions an unsatisfactory proposal was approved and later stopped, for revision.

*b) Rehabilitation project for the Palacio Legislativo and Civic Centre*

The State Party reported that the proposal submitted to the Historic Areas Commission of the Municipality of Quito was deemed inappropriate because it did not meet conservation criteria for the historic centre and was consequently not approved. However, the report also notes that there are functional needs that need to be met at the *Palacio Legislativo*, including parking and storage areas, so a proposal is currently under review, which includes architectural and structural projects that do not affect the urban image of the area. As for the Civic Centre, the State Party report indicates that the project did not have enough support and has been dismissed by the Municipality.

The mission noted that the decision to halt the project was adequate given that it would allow for the preservation of one of the emblematic buildings of modern architecture of the City. It recommended that the drilled metallic façade be uninstalled to retain the original characteristics of the building. It also noted that the proposal for parking areas was controlled to guarantee the structural stability of the building.

The State Party also noted additional measures adopted for conservation, including the review of the Republic's Constitution that entails new cultural rights, the creation of a national system of culture and the conservation of cultural heritage as a responsibility and duty of the State, covered by the mandate of the Ministry of Cultural and Natural Heritage Coordination and the respective Law for Cultural Heritage, currently under review. Increased funding has been allocated for cultural heritage conservation to the National Institute for Cultural Heritage (INPC), who is responsible for cultural World Heritage properties in Ecuador.

During the reactive monitoring mission, an extensive analysis of the municipal policies regarding the protected area was carried out, and missing information in the original nomination file was also identified. An extensive consultation process, site visits, and several meetings were held with the following institutions: The Ministry of External Relations, the Coordination Ministry for Natural and Cultural Heritage, the Fund for Safeguarding Cultural Heritage (*Fondo de Salvamento del Patrimonio Cultural* - FONSAL), the National Institute for Cultural Heritage (*Instituto Nacional de Patrimonio Cultural* - INPC), the Municipality of Quito, the Commission for the Historic Centre, the Foundation of the Society of Jesus, INNOVAR - the urban development company of the municipality-, and ICOMOS Ecuador. In addition, a meeting with the civil society (neighbours' associations, business owners within the historic centre, and others) was also undertaken to gauge the civil society's vision and perception of UNESCO's role in safeguarding World Heritage. The main assets as explained by the attendants are related to the relocation of street commerce into commercial centres, the housing improvement programmes, reconditioning of neighbourhoods and public spaces. The main concerns are related to prostitution, delinquency, mendacity and alcoholism in certain areas of the historic centre.

The mission found that, despite the excellent work carried out in the past years by the competent local authorities, especially the *Fondo de Salvamento* (FONSAL) and the Municipality of Quito, it is urgent to update the nomination file of Quito according to the current requisites of the implementation of the *World Heritage Convention*.

The property was inscribed in 1978 yet it lacks a Statement of Outstanding Universal Value, including justification of authenticity and integrity as well as proper cartography of the property. It is a matter of urgency to complete the information to guarantee proper policies in place concerning the OUV of the property in the light of future architectonic, archaeological or landscaping interventions. The mission also highlighted the need to regulate and precisely define the limits of the protected area, including the establishment of a buffer zone, according to the areas currently considered by the Municipality of Quito as core and buffer zones of the historic centre.

The Municipality of Quito has made significant improvements in the state of conservation of the property and is currently working on the improvement of the quality of housing, transportation and environmental policies, but it has not mentioned how these measures operate in favour of the integrated conservation of the World Heritage property.

The World Heritage Centre and ICOMOS share concern about the distribution of competencies among institutions responsible for the City of Quito. The INPC delegated its responsibility for to the property the Municipality of Quito in 1984. The INPC currently has one representative in the Commission and one in the subcommission, with no capacity to veto. The World Heritage Centre and ICOMOS consider it a matter of urgency to take advantage of the mandate of the Coordination Ministry for Natural and Cultural Heritage to

identify the proper decision-making mechanism for interventions affecting the City of Quito at the technical and institutional levels.

The World Heritage Centre and ICOMOS consider that a holistic assessment of the Jesuit building needs to be urgently carried out by a multidisciplinary team, to understand its attributes and how individually and, as part of the ensemble as a whole, they contribute to the Outstanding Universal Value of the property. This analysis needs to be the driving force behind decision making for future interventions and should be documented and developed as part of the Statement of Outstanding Universal Value for the property.

**Draft Decision:      33 COM 7B.136**

*The World Heritage Committee,*

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.121**, adopted at its 32nd session (Quebec City, 2008),
3. Concerning the intervention in the tower, requests the State Party to:
  - a) Cease the reconstruction project of the tower of the Jesuit Church in light of the potential impact that the proposed reconstruction could entail;
  - b) Carry out a holistic and multisectorial assessment of the architectural ensemble and establish an assessment of the attributes that contribute to Outstanding Universal Value as a basis for decision-making for future;
  - c) Identify and submit to the World Heritage Committee a proposal to restore the use of the tower as a bell tower for consideration prior to approval;
  - d) Submit a report concerning the touristic operation foreseen by the Compañía de Jesús to ensure that international standards security measures are in place;
  - e) In accordance with Paragraph 172 of the Operational Guidelines, to submit information regarding new interventions foreseen in the Jesuitic complex;
4. Also requests the State Party, in consultation with the World Heritage Centre and the Advisory Bodies, to develop a draft Statement of Outstanding Universal Value, including the conditions of integrity and authenticity;
5. Further encourages the State Party to define the limits of the inscribed property and buffer zone and further requests that the appropriate cartography and legal framework for protection, be submitted for approval by the World Heritage Centre;
6. Notes the results of the 2009 joint World Heritage Centre/ ICOMOS reactive monitoring mission, endorses its recommendations and requests furthermore the State Party to implement them, particularly with respect to:
  - a) The need for a clear definition of the national and local responsibilities for the World Heritage City of Quito;
  - b) The creation of a coordination policy between local and national institutions to ensure that the decision-making process mechanism guarantees the effective implementation of the World Heritage Convention;
  - c) The establishment of precise regulations and principles for interventions at historic buildings at the property;

- d) *To inform the World Heritage Committee on the measures taken to improve the technical consultation process when approving interventions affecting World Heritage;*
7. *Also requests the State Party to submit to the World Heritage Centre, by 1 February 2010, a detailed report on the state of conservation of the property and on the progress made in the implementation of the above recommendations, for the examination by the World Heritage Committee at its 34th session in 2010.*

**140. Fortifications on the Caribbean Side of Panama: Portobelo-San Lorenzo (Panama) (C 135)**

Year of inscription on the World Heritage List

1980

Criteria

(i) (ii)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**29 COM 7B.94; 31 COM 7B.122; 32 COM 7B.125**

International Assistance

Total amount provided to the property: USD 73,888 (conservation and preparatory assistance)

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

November 2001: joint World Heritage Centre / ICOMOS reactive monitoring mission

Main threats identified in previous reports

- a) Deterioration and destruction of the fabric of the property by environmental factors, lack of maintenance, as well as polluted water;
- b) Erosion;
- c) Absence of management policies included in management plans;
- d) Uncontrolled urban development;

e) Tourism pressures (in particular at Portobelo).

Illustrative material

<http://whc.unesco.org/en/list/135>

Current conservation issues

The State Party did not submit a state of conservation report as requested by the World Heritage Committee at its 32nd session (Quebec City, 2008) nor has additional comprehensive information regarding the property been received since 2006. Therefore, progress on the implementation of prior decisions or the current state of the property is difficult to assess. However, during the reactive monitoring mission to the Archaeological site of Panamá Viejo and Historic District of Panamá in March 2009, the mission experts visited the property accompanied by representatives from the national authorities. Experts also met with the president of the *Patronato* in charge of the management of the sites, the creation of which was mentioned in previous reports from the State Party.

Since the terms of reference for the monitoring mission to Panama Viejo did not include the property, mission experts only provided preliminary observations on the current state of the fortifications. It was noted that Portobello is currently under pressure derived from urban development, in spite of the development of several planning tools. Evidence of these impacts includes the construction of new roads that will facilitate the urbanization of areas in the park, which can be verified by the development along the existing road. This threatens not only the physical conservation of the fortifications but also the integrity of the setting and the essential relation between the bay and the fortifications system at Portobello. In addition, new constructions have increased, leading to situations where the historic remains are only partially visible. Other issues noted by the mission included the serious decay of the historic fabric derived from environmental conditions, from the removal of vegetation without consolidation, from the lack of stabilization interventions and negligence in regard to conservation needs and from wastewater draining along the walls of the fort, which threaten the foundations. Erosion phenomena also threaten the stability of the historic remains and material loss was evident at several of the fortifications.

The work plan established by the Patronato, founded in April 2008 has approximately USD 800,000 from bilateral funding from the Interamerican Development Bank; it also has additional budgets from USAID (United States Agency for International Development) and donations from members of the Patronato. However, the programme prioritises the promotion of tourism and the construction of a visitor centre at San Lorenzo, not the much-needed interventions for the fortifications. It is foreseen that a Plan for the safeguard and presentation for the San Lorenzo fort and the ensemble of fortifications at Portobello will be developed, though that is also projected in the same initial budget as the construction of the visitors centre. The work plan only foresees major interventions for the consolidation of the fortifications from 2010 to 2013, scheduling San Lorenzo for 2010, Santiago de La Gloria for 2011, San Fernando for 2012 and San Jeronimo for 2013. This schedule has been established without having the relevant assessments to establish the priorities for interventions.

The mission concluded that safeguarding the fortifications require immediate interventions to mitigate decay mechanisms derived from environmental conditions. The numerous plans to conserve and present the property also need to be implemented and regulatory measures established to prevent further impacts derived from uncontrolled development.

The World Heritage Centre and ICOMOS are seriously concerned about the state of conservation of the property, which has been highlighted since the 2001 reactive monitoring mission and suggest the World Heritage Committee examines its state of conservation with a view of considering, in absence of substantial progress, the possible inscription of the property on the List of World Heritage in Danger at its 34th session in 2010. The historic

fabric is threatened by natural decay factors and the integrity of the setting, which substantiates the Outstanding Universal Value of the property and is critical for the understanding of the site, is also vulnerable to uncontrolled development. Although progress could be achieved by constituting the Patronato, it is a matter of concern that the activities foreseen focus on tourism development instead of conservation.

**Draft Decision:      33 COM 7B.140**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.125**, adopted at its 32nd session (Quebec City, 2008),*
3. *Regrets that the State Party did not submit a comprehensive progress report, as requested by the World Heritage Committee;*
4. *Requests the State Party, in accordance with Paragraph 172 of the Operational Guidelines, to submit to the World Heritage Committee the Work Plan of the Patronato 2010-2013 by **30 September 2009**, for review by the World Heritage Centre and ICOMOS;*
5. *Also requests the State Party to invite a joint World Heritage Centre / ICOMOS reactive monitoring mission to assess the current state of conservation and the conditions of the Outstanding Universal Value, authenticity and integrity of the property, and to develop an emergency action plan;*
6. *Reiterates its invitation to the State Party to submit a request for International Assistance to support in particular the development of a management plan for the property;*
7. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed report on the state of conservation of the property and on the progress made in the implementation of World Heritage Committee decisions, for the examination by the World Heritage Committee at its 34th session in 2010.*

**141. Archaeological site of Panamá Viejo and Historic District of Panamá (Panama)  
(C 790 bis)**

Year of inscription on the World Heritage List

1997, 2003

Criteria

(ii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger

N/A

Previous Committee Decisions

**27 COM 8C.40; 32 COM 7B.126**

International Assistance

N/A

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

N/A

Main threats identified in previous reports

- a) Severe deterioration of historic buildings that threatens the Outstanding universal value of the property;
- b) Conflicting interests of different stakeholders in regard to the use, management and conservation of the historic centre;
- c) Limited capacity for the rehabilitation and maintenance of historic structures;
- d) Deficiencies in the implementation of the legislative framework for protection;
- e) Lack of implementation of clear conservation and management policies for the property;
- f) Demolitions of urban ensembles and buildings;
- g) Forced displacement of occupants and squatters.

Illustrative material

<http://whc.unesco.org/en/list/790>

Current conservation issues

The State Party submitted a report on the state of conservation of the property in February 2009. The report responds to issues raised in previous state of conservation assessment and provides information on the implementation of the World Heritage Committee's decision (Quebec City, 2008). In addition, a joint UNESCO / ICOMOS reactive monitoring mission took place in March 2009 to assess the state of conservation of the property and make recommendations to enhance conservation and management practices. The mission also reviewed the state of conservation report of 2009 submitted by the State Party.

- a) *Statement of Outstanding Universal Value and conditions of integrity and authenticity*  
The State Party reported the preparation and submission of the said statement. The received documentation in this regard includes the criteria under which the property was inscribed and the assessment by ICOMOS at the time of inscription while also providing a current report on the validity of prior evaluations. The document needs further work to constitute a Statement of Outstanding Universal Value, which considers all the components (urban area, the *Salón Bolívar*, archaeological site) that warrant the inscription of the property and the Desired state of conservation and to integrate all components of the inscribed property.

*b) Current management system*

Since 1982, the legal responsibility for the conservation of historic sites in the Republic of Panamá is the National Historic Heritage Office (DNPH) of the National Institute of Culture (INAC). In the year 2000, a specific government unit, the *Oficina del Casco Antiguo* (OCA), was established to implement the Historic District's master plan. The OCA is an autonomous unit funded by the central government through INAC, and managed by the United Nations Development Program (UNDP). Its board of directors includes the director of INAC (who presides it), the minister of tourism, the minister of housing, the minister of the presidency, and the mayor of Panama City. As a UNDP program, the OCA is not meant to be a permanent office; for this reason a legislative effort is underway to replace it with a public-private foundation (*Patronato*), following the successful model of the Archaeological site of Panama Viejo. Currently, the DNPH limits its actions on the site to approval of rehabilitation projects. In the year 2004, the OCA drafted a derived strategic plan for the following 5-year period (2004-2009). These documents guide the great majority of the public interventions on the site. The mission verified the functionality of these arrangements and recommended securing the permanence of the current system in light of the upcoming presidential elections.

*c) Severe deterioration of historic buildings that threatens the Outstanding Universal Value of the property*

The State Party reports that building decay and real estate speculation are indeed significant problems. It notes that an inventory of abandoned buildings was carried out in 2004 to allow the authorities to apply the monetary sanctions, as stipulated in legislation, to owners of abandoned buildings. To date, 78 sanction processes have been initiated; some sanctions have been paid, others have responded by initiating rehabilitation works, while others are in the process of appeal. These have been effective at stimulating private investment in the area and restorations, so of the 68 buildings identified as high priority 31 are under renovation or have renovation plans. As for expropriation, the State Party notes that it has only been applied in one case, to house a tourist orientation office and a public cultural centre in an abandoned building, although the owner appealed the process, which is pending a decision from the Supreme Court.

The mission noted that the procedure applied in this case was appropriate and justified according to the circumstances.

*d) Limited capacity for the rehabilitation and maintenance of historic structures*

The State Party reports that considerable progress has been made on this matter and that projections to continue work are foreseen. The mission noted the accomplishments in this respect and underscored that a significant number of buildings have yet to be intervened. However, inappropriate interventions were undertaken at some historic buildings and the extensive interventions at the Central Hotel have significantly affected an emblematic building.

*e) Deficiencies in the implementation of legislative framework for protection*

The State Party notes that some deficiencies have been identified in the existing legislative framework, especially in four areas: project approval processes, sanctions to abandoned buildings, public administration, and specific regulations for buffer zones. It recognizes that approvals need to be made more efficient in order to support private investment and that sanctions have to be extended to occupied buildings in order to prevent further deterioration of built heritage. Public management of the site has to be made more stable, and less dependent on political cycles. Finally, a buffer zone has to be officially established for the Historic District to prevent encroachment from inappropriate urban development in adjoining areas and officially submitted to the World Heritage Committee. The State Party reports that a legislative proposal will be sent to the national congress in the following months to address these deficiencies. The mission noted that the National Assembly has approved a buffer

zone for Panamá Viejo, however no information has been provided on how the regulatory measures are to be implemented for its management. It also highlighted the potential threat from uncontrolled urban development in the surrounding areas and they reiterated the urgent need to deviate the Avenida Cincuentenaria to mitigate this phenomenon. It also recommended that means to integrate the site with the adjacent neighbourhoods.

*f) Lack of implementation of clear conservation and management policies for the property*

The State Party reports that a strategic five year plan (2004-2009), derived from the management plan, is being currently implemented and has been broadly disseminated. It notes that most of the projects are either finished, under implementation or in the closing planning stages. The mission verified some of these projects while visiting the area and noted recommendations for specific proposals and the need to update the action plan. However, the management plan should urgently identify a mechanism to improve coordination between INAC/ DNPH/ CONAMOH/ OCA for effective decision-making processes.

*g) Demolitions of urban ensembles and buildings*

The State Party reports that no illegal demolitions have been carried out. It clarifies in its report the status of the mentioned properties and the proposals for each of them. In the case of the San Market building, the building was modern and relocated by the municipality to a renovated historic building. Because it was not architecturally or historically significant, it was demolished to create a new public square in accordance to the strategic plan. No information was received by the World Heritage Centre. The mission verified this information but also noted that the market provided an intense urban life in the area which today has considerably weakened. A proposal has been developed to address this issue.

*h) Forced displacement of occupants and squatters*

The State Party reports that the displacement of the low-income residents (renters or squatters) that have occupied Casco buildings for the last 50 years is a process that began with renewed private investment in the area many years ago, and continues to this day. This is due to the fact that the buildings have to be vacated in order to be rehabilitated, 90% of the properties in Casco are privately owned, and the typical private project is targeted to high-income residents. In 1997 and 2002, legislation was passed in order to regulate the eviction processes, establishing moving timelines and economic compensations to residents. The OCA has also implemented a program for affordable housing so that long-time residents can remain at the centre. It has also implemented a wide-ranging social policy focused on education and employment, framed by a vision of "inclusive development" of the site.

The mission noted that, although pertinent social programmes are in place, these are not sufficient and are not implemented on a large scale due to the lack of support from the central government and the vulnerable situation of large numbers of inhabitants of the Historic District. The most worrying aspect of the process is to safeguard and present the historic centre and, although measures have been implemented, they do not suffice.

The World Heritage Centre and ICOMOS note the progress made by the State Party in improving the state of conservation of the property. However, there is still strong concern about the increased conflicts among stakeholders on the policies for the property and the WHC and ICOMOS encourage the State Party to undertake specific actions on this matter as recommended by the mission. Threats to the Outstanding Universal Value of the property and the attributes that substantiate it, including the growth in speculation of real estate, the limited enforcement of norms and regulations and the displacement of traditional inhabitants need to be urgently addressed. Means to mitigate gentrification should also be urgently explored to guarantee the lively and liveable character of the historic city in the long term. The World Heritage Centre and ICOMOS express concern over the two "patronatos" which

could contribute to a division of responsibility. The management plan should be urgently explored as a tool to increase cooperation between all the institutions involved and to manage the property as a whole.

The World Heritage Centre and ICOMOS consider that, in the case that the State Party does not submit this Emergency plan and justify that financial and technical resources are in place to implement the plan, the World Heritage Committee should consider the inclusion of the property on the List of World Heritage in Danger;

**Draft Decision:        33 COM 7B.141**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Recalling Decision **32 COM 7B.126**, adopted at its 32nd session (Quebec City, 2008),*
3. *Notes the progress report on the preparation of the Statement of Outstanding Universal Value of the property and requests the State Party to further develop it in consultation with the World Heritage Centre and the Advisory Bodies to integrate all components of the inscribed property and to meet the requirements of the Operational Guidelines;*
4. *Also notes the results of the 2009 joint World Heritage Centre / ICOMOS reactive monitoring mission, endorses its recommendations and requests the State Party to implement them by 30 November 2009 and in particular to:*
  - a) *Develop an Emergency Plan for corrective measures that delineates a precise course of action for the conservation of the historic buildings and the rehabilitation of neglected buildings to address social lodging concerns.*
  - b) *Prepare the Emergency Plan within the framework of a broad participatory decision-making process and guarantee the commitment of the highest levels of authority to the conservation of the property;*
5. *Urges the State Party to take action on the following issues:*
  - a) *The approval of the revised legislative proposal to enhance the protection and the regulatory measures of the property and to establish one permanent management authority to ensure the sustainability of the management system of the property;*
  - b) *To continue developing a housing policy for the urban district in order to improve the living conditions of the low-income families and to reactivate technical and financial assistance from international cooperation agencies;*
  - c) *To define alternative routes to the Avenida Cincuentenario given the impacts on the property's Outstanding Universal Value, integrity and authenticity;*
6. *Also requests the State Party that, in accordance with Paragraph 172 of the Operational Guidelines, to submit the following information to the World Heritage Centre and ICOMOS for evaluation and consideration by the World Heritage Committee prior to implementation :*
  - a) *The intervention proposals for historic buildings within the protected area;*

- b) *The proposed boundaries for the buffer zones of Panama Viejo and the Historic District, including the appropriate cartography and the legal framework for their regulation and protection;*
  - c) *A final report including the analysis and monitoring of the potential impacts derived from the construction of the Cinta Costera;*
7. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a detailed report on the state of conservation of the property and on the progress made in the implementation of the above recommendations, for the examination by the World Heritage Committee at its 34th session in 2010.*

## **NATURAL PROPERTIES (continued)**

### **AFRICA (continued)**

#### **147. Rainforests of the Atsinanana (Madagascar) (N 1257)**

##### Year of inscription on the World Heritage List

2007

##### Criteria

(ix) (x)

##### Year(s) of inscription on the List of World Heritage in Danger

N/A

##### Previous Committee Decisions

**31 COM 8B.9**

##### International Assistance

Total amount provided to the property: USD 30,000 for preparatory assistance

##### UNESCO extra-budgetary funds

Total amount provided to the property: Preparation of the nomination file and development of certain management tools supported through the Madagascar World Heritage programme, with funding from the United Nations Foundation, Conservation International and the Nordic World Heritage Foundation.

##### Previous monitoring missions

N/A

##### Main threats identified in previous reports

There have been no previous state of conservation reports. The IUCN evaluation of 2007 mentions the following threats to the property:

- a) Encroachment;
- b) Fire;
- c) Hunting and poaching;
- d) Artisanal mining;
- e) Illegal logging;

##### Illustrative material

<http://whc.unesco.org/en/list/1257>

### Current conservation issues

On 23 March 2009, the World Heritage Centre received information from the Post-Conflict and Disaster management Branch of the United Nations Environment Programme (UNEP) in Geneva, on increasing illegal logging in the Marojejy and Masoala National Parks, situated in the north-east of the country and part of the serial property. According to the information received, logging activities had dramatically increased since February 2009 and were targeting valuable timber species in both protected areas, in particular rosewood (*Dalbergia* sp.) and ebony (*Diospyros* sp.).

On 26 March 2009, the World Heritage Centre sent a letter to the Ambassador and Permanent Delegate of Madagascar to UNESCO, expressing concern about these reports and requesting further information on the scale and impact of the illegal logging on the property and the measures taken by the State party to address this threat. On 10 April 2009, the Director of the World Heritage Centre received by email a number of reports from the Director General of Madagascar National Parks (MNP), including a report prepared by MNP to the Prime Minister (dated 9 April 2009) and reports by the Directors of the two National Parks concerned. The reports not only confirmed the logging issues but also noted a number of other important threats to the integrity of both protected areas:

- In Masoala National Park, hundreds of people were reported to have invaded the park to cut rosewood and ebony and numerous new immigrants were noted in the surrounding villages to engage in the illegal logging activities. In addition, there was an increased incidence of illegal quartz exploitation in the park, and collectors of sea cucumbers and other marine resources had invaded the marine sector of the park (not included in the World Heritage property).
- In Marojejy National Park, 12 villages were reportedly involved in logging activities and armed militias were reported to be circulating in the area, intimidating any attempts to stop the timber trafficking. The park had been closed for visitors in view of the insecurity.

The report also shows maps of the areas in both parks that have been affected by the illegal logging.

The report notes that the logging crisis started following the issuing of an inter-ministerial decree on 28 January 2009, authorizing a number of timber traders to export rosewood and ebony, supposedly originating from fallen trees from a recent cyclone. This decree was used by timber traders to spread the rumor that the logging ban on rosewood and ebony had been lifted. It is noted that the problem was further exacerbated by the political turmoil in the country, which weakened the government services including the forest service, whose regional office was looted and which made it difficult for MNP to mobilize security forces to address the issue. Armed militias were reportedly protecting the loggers and threatening park staff as well as local communities supportive of the protection of the parks. Early measures taken by the management of both parks (awareness activities, joint patrols with the police and meetings with the regional and judicial authorities) had failed to produce tangible results, as the regional authorities were unable to deal with the situation.

Faced with this situation, the report notes that the Board of MNP in a meeting on 30 March 2009 had developed an action plan involving the judiciary, port authorities, customs, internal security services and the police to address these threats,. The action plan is reported to include the following urgent measures: stop all timber collection in the cities of Antalaha, Sambava and Vohémar; stop all timber exports from the relevant ports as long as the origin of the timber can not be certified to be coming from the stocks that were established after the cyclone and organize mixed patrols with the forest administration, the armed forces and the regional authorities to step-up surveillance. The plan also includes measures to mobilize the goodwill of the local communities for the conservation of the Parks. The Minister for Environment also issued a Declaration, confirming the ban on logging and in particular inside

the protected areas and announcing sanctions against all people involved in timber trafficking.

The World Heritage Centre and IUCN are extremely concerned by the increase in illegal logging which could affect the values and integrity of the property. While welcoming the action plan initiated by the Madagascar National Parks, the World Heritage Centre and IUCN continue to receive reports that logging has not yet stopped. According to these reports, the port of Vohemar, from where the export of rosewood was stopped on 18 April 2009 based on the order of the Minister of Environment, was reopened on 20 April 2009 and the illegal loggers who had been arrested by the police were released without punishment. Local radios are said to continue broadcasting messages, encouraging logging. The World Heritage Centre and IUCN were also informed that another 80 illegal loggers were arrested by the police in both protected areas on 18 April 2009. The World Heritage Centre and IUCN so far have not received any reports that the other four components of the property have been affected by these threats.

IUCN notes the shared responsibility of the international community to prevent the sale and export of illegally harvested timber, which could also be supported by organisations such as TRAFFIC to combat illegal trade and to work with consumers to raise awareness on the impact on the property from this ongoing demand.

**Draft Decision:        33 COM 7B.147**

*The World Heritage Committee,*

1. *Having examined Document WHC-09/33.COM/7B.Add,*
2. *Expresses its utmost concern about the increase in illegal logging as well as other illegal resource exploitation in the Marojejy and Masoala National Parks, which are part of the serial property “Rainforests of the Atsinanana”, which might affect the Outstanding Universal Value and underlying integrity of the property;*
3. *Takes note of the action plan that was developed by the Madagascar National Parks Board to address these threats and urges the State Party to ensure its urgent implementation;*
4. *Calls upon all State Parties to the Convention to ensure that illegal timber originating from Madagascar is prevented from entering their national markets;*
5. *Requests the State Party to submit to the World Heritage Centre, by **1 December 2009**, a detailed report on the state of conservation of the property, in particular on the impacts of illegal logging on Masoala and Marojejy National Parks as well as a report on the implementation of the action plan and other measures taken to address the threats from illegal logging and other threats for examination by the World Heritage Committee at its 34th session in 2010.*