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Item 7 of the Provisional Agenda: State of conservation of properties inscribed
on the World Heritage List and/or on the List of World Heritage in Danger.

Point 7 de l'Ordre du jour provisoire: Etat de conservation de biens inscrits sur
la Liste du patrimoine mondial et/ou sur la Liste du patrimoine mondial en péril

MISSION REPORT / RAPPORT DE MISSION

Kathmandu Valley (Nepal) (121bis)
Vallée de Kathmandu (Népal) (121bis)

23 - 28 November 2011
23- 28 Novembre 2011

This mission report should be read in conjunction with Document:
Ce rapport de mission doit être lu conjointement avec le document suivant:

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**REPORT ON THE JOINT WORLD HERITAGE
CENTRE/ICOMOS REACTIVE MONITORING MISSION TO
KATHMANDU VALLEY (NEPAL, C 1121bis)**

From 23 to 28 November 2011



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**REPORT ON THE REACTIVE MONITORING MISSION TO
Kathmandu Valley, Nepal (C121 bis)**

From 23 to 28 November 2011

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Special thanks are expressed to the authorities of the seven Monuments Zones (World Heritage component parts), in particular Mr Kosh Prasad Acharya, Executive Director of Pashupati Area Development Trust and its Treasurer Mr Narottam Vaidya. Government officials from the Ministry of Environment, Department of Roads (DoR), Civil Aviation Authority of Nepal as well as high-ranking officials from the Nepal Army.

The mission fully appreciated the information and co-operation provided by the municipal officials of Bhaktapur, Lalipur and Kathmandu, particularly from Hanuman Dhoka Durbar Square Area Conservatino Programme. These local stakeholders, representing the custodians of the World Heritage property, were most helpful as they explained the Municipality's perspectives and the needs of the community members to the mission. Through their interventions, the mission obtained an enhanced understanding of the local needs and challenges to harmonize cultural heritage conservation and development in the Kathmandu Valley World Heritage property.

It is not possible to name the numerous officials, experts, consultants and stakeholders who supported this mission. The Mission acknowledges the deep interest of the different stakeholders such as the representatives from universities, NGOs and Pashupati community citizens who provided invaluable information on a voluntary basis, and so readily shared their knowledge and experiences with the Mission. The mission also benefitted from the profound knowledge of Professor Niels Gutschow during the trip.

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EXECUTIVE SUMMARY & CONCLUDING RECOMMENDATIONS

The World Heritage property of the Kathmandu Valley comprises seven distinct, monument zones including the Hindu temples of Pashupati and Changu Narayan; the Buddhist sites of Swoyambhu and Bauddnath and the palace squares of Hanuman Dhoka, Patan and Bhaktapur.

The World Heritage property was inscribed on the World Heritage List in 1979 and the List of World Heritage in Danger in 2003 following which an Integrated Management Plan (IMP) was developed and finalized in 2007. The IMP clearly defined the property across all seven monument zones and ensembles and also clearly defined the buffer zone. The property was removed from the List of World Heritage in Danger in July 2007 (Decision 31 COM 8C.3).

However, in 2007 construction of a new road, supported by the Asian Development Bank, commenced – crossing through the Pashupati monument zone. The road construction was abandoned after threats to the property became evident and the World Heritage Committee, at its 32nd session adopted decision 32 COM 7B.76, requesting the State Party to mitigate the impact of the proposed road construction. Since 2008, following protests by those involved with the IMP to the highest levels of the Government, and responses to the proposal by the World Heritage Centre and ICOMOS, construction of the road has remained halted and mitigation measures are being developed. Despite the Government of Nepal's commitment in its State of Conservation of 2009 and 2010 to re-examine and realign the trajectory of the road in order to ensure the safeguarding of Pashupati site, the World Heritage Centre and ICOMOS did not receive any information on the follow-up to the March 2011 Advisory Mission on this matter. Further, they have received reports that another Asian Development Bank supported project on the extension of Kathmandu International Airport may also pose potential threats to the property.

Based on the field evaluations and open and frank consultation meetings with different stakeholders at the property from 23 to 28 November 2011, the joint World Heritage Centre/ICOMOS reactive monitoring mission proposes the following key recommendations:

A. Construction of the road within Pashupati Monument Zone and extension of the Kathmandu International Airport

The World Heritage Centre and ICOMOS joint mission team consider that it is essential to follow up on the mitigation efforts directed to the road work already undertaken by the Department of Roads in the Pashupati Monument Zone. A clear resolution of this conflict is needed that will both respect the outstanding universal value of the property, and also guide future planning by Governmental Departments to fully respect the requirements of the IMP. In terms of implementation of the IMP, clearly defined processes and procedures, for instance on traffic planning and road construction, should be developed, adopted and fully respected.

In particular, the following corrective measures should be implemented:

1. The proposed road construction crossing the Pashupati monument zone must be abandoned and a scheme of ecological restoration of the area carried out with immediate effect. Awareness-raising efforts should be made to explain to the public and stakeholders that the natural environment is closely linked to the OUV of the property and the boundary defined or the Pashupati zone in 2007 must be respected.

2. Similarly, the Army should vacate the additional lands it has occupied within the Pashupati Monument Zone boundary for use as Golf Course, club houses etc. Only a minimum Army presence should be maintained to ensure security of the International Airport and in a manner that respects the integrity of the World Heritage property.
3. It is of utmost urgency that a transport and urban planning strategy for the entire Kathmandu City and not just for the seven monument zones be developed and adopted. This however could be commenced at the Pashupati Monument Zone. The Strategy needs to address the potential impacts on OUV of any proposed Airport expansion, of the impact of ring road widening and of the impact of new developments to the north of the Pashupati Monument Zone and only include in the Strategy projects that will not impact adversely on the OUV.
4. While other options are discussed, the State Party should be advised to carry out repairs and expansion of the ring road circling the east side of Kathmandu airport into at least a four lane road of high standards that will allow smooth travel.
5. Ecological Restoration at the Pashupati site, the Changu Narayan, the Swoyambhu Stupa zone need to be carried out with indigenous species as a priority.
6. In view of the above, a detailed report on steps undertaken by the State Party on the five above mentioned points should be submitted to the World Heritage Centre for review by 1 February 2013. In addition, if an alternate route is now proposed, a heritage impact assessment of such a route should be carried out by an independent expert.

Timeframe: the World Heritage Committee should review the progress made on the above by **1 February 2013** and examine the heritage impact assessment of the proposed alternative road around the property boundary.

B. Progress on the implementation of the Integrate Management Plan (IMP)

The development and adoption of the IMP (2007) for Kathmandu Valley has provided a participatory and consultative approach to address the conservation and management of the World Heritage property. However, an institutional set up to support the successful implementation of the IMP is still lacking. A close coordination of efforts from different stakeholders is urgently required to combine the synergy between the Government (DoA, DoR, Environment, Civil Aviation, Nepal Army and UNESCO) and the communities (both civil and religious). Further, the implementation of the IMP should be further enhanced by mechanisms for undertaking systematic heritage, environment and visual impact assessments prior to designing and approving of any development projects close to the World Heritage property. The DoA is therefore urged to consider the following measures:

- 1) Site Specific management guidelines need to be developed on the basis of the 2007 Integrated Management Plan (IMP). The Management Handbooks for each of the seven component parts are repetitive and too similar to one another though the zones themselves are very distinct. As such, these do not allow site managers to adopt specific conservation policies. Similarly, site specific building regulations need to be agreed for each of the seven zones. For example each of the seven zones require specific building regulations.

- 2) Though the Kathmandu Valley property comprises seven distinct monument zones, there is a single Outstanding Universal Value (OUV). This needs to be explained independently to stakeholders at each of the seven monument zones, particularly in terms of the attributes that convey OUV.
- 3) The concerned municipal bodies need to ensure that grants are available for preservation of private historic buildings rather than only for beautification and reconstruction with traditional wooden elements.
- 4) Building regulations for the Kathmandu Valley should be carefully developed and implemented to ensure that glass blocks, as built in the proximity of the Pashupati Shrine, or a nine storey building at the edge of the Hanuman Dhoka site, do not disfigure the architectural character of the World Heritage property.
- 5) Furthermore, the DoA is urged to ensure that all conservation/restoration intervention activities within the World Heritage property are approved after full documentation and heritage impact assessment, and that an effective monitoring system is put into place to ensure international conservation standards are applied during the project execution process.
- 6) Further efforts are needed to strengthen cross-sectoral co-ordination mechanisms for the implementation of the IMP, to ensure integration of objectives all Government Departments whose actions could affect the OUV of the property, thus avoiding development and projects conflicts among lines Ministries.
- 7) The IMP would need to be updated to allow additional public and private resources in the country to be channelled to support the present efforts and maturing the functioning of Coordinative Working Committee (CWC) with clear and firm political commitment for its implementation at the highest level possible.
- 8) As has been observed in earlier ICOMOS missions, a disaster management plan for all seven monument zones is required to be prepared. Though the main natural risk to the Kathmandu Valley are seen as earthquakes, erosion and fire. The first two have been the subject of study and conferences. The Pratapur Temple in the Swoyambhu Monument Zone has been damaged twice by fire caused by lightning strikes in 2003 and 2011. On the earlier occasion this has led to re-building using scarce resources. There is the need for a detailed Risk Assessment strategy to address fire issues and which should be integrated into a wider Strategy to address all the key risks.
- 9) As with recommendations of earlier ICOMOS missions, this mission noted with concern the rapid loss of traditional housing. The difficulties of controlling change in traditional housing have been highlighted in the Management Plan. Clearly 'many technical questions' remain unresolved with regard to 'involving transformation of private residences: degree of permissible change, installing amenities in traditional buildings, dealing with low floor to floor distances'. The on-going difficulty of managing change in private residence was brought up during the mission. A visual inspection of the three Durbar Chowk's suggested that of the houses within the properties and their buffer zones, 80% seem to have been already replaced and the remainder are vulnerable in terms of extensions, particularly upwards or re-building. As seen in the case of the concrete structures built in the Bhaktapur squares, it has not been

possible to control development on some of the most prominent buildings which have a significant impact within the setting of monuments and a detailed appraisal is needed in order to understand which domestic properties can be seen as the most significant parts of the setting of the monuments and monument ensembles.

Timeframe: Report progress to the World Heritage Committee by 1 February 2013 and as an on-going process to ensure better implementation of the IMP.

C *Enhanced conservation of the property*

The reactive monitoring mission found the following:

1. The standards of conservation/ management/ presentation varied significantly across the seven component parts. A high standard of preservation must be aimed for all seven monument zones.
2. The new structure adjacent to the Pujari Math in the Bhaktapur site should be demolished and be rebuilt as per earlier design. The new structure is significantly distracting from the historic character and has compromised the integrity of the site, urban setting and the streetscape.
3. Efforts must be made to preserve key historical building across all monument zones by providing alternate public uses; an outstanding example of this is the Patan Museum which meets the highest international standards.
4. Traditional building crafts must be encouraged in an informed manner in order for the understanding of traditional architecture not be limited to isolated decorative wooden elements but also that enables to ensure that the Kathmandu Valley *'buildings and structures, with their intricate ornamentation, display craftsmanship in brick, timber and bronze that are some of the most highly developed in the world'*.

D. *Public communication and outreach*

There is a serious need for enhanced public information dissemination and awareness-raising in relation to the World Heritage property and its OUV, to internationally recognized conservation standards and to procedures. Despite the participatory approach for the development of the IMP, interpretation and public outreach was found to be weak. The mission noted with concern that much misinformation has been disseminated as a result of insufficient transparency and untimely information dissemination. Most new initiatives for outreach have been undertaken by NGOs, members of the community, or the private sector, rather than the national and local authorities. To avoid unnecessary misunderstanding between the local population, the Nepali authorities and the international community, the mission recognized the need for accurate information to be disseminated to the general public in a timely manner and recommended the following:

- 1) Enhance, particularly at municipal levels, awareness-building in relation to World Heritage values, conservation processes, internationally recognized conservation standards and procedures, as well as timely information dissemination to the general public.
- 2) Improve ways of information sharing and communication on conservation programmes and the World Heritage property through better presentation

systems, publications and other promotional activities. UNESCO Kathmandu may provide assistance to meet such needs, upon request from the authorities.

E. General Recommendations

Even though the Kathmandu Valley has undergone immense urbanization, despite some negative incidents, inappropriate restoration practices and strong development pressures, the World Heritage property of Kathmandu Valley has retained, of its the authenticity of the historic ensembles as well as much of the traditional urban fabric within the boundaries. It may therefore be concluded that the Outstanding Universal Value of the property is still being sustained by the State Party for the time being.

It is of utmost urgency that transport and urban planning for the entire Kathmandu City and not just for the seven monument zones be carried out. This however could be commenced at the Pashupati Monument Zone but include the potential impact of the International Airport expansion, the impact of ring road widening and the impact of new developments to the north of the Pashupati Monument Zone.

The State Party is strongly urged to take effective steps to enhance co-ordination through existing institutional frameworks for strengthening the conservation and management of the property, with the effective implementation and updating of the Integrated Management Plan (IMP).

With regard to the road construction impacting on the Pashupati Monument Zone and the proposed extension of the Kathmandu International Airport, the joint mission team considered that it is important to follow up on the mitigation efforts directed to the road work already undertaken by the Department of Roads in the Pashupati Monument Zone by implementing a scheme of ecological restoration of the area disturbed by the road construction. Also designated under Criteria vi, it is recognized that the *“The Kathmandu Valley World Heritage site is tangibly associated with unique coexistence and amalgamation of Hinduism and Buddhism with animist rituals and tantrism. The symbolic and artistic values are manifested in the ornamentation of the buildings, the urban structure and often the **surrounding natural environment, which are closely associated with legends, rituals and festivals**”*. Building the proposed road through the sacred grove associated with the Pashupati Monument Zone will severely compromise the OUV of the property.

Further, awareness raising, capacity building, and transparency in the decision making process are also strongly recommended as the insufficient levels of these three issues have resulted in unfortunate misunderstanding and sometimes mistrust between stakeholders, communities and the general public, which may also have a negative impact on the management of the World Heritage property.

1. BACKGROUND

1.1. Description of the property and inscription history

The World Heritage property of the Kathmandu Valley (Nepal, ID 121 rev) was inscribed on the World Heritage List in 1979 under criteria C (iii) (iv) and (vi).

Located in the foothills of the Himalayas, the Kathmandu Valley World Heritage property is inscribed as a serial site, comprising groups of buildings in seven monument zones. These monument zones are the Durbar squares or urban centres with their palaces, temples and public spaces of the three cities of Kathmandu Patan and Bhaktapur, and the religious ensembles of Swoyambhu, Baudddhanath, Pashupati and Changu Narayan. As Buddhism and Hinduism developed and changed over the centuries throughout Asia, both religions prospered in Nepal and produced a powerful artistic and architectural fusion beginning at least from the 5th century AD, but truly coming into its own in the three hundred year period between 1500 and 1800 AD. These monuments were defined by the outstanding cultural traditions of the Newars, manifested in their unique urban settlements, buildings and structures with intricate ornamentation displaying outstanding craftsmanship in brick, stone, timber and bronze that are some of the most highly developed in the world.

The property was originally inscribed on the World Heritage List in 1979 on the basis of criteria (iii), (iv) and (vi). The redefinition of the boundaries has been suggested and discussed during World Heritage Committee meetings as early as in 1992. The redefinition of the boundaries for the Kathmandu Valley was requested by the World Heritage Committee at its 28th session at Suzhou, 2004 and the State Party submitted the redefinition proposal corresponding to the recommendations of the Technical Workshop May 2004 (WHC/DoA/UNESCO Kathmandu) and the ICOMOS / WHC Mission to Kathmandu Valley March 2005. The proposed minor boundary modification was approved by the World Heritage Committee in July 2006 (Decision 30COM 8B.42).

Since the statement of Outstanding Universal Value (SOUV) for the Kathmandu Valley, is not yet available, in the framework of the second cycle of Periodic Reporting for the Asia and the Pacific region, the State Party of Nepal has prepared a draft the retrospective Statement of OUV, which is under review by the World Heritage Centre and ICOMOS (See Section 3.2)

1.2. Inscription criteria and the statement of Outstanding Universal Value

The property was inscribed on the World Heritage List in 1979 on the basis of criterion C (iii), (iv) and (vi).

In July 2006, the World Heritage Committee examined the updated proposal for the modification to the boundaries submitted by the State Party of Nepal and considered that this boundary modification of the seven monument zones of the property reflects the remaining outstanding universal value justified for criteria (iii) (iv)(vi) from the time of its inscription in 1979 and thus approved the proposed modification to the boundaries of the Kathmandu Valley, Nepal, as minor boundary modification.

During the second cycle of Periodic Reporting for Asia and the Pacific region (2010-2012), the Department of Archaeology of Nepal has submitted to the World Heritage Centre, in January 2011, a draft Statement of Outstanding Universal Value for the Kathmandu Valley. It is now in process of review by ICOMOS and the World Heritage Centre for examination by the World Heritage Committee in July 2012. Only after the completion of this process, the justification for the criteria for inscription could be officially adopted by the World Heritage Committee.

1.3. *Authenticity and integrity of the property*

The authenticity of the property is based on the unique form, design, material and substance of the buildings, displaying a highly developed traditional craftsmanship and situated within a traditional urban or natural setting. Even though the Kathmandu Valley has undergone rapid urbanization, the authenticity of the historic ensembles as well as much of the traditional urban fabric within the boundaries of the property has been retained.

All the attributes that express the outstanding universal value of the Kathmandu Valley are represented through the seven monument zones established with the boundary modification accepted by the World Heritage Committee in 2006. These encompass the seven monument zones and their distinct contexts. The majority of listed buildings are in good condition and the threat of urban development is being controlled through the Integrated Management Plan. However the property continues to be vulnerable to encroaching development, in particular new infrastructure.

1.4. *Examination of the State of Conservation by the UNESCO World Heritage Committee, and corresponding decisions between 1979-2011*

Since its inscription in 1979, the State of Conservation of the property has been regularly examined by the UNESCO World Heritage Committee in cooperation with its advisory body ICOMOS to ensure adequate conservation, management and presentation activities on site.

Various UNESCO World Heritage Centre /ICOMOS joint reactive monitoring missions were undertaken and were reflected in decisions made by the World Heritage Committee during its various sessions.

In order to gain a fully comprehensive overview of the current situation regarding this property, please refer to all the decisions taken by the World Heritage Committee listed below; all working documents and Committee decisions concerning the property from the following sessions can be accessed online at this address: <http://whc.unesco.org/en/sessions/>:

3rd session of World Heritage Committee, Egypt, October 1979
13th session of World Heritage Committee, Paris, France December 1989
15th session of World Heritage Committee, Carthage, Tunis, December 1991
16th session of World Heritage Committee, Santa Fe, USA, December 1992
17th session of World Heritage Committee, Cartagena, Colombia, December 1993
18th session of World Heritage Committee, Phuket, Thailand, December 1994
19th session of World Heritage Committee, Berlin, Germany December 1995
20th session of World Heritage Committee, Mérida Mexico, December 1996
21st session of World Heritage Committee, Naples, Italy December 1997

22nd session of World Heritage Committee, Kyoto, Japan, 1998
23rd session of World Heritage Committee, Marrakesh, Morocco 1999
24th session of World Heritage Committee, Cairns, Australia, 2000
27th session of World Heritage Committee, Paris, France, 2003
28th session of the WH committee, July 2004, Suzhou, China
29th session of the WH committee, July 2005, Durban, South Africa
30th session of the W committee, July 2006, Vilnius, Lithuania
31st session of the WH committee, July 2007, Christchurch, New Zealand
32nd session of the WH committee, July 2008, Quebec City Canada
35th session of the WH committee, July 2011, Paris, France

The inscription of the property of Kathmandu Valley, Nepal in **1979** upon the World Heritage List determined that the property's state of conservation would be regularly examined by the UNESCO World Heritage Committee in close partnership with its advisory body ICOMOS, to guarantee satisfactory conservation of the property was maintained. The complexity of the property lies in its serial nature; therefore has required a multifaceted approach to provide the most suitable manner of support to the seven monument zones of the property. For more than a decade now, the entire Kathmandu Valley, as a geographical region, has gone through an intensely rapid urban development, as a result of social, economic and political transformations in the country.

The property was inscribed on the List of World Heritage in Danger (**2003**) as the vernacular fabric of the property had been so damaged in six of the seven monument zones. Consequently, since the time of inscription, there has been a considerable loss of authenticity and integrity; therefore the property has detrimental suffered as a whole. Then in **2007**, the property was removed from the List in Danger, as the necessary management planning measures had been and were being implemented to sufficiently satisfy the Committee's requirements. However, the Committee continues to actively monitor the state of conservation to certify the best possible protection is ensured.

In **2003**, at the 27th session of the committee, the committee **noted** the gravity of the situation and whereby a final and decisive action was taken, **to include the property of Kathmandu Valley on the List of World Heritage in Danger**. Due to the significance of this decision, the most relevant points of the Committee decision are highlighted below.

Decision - 27COM 7B.52 - Kathmandu Valley (Nepal), (2003)

The Committee, **Expresses** its appreciation to the State Party for receiving the Second High Level Mission; **Notes** with grave concern that the traditional elements of heritage of six of the seven Monument Zones had been partially or significantly lost since the time of inscription, resulting in a general loss of authenticity and integrity of the property as a whole; **Notes furthermore** with concern that although the responsible concerned authorities have made efforts with some positive results, the threat of uncontrolled development has persisted, which continuously decreases the urban landscape and architectural fabric of the property; **Decides** to inscribe the Kathmandu Valley property on the List of World Heritage in Danger, and simultaneously recommends that the State Party legally redefine the core and support zones of all Monument Zones, accompanied with management mechanisms to adequately conserve the remaining World Heritage value of the property in the long -term. Corrective measures should continue to address the illegal activities in

the future core and support zones; **Requests** the World Heritage Centre and the Advisory Bodies in consultation with the State Party to organize a mission to Kathmandu Valley to assess the remaining World Heritage value of the property, the state of conservation of the monumental ensembles and the vernacular fabric within the property, and for the report of this mission to be submitted by 1 February 2004 for examination by the World Heritage Committee at its 28th session in 2004; **Decides** to consider whether or not to delete the property from the World Heritage List at its 28th session in 2004, upon examining the report from the World Heritage Centre and Advisory Bodies mission and the assessment of the loss of World Heritage value at Kathmandu Valley.

At the 28th session of World Heritage Committee in **2004**, the committee **commends** the State Party for the initiatives taken in regard to conservation and management of the property since the property was enlisted upon the List of World Heritage in Danger in the previous year. The committee **requests** that the State party submit to the World Heritage Centre a state of conservation report. Discussion about the possible removal of the property from the List was to be postponed until the 29th session. The Committee therefore **decided** to retain the property on the List of World Heritage in Danger.

In **2005**, at the 29th session, recall decision **29COM 7A.24**, the state party is **commended** for its continuing efforts made towards the conservation of the property. **Notes** the work achieved on the redefinition of boundaries. The State Party **encourages** for the adoption of an integrated and comprehensive management plan for the entire property. Whilst, **requests** the State Party to submit to the World Heritage Centre, a report on achieved progress. Nonetheless, Kathmandu Valley was retained on the List of World Heritage in Danger.

The 30th session of the World Heritage Committee, (Vilnius, **2006**) as a consequence of the committee's decision concerning the property – below are the most relevantly important parts of the decision concerned to whether or not the specific conditions to allow for the delisting of the property were met. **Decision - 30COM 7A.26 - Kathmandu Valley (Nepal) (C 121), (2006) Notes** the updated information provided by the UNESCO mission in June 2006, **Commends** the State Party for the coordinated efforts made, despite the difficult situation amidst political transformation, in improving the conservation of the property, progress made in redefining the property's boundaries, and recognizes the high quality of the participatory process for the establishment of the integrated management plan; **Notes** that the integrated management plan may require a further year for completion and adoption, given the commitment to the participatory process and the changing political situation; **Requests** the State Party to continue the establishment of an integrated conservation management system by:

- Completing and adopting the integrated management plan by **1 June 2007**;
- Ensuring establishment of concrete conservation guidelines and their dissemination;
- Completing the categorized inventories in the seven Monument Zones in order to effectively link these with conservation guidelines;
- Implementing appropriate building regulations to control the transformation of heritage buildings within the World Heritage boundaries and in their buffer zones;
- Undertaking effective monitoring measures to assess the implementation of the management plan, by documenting and evaluating physical transformation of heritage buildings regularly; from

the progress report and the report of the World Heritage Centre / ICOMOS mission; nonetheless, the committee's **decision is to retain the Kathmandu Valley (Nepal) on the List of World Heritage in Danger.**

In **2007**, a Joint ICOMOS-UNESCO mission was undertaken from 24 to 29 April 2007 to provide a thorough and comprehensive overview of the current situation on the ground at the property. This was a highly significant mission, as the report was presented to the committee for its consideration and would be the basis for crucial decision to maintain the property on the List in Danger.

The World Heritage Committee at its 31st session in **2007** was able to reflect on the possibility of the removal of the property from the List in Danger based upon the examination of a progress report from the above mentioned mission. The committee **noted** the State Party has continued its strong efforts to establish an integrated management system, continuing to improve and coordinate efforts for the conservation of this World Heritage property. The mission found the Integrated Management Plan (IMP) now essentially completed, after two and a half years of work, to be exemplary in many respects in, addressing the social, political and economic complexities and challenges of this multi-component World Heritage property. Referring back to the Decision of the 30th session of the Committee, the mission reports that the five principal benchmarks for removal of the property from the List of World Heritage in Danger.

The mission conclusions **recommended** for the removal of the Kathmandu Valley from the List of World Heritage in Danger. **Decision - 31COM 7A.23 - Kathmandu Valley (Nepal) (C 121 bis), (2007)** The World Heritage Committee, **Further notes with satisfaction** the efforts of the State Party to complete the Integrated Management Plan by the goal of June 2007 established at the 30th session of the Committee; Acknowledges the establishment of an integrated conservation management system for the property, as requested by the Committee, focused on the completed Integrated Management Plan (itself including key guiding conservation principles linked to the completed categorized inventories in the seven Monument Zones, revised building by-laws and effective monitoring measures); **Decides to remove the Kathmandu Valley (Nepal) from the List of World Heritage in Danger, based on the results achieved**; furthermore, the committee continues to **strongly encourages** the State Party to continue its efforts in sustaining the integrated management system for the conservation of the outstanding universal value of the property, by implementing the Integrated Management Plan; The State Party was **requested** to submit to the World Heritage Centre by 1 February 2008, a progress report on the implementation of the IMP; in addition to the state of conservation of the property as a whole for examination by the Committee.

In **2008**, at the 32nd session of the World Heritage Committee, **notes** the efforts made by the State Party to implement the integrated management plan (IMP) agreed upon in 2007. The submitted report on the implementation of the integrated management plan (IMP) for each of the seven monument zones is examined; continues to **request** the State Party to keep the World Heritage Centre informed on the follow-up to the mitigation efforts for the proposed new road in the Pashupati Monument Zone.

In June 2011, at the 35th session of the World Heritage Committee session, the following decision, **35COM 7B.75 - Kathmandu Valley (Nepal) (C 121)** was adopted: 1. Having examined Document WHC-11/35.COM/7B, 2. Recalling Decision **32 COM 7B.76**, adopted at its 32nd session (Quebec City, 2008), 3. Takes

note of the conclusions and recommendations of the March 2011 UNESCO international expert advisory mission to the Pashupati Monument Zone of the Kathmandu Valley with respect to the proposed tunnel road construction of 2007 and the proposed Kathmandu International Airport extension; 4. **Urges** the State Party to abandon its plans for the tunnel road construction crossing the Pashupati monument zone, to determine a road trajectory that goes around the property boundary and to restore the pre-2007 situation at the monument zone; 5. **Requests** the State Party to invite a joint World Heritage Centre/Advisory Bodies reactive monitoring mission to the property to assess the state of conservation of the property, including the tunnel road construction crossing the Pashupati monument zone and the planned extension of the Kathmandu International Airport; 6. **Also requests** the State Party to provide the World Heritage Centre with detailed information including an independently prepared Heritage Impact Assessment for review by the World Heritage Centre and the Advisory Bodies, in accordance with Paragraph 172 of the Operational Guidelines, prior to the mission; **Further requests** the State Party to submit to the World Heritage Centre, by **1 February 2012**, a report on the implementation of the March 2011 UNESCO international expert advisory mission recommendations and on the state of conservation of the property, for examination by the World Heritage Committee at its 36th session in 2012.

1.5 Justification of the reactive monitoring mission

In March 2011, at the request of the Government of Nepal, a UNESCO Expert Mission was carried out to the Kathmandu Valley to advise the authorities on the impact of the Pashupati road. The Expert mission reported many potential threats faced by the property including previously unidentified threats such as the proposed extension of the Kathmandu International Airport. The March 2011 Expert mission's recommendation was presented to the World Heritage Committee in June 2011.

Following the mission report and recommendations, the Committee decided (above Decision **35 COM7B.75**) that a joint World Heritage Centre / ICOMOS reactive monitoring mission to Kathmandu Valley to assess the state of conservation of the property, including the road construction crossing the Pashupati monument zone and the planned extension of the Kathmandu International Airport. The Committee also urged the State Party to abandon its plans for the tunnel road construction crossing the Pashupati monument zone, to determine a road trajectory that goes around the property boundary and to restore the pre-2007 situation at the monument zone. The mission got a clear Terms of Reference (ToR) on its objectives and the ToR was transmitted to the Department of Archaeology prior to the mission. Please see Annex 1 on the Terms of Reference.

The joint reactive monitoring mission to Kathmandu Valley took place from 23 to 28 November 2011. The mission is composed of the following members:

1. Mr Feng JING, Chief of the Asia and the Pacific Section, UNESCO World Heritage Centre (Paris)
2. Mr Ratish NANDA (India), representing ICOMOS International.

The UNESCO Kathmandu Office fully supported the mission members. The Office also provided valuable information regarding the state of conservation of the property and historical documentation on the property. Detailed information on the actions taken by the Central Government authorities and local municipal and government authorities were also received and considered during the mission.

The mission aim was to assess the state of conservation of the property (including all seven monuments zone, with a particular attention to the Pashupati monument zone) and assess threats that might have an impact on the property's Outstanding Universal Value.

Meanwhile, progress made on the implementation of the IMP and previous decisions by the World Heritage Committee and of recommendations put forward by other missions to the property were also assessed, through a participatory approach that included consultations with relevant national and local authorities, as well as other stakeholders, including representatives from local communities, the Department of Roads, Ministry of Environment, Civil Aviation Authority of Nepal and the Nepal Army.

During the mission, information on several rehabilitation and restoration projects, large and small, being proposed in the Seven Monument Zones, were provided to the mission members. Due to time constraints, the mission referred these proposals for review and comments by the DoA in line with process and procedures established in the IMP. And any new proposals for development should be submitted to the World Heritage Centre as per paragraph 172 of the Operational Guidelines for review by the Advisory Bodies (ICOMOS and ICCROM).

2. NATIONAL POLICY FOR THE PRESERVATION, CONSERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY

2.1. Heritage legislation

The Ancient Monument Preservation Act 1956 (fifth Amendment, gazetted in 1996) *gives the Department of Archaeology (DoA), currently under the Ministry of Federal Affairs, Constituent Assembly, Parliamentary Affairs and Culture, the central responsibility for the conservation of cultural heritage throughout the country.*

This Act gives the **DoA** the legal provisions to declare a monument or area to be a Protected Monument Zone (PMZ). The DoA is subsequently responsible for the protection of the site, including the prescription of building bylaws, approving requests for building permits and for any other construction activities within the zone. The DoA is given the authority to stop inappropriate and/or illegal building activities and to request for the demolition of unauthorized constructions.

The seven Monument Zones of the Kathmandu Valley World Heritage property have been declared PMZs and the boundaries have been gazetted under the provisions of the AMPA. The DoA is therefore responsible for the preservation of the areas comprising the property inscribed on the World Heritage List.

In addition to the 1956 Act, the following legislation or regulations complement the legal grounds upon which cultural heritage is protected in Nepal:

- **Local Self-Governance Act (1999)**
- **Town Development Act (1988)**
- **Pashupati Area Development Trust Act (1987)**
- **Guthi Corporation Act (1964)**
- **Building Bylaws (2007)**
- **National Building Code (prepared in 1994, approved in 2005)**

The seven Monument Zones of the Kathmandu Valley were inscribed as a single World Heritage property in 1979. Twenty four years later, in 2003, this property was inscribed on the List of World Heritage in Danger due to the loss of traditional vernacular heritage and the threat of uncontrolled development.

From 2004 onwards, the State Party has committed itself to work closely together with the stakeholders and responsible international agencies to address the issues that have threatened the OUV of the Kathmandu Valley World Heritage property. One of the key achievements have been the process leading to the development of an Integrated Management Plan (IMP), which was prepared in close cooperation between the Department of Archaeology and the local authorities and site managers, with international support and expertise.

2.2. Institutional framework, management structure and co-ordination mechanisms

As defined by the Ancient Monument Preservation Act 1956 (fifth Amendment, gazetted in 1996), the Department of Archaeology is the principle authority for the coordination of conservation activities of the World Heritage properties. Powers in respect to enforcing bylaws and monitoring are to be handed down to the local authorities, and clearly defined site managers are to be established for each of the seven Monument Zones;

Identification and improvement of processes and linkages within the management structure are to be carried out and a clear system for the flow of information and decisions and separation of reporting and decision making processes for regular cases and irregular and emergency cases, are to be established.

For the conservation of historic buildings, community involvement and participation is to be encouraged, incorporating disaster and risk management;

The World Heritage property has been declared a PMZ under the Ancient Monument Preservation Act 1956, providing the highest level of national protection. The property has been managed by the coordinative action of tiers of central government, local government and non-governmental organizations within the responsibilities and authorities clearly enumerated in the (IMP).

The implementation of the IMP will be reviewed in five-year cycles allowing necessary amendments and augmentation to address changing circumstances. A critical component that will be addressed is disaster risk management for the property.

The IMP has defined the approach and strategies for the preservation of the outstanding universal value of the property through the improvement of existing institutional, legal and economic frameworks. The process is defined by the sixteen documents that comprise the IMP. The **Integrated Management Framework** is the official document that has been adopted by the State Party, which is supplemented by a working document, the **Integrated Plan of Action**. Additionally, **Management Handbooks** have also been prepared for each of the seven Monument Zones, each supplemented by individual **Plans of Action**. These documents are to be reviewed and revised at regular intervals.

With the completion of the IMP, a clearly defined approach and strategies for the protection of the OUV of the Kathmandu Valley has been put into place through improvement of existing legal and administration frameworks. However, the

implementation of the IMP still requires further efforts by the State Party, in particular enhance capacity which is critical for the successful implementation of the IMP.

3. IDENTIFICATION AND ASSESSMENT OF ISSUES / THREATS

3.1. *Conservation of Pashupati Monument Zone and other cultural heritage components within the property*

The seven distinct monument zones comprising the Kathmandu World Heritage property were examined by the joint reactive monitoring mission in November 2011. Though special emphasis through attending stakeholder meetings and proportion of time spent was placed at the Pashupati Monument Zone, field visits were also made to all other monument zones accompanied by concerned officers from DoA and other agencies.

A. Pashupati Monument Zone

The 83.55 ha site is managed by the Pashupati Area Development Trust (PADT) while there are roles for the Kathmandu Municipality and considerable portions of the site are now under use by the Nepalese Army, including that of a Golf Course and a newly built Club house.

The site is a living religious site, considered by most Hindus as one of the five most important temples in the world. Millions of pilgrims arrive here annually to visit the numerous temples, crematorium along the river and other facilities offered by the temple.

The OUV of the site, as per the IMP, is linked to 'The architectural values of the Pashupati Monument Zone lie in the exceptional architectural typologies and ensembles of the temples and shrines, within their unique natural contexts... The natural environment surrounding the monuments is closely associated with legends, rituals and festivals'.

The Pashupati Temple is dedicated to Lord Shiva in his form of 'Lord of the Animals' (Pashu = Animals). According to folklore Lord Shiva appeared at this site in the form of a deer and as such the monument zone includes a large deer park. Furthermore, it must be realized that the 'Sacred Grove', traditionally a key element of all major Hindu Shrines yet it is only at Pashupati of all the significant Hindu temples that the sacred grove still exists to this day and has not been consumed by urbanization or development of facilities around the shrine.

The key threat facing the Pashupati Monument zone is the building of a road crossing the sacred Grove and thus effectively shrinking the property to almost half of its present size. The road construction started in 2007 by excavating the hill and forest surrounding the site. It was reported that the construction was commenced not by public authorities but by a group of people keen to have an alternate access to residential neighbourhoods.

In discussions with community groups, it became apparent that there was a desire for easy and quick connectivity and the road through the World Heritage site seemed to be the logical conclusion for many. Site inspections revealed that the area of land that would be segregated by the construction of this road was now mostly occupied by the Nepal Army and though the army has been stationed on site for several years, new construction, expansion and even the building of a Golf Club within the site has

made large portions of the property inaccessible to the people and even to the Pashupati Area Development Trust.

In addition, the expansion of the Kathmandu Airport, abutting the World Heritage site will require increased Army presence, increase in number of vehicles on existing road networks and further exacerbate the problem.

Site inspections also revealed that the soil conditions in the area were poor and unstable and though the road construction had not progressed beyond 2007, it was still in use.

The State Party had also recently proposed that a 'tunnel road' be built along the lines of the 2007 proposed layout but tunneling through the site in poor soil conditions could cause severe further damage and no proper studies were made available to substantiate any basis for tunnel construction.

The mission also inspected existing roads to access the settlement north of the Pashupati Monument Zone and realized that the roads were in poor condition and also traffic management was poor. Laying a proper road along the other periphery of the airport with possible road widening and upgrading on the airport side would significantly improve traffic conditions around the site.

B. Changu Narayan Monument Zone

The 35.92 ha property stands on an hillock with the main temple located on its peak-top. Since the principal temple complex is surrounded by agriculture lands the site is considered to be adequately protected without the need for an additional buffer zone.

Changu Narayan does not get as many visitors as the other six monument zones within the Kathmandu World Heritage Property. Similarly development pressures are lower than those seen at the other sites.

Landslides of the hill is a concern and some retaining walls are being built.

The pedestrian access to the peak-top temple is lined by poorly built structures that have the potential to disfigure the setting if expanded without adequate design support.

C Hanuman Dhoka Durbar Square Monument Zone

The 5.09 ha. urban square comprises the principal palace, surrounding squares and streets with a strip all along serving as the Buffer Zone. Large scale rebuilding in the area was undertaken in the 1930's following the devastation caused by an earthquake. The Cultural Heritage & Tourism Department of the Kathmandu Municipality and the Department of Archaeology are responsible for the property.

The Hanuman Dhoka site suffers from severe development pressures with some buildings within the Property now built up to a height of 70 feet – double of the permissible limit. There is very limited control on illegal construction and this would lead to compromising the integrity and the architectural character of the site.

With several shrines dotting the site, including the Palace of the Living Goddess, the Hanuman Dhoka site is also a living religious site. In recent weeks a new, poorly designed structure, has been built in the open square to house the chariot of the

Living Goddess. Though this might be a necessity, its location and design should have been carefully considered prior to building.

D. Patan Durbar Square Monument Zone

The Patan square includes a 15.89 ha. area encompassing the Palace complex, the adjoining temple squares and the urban fabric. Within the Buffer zone 103 ha. of area is covered comprising the entire historic extent of the city of Lalitpur.

The Patan Durbar Square site is a large, densely populated area with several significant monuments. Though development pressures exist, these are well managed and controlled.

A new Stupa has recently been built within the site and though this was flagged by the authorities for review during the reactive monitoring mission, the new structure is well located and respects traditional building styles thus does not compromise the integrity of the site.

E. Bhaktapur Durbar Square Monument Zone

The Bhaktapur Durbar Square zone is under the care of the Bhaktapur Municipality with the important monuments being protected by the Department of Archaeology. The boundary for the 14.60 ha Bhaktapur Durbar Square extends towards the north-east along the important traditional trade route from Taumandi Square to Dattatraya Square. The 121.43 ha. buffer zone encompasses the whole historic city of Bhaktapur.

Easily amongst the most visited by tourists amongst the seven monument zones, the development pressure has been severe. New multi-storey concrete frame structures could be seen being constructed during the reactive monitoring mission at both the Dattatraya and Taumandi squares – thereby significantly compromising the integrity of the site.

The street leading from one square to another, hardly has a single historic structure left intact – almost all of which have been demolished and rebuilt with some traditional wooden elements and the cost of which is shared by the Municipality.

Though the streets, the water points, the monuments are mostly well preserved, the spade of new construction threatens to destroy the integrity of the zone and urgent steps need to be undertaken to halt demolition of existing buildings to be replaced by inappropriate concrete-frame structures.

F. Swoyambhu Monument Zone

As with the Changu Narayan temple, the 32.63 ha. Swoyambhu site stands atop a hillock and the site boundary comprises the entire hillock with several religious structures standing on it. The site is managed by the Federation of Swoyambhu Management and Conservation, the Department of Archaeology and the Culture Heritage and Tourism Department, Kathmandu Metropolitan City. The Army occupies a significant area adjoining to the site and this has been maintained mostly as green.

The shrine is well visited and much new construction has been carried out within the property, and more could be witnessed during the reactive mission visit. Most new construction is in reinforced cement concrete frame structures and thus altering the architectural character of the monument zone.

Additional retaining walls can be seen to be built on the hillock, clearly in response to frequent landslides as a result of deforestation.

Lightening strike to one shrine (Pratappur Temple) adjacent to the principal stupa's has left it damaged and repairs are yet to be executed. In keeping with the tradition of 'cyclic renewal' the damaged shrine should be rebuilt but protection from future lightening strikes with the use of modern technology that is effective yet unobtrusive should be ensured.

G. Bauddhanath Monument Zone

At 1.27 ha. area, the Bauddhanath Stupa is the smallest of the seven monument zones comprising the Kathmandu Valley World Heritage Property. The site boundaries principally include the Stupa and a single ring of commercial/ residential/ religious buildings around it.

The responsibility for preservation is shared by the Culture Heritage and Tourism Department of the Kathmandu Metropolitan City, the Bauddhanath Area Development Committee and the Department of Archaeology.

When designated, the Stupa was standing in a rural, idyllic setting that has now given way to a standard urban setting with ground +2 buildings forming the periphery of the monument.

Only a single vernacular historic structure remains within the buffer zone.

3.2 Implementation of the Integrated Management Plan (IMP)

An Integrated Management Plan was officially adopted for Kathmandu Valley WH property in 2007 with the support of the World Heritage Centre, UNESCO Kathmandu Office, ICOMOS and different stakeholders. All the local stakeholders, and including site managers confirmed that they have received the copies of the IMP.

The IMP states that *"the integrated management of the seven Monument Zones will be carried out by the Coordinative Working Committee (CWC), which is chaired by the Department of Archaeology and comprised of members from each Monument Zone. The Coordinative Working Committee will have its Secretariat located within the office of the World Heritage Section of the Department of Archaeology."* At the time of the monitoring mission, the members did not receive information on the functioning of CWC.

In fact, the CWC is the key body for the integrated management of the Kathmandu Valley World Heritage Site. The CWC is chaired by the Head of the World Heritage Section of the DoA with members representing each of the Monument Zones. Representatives of each of the Monument Zones will be members of the CWC.

The CWC shall meet at regular intervals and has a clear division of responsibilities to coordinate and monitor the progress made in implementing the IMP. Its responsibilities include to supervise the implementation of the applicable legislation, coordination of all activities with site manager, DoA, related government authorities, line agencies and experts as well as to supervise site monitoring, receive reports from the Site Managers and give necessary instructions for site implementation.

The strong focus on co-ordination (implementation of the CWC) appears to bring coherence to the actions of all those involved within the across the seven monument

zones. However, the road construction and International Airport extension close to Pashupati Monument Zone clearly indicate that further efforts is still needed to strengthen cross-sectoral co-ordination mechanisms, to ensure integration of objectives all Government Departments whose actions could affect the OUV of the Kathmandu Valley World Heritage property, thus avoiding the conflicts between development and conservation projects among lines ministries.

In brief, although significant innovation can be found in the structure of the IMP and its 16 documents, in the creation of the Integrated Management Framework, in the development and inclusion of practical instruments such as the conservation guidelines and rectification guidelines etc, the current efforts by the DoA alone to ensure the full and success implementation of the IMP seems to be difficult.

In this context, the IMP would need to be updated to allow additional public and private resources in the country to be channelled to support the present efforts and maturing the functioning of CWC with clear and firm political commitment for its implementation at the highest level possible.

3.3 *Statement of Outstanding Universal Value*

In January 2011, a draft SOUV was submitted by State Party of Nepal, which is being review by the World Heritage Centre and not yet examined by the World Heritage Committee:

Brief Synthesis:

Located in the foothills of the Himalayas, the Kathmandu Valley World Heritage property is inscribed as a single site, comprising of seven Monument Zones. These monument zones are the Durbar squares or urban centres of the three cities of Kathmandu (Hanuman Dhoka) Patan and Bhaktapur and the religious ensembles of Swayambhu, Baudddhanath, Pashupati and Changu Narayan. As Buddhism and Hinduism developed and changed over the centuries throughout Asia, both religions prospered in Nepal and produced a powerful artistic and architectural fusion beginning at least from the 5th century A.D., but truly coming into its own in the three hundred year period between 1500 and 1800 A.D. These monuments were defined by the outstanding cultural traditions of the Newars, manifested in their unique urban settlements, buildings and structures with intricate ornamentation displaying outstanding craftsmanship in brick, stone, timber and bronze that are some of the most highly developed in the world.

Criterion iii:

The seven monument ensembles represent an exceptional testimony to the traditional civilization of the Kathmandu Valley. The cultural traditions of the multi-ethnic people who settled in this remote Himalayan valley over the past two millennia, referred to as the Newars, is manifested in the unique urban society which boasts of one of the most highly developed craftsmanship of brick, stone, timber and bronze in the world.

Criterion iv:

The property is comprised of exceptional architectural typologies, ensembles and urban fabric which illustrate the highly developed culture of the Valley which reached an apogee between 1500 and 1800 AD. The exquisite examples of palace complexes, ensembles of temples and stupas are unique to the Kathmandu Valley.

Criterion vi:

The property is tangibly associated with the unique coexistence and amalgamation of Hinduism and Buddhism with animist rituals and Tantrism. The symbolic and artistic values are manifested in the ornamentation of the buildings, the urban structure and often the surrounding natural environment, which are closely associated with legends, rituals and festivals.

Integrity:

All the attributes that express the outstanding universal value of the Kathmandu Valley are represented through the seven monument zones which encompass monument ensembles

and their distinct contexts. The majority of listed monuments are in good condition and the threat of urban development is being controlled through the Integrated Management Plan.

Authenticity:

The authenticity of the property is retained through the unique form, design, material and substance of the monuments, displaying a highly developed traditional craftsmanship and situated within a traditional urban or natural setting. Even though the Kathmandu Valley has undergone immense urbanization, the authenticity of the monument ensembles as well as much of the traditional urban fabric within the boundaries has been retained.

Management:

The designated property has been declared a protected monument zone under the Ancient Monument Preservation Act, 1956, providing the highest level of national protection. The property has been managed by the coordinative action of tiers of central government, local government and non-governmental organizations within the responsibilities and authorities clearly enumerated in the Integrated Management Plan adopted in 2007.

The implementation of the Integrated Management Plan will be reviewed in five-year cycles allowing necessary amendments and augmentation to address changing circumstances. A critical component that will be addressed is disaster risk management for the property.

3.4 Other projects reviewed during the mission

During the mission, information on several rehabilitation and restoration projects, large and small, being proposed in the seven Monument Zones, were provided to the mission team. Due to time constraints, the mission referred these proposals for review and comments by the DoA in line with process and procedures established in the IMP. And any new proposals for development should be submitted to the World Heritage Centre as per paragraph 172 of the Operational Guidelines for review by the Advisory Bodies (ICOMOS and ICCROM).

While drafting the mission report, the mission team received the proposal on the reconstruction of the Bhaidegah Temple around the entrance of Patan Palace square. The project proposal has been reviewed by the ICOMOS expert and the evaluation is included as **Annex 5** to this report.

4. ASSESSMENT OF THE STATE OF CONSERVATION

4.1 Conditions of authenticity and integrity of the property

In general terms, the authenticity and integrity of the property has been comprised by demolition and redevelopment of houses which the authorities were unable to control. Some conservation projects for a number of historic buildings within Patan has helped to recover the traditional craftsmanship for timbers structure preservation.

The Nepalese Conservation Guidelines (Ancient Monuments Conservation Manual 2006) need to be further promoted for application by the Government of Nepal. In the Bhaktapur monument zone, it is noted that inappropriate reconstruction with reinforced concrete has led to disruption to the scale and detail of this historic streetscape, and in some cases, damage to the setting of the principal monuments.

Despite the IMP stressing on the negative impact of buildings built using reinforced cement concrete, such constructions have continued with profusion. The State Party needs to take urgent steps to ensure that the urban setting of the seven monument zones does not continue to be disfigured with the use of modern materials such as RCC or inappropriate glass façade's.

A. Pashupati Monument Zone

The historic structures within the Pashupati Monument Zone are mostly in good structural condition. Though the temple is accessible only to Hindus, the reactive mission could inspect all structures. Some associated structures within the forest setting have developed cracks in recent years, though it could not be said with any accuracy that these are due to the excavation work carried out for the road. Proper repair and maintenance of these historic buildings should be planned by PADT

The site boundaries defined and agreed only in 2006 need to be retained and preserved but the OUV is compromised by inappropriate use of large portions of land by the Army and the continued use of the road created in 2007.

With several hundred deer confined to a small area of the Pashupati Monument Zone, overgrazing is likely to lead to soil dis-integration. Further, the landscape of the site require ecological restoration with additional indigenous tree species planted here. The water quality of Bagmati river, flowing through the monument zone, should be monitored.

Construction of multi-storey buildings, including a seven floor glass block at the edge of the site, though outside the site boundaries, significantly distracts from the character of the site and future such building activity would need to be controlled if the integrity of the site is to be maintained.

B. Changu Narayan Monument Zone

One of the abandoned structures abutting the principal shrine is presently being converted into a museum to house some of the temple arte-facts. This will both ensure preservation of the structure, the setting of the World Heritage Site and allow visitors an added attraction, especially as non Hindu's are not allowed within the shrine itself.

C. Hanuman Dhoka Durbar Square Monument Zone

The monuments of the Hanuman Dhoka are themselves in a well preserved condition and at the time of the monitoring mission conservation works were ongoing on at least three structures using traditional building materials and techniques, which needs to be encouraged.

Making certain streets vehicle free in the Hanuman Dhoka area is a welcome step and needs to be carried out in an effective manner in other parts of the Kathmandu World Heritage property.

The integrity of the site has been compromised by at least one structure within the property now being built to almost double of the permissible 35 feet height – illegal floors added need to be demolished and steps taken to ensure such violations are not repeated in the future.

D. Patan Durbar Square Monument Zone

The Patan Royal Palace is presently the focus of a major, sustained conservation project. Portions of the palace have been restored, with one of the buildings today houses the Patan Museum, an excellent development significantly contributing to the

Patan Durbar Square being one of the best preserved monument zones in Kathmandu Valley.

The eastern edge of the palace complex, comprising a wooden colonnade, is presently being restored in a manner that would also help generate funding through rental incomes.

At the entrance of the Patan Palace square stands the platform of the 17th century Bhaidegah Temple, which collapsed in the 1934 earthquake and was later rebuilt in an architectural style quite different from the original building. Some of the wooden brackets and other elements from the original structure survive as do some distant photographs that are now being proposed to be used as a basis for a reconstruction – possibly using some of the original ornamental wooden elements. During the Reactive Monitoring mission, the proposal was mentioned and the potential positive impact of the reconstruction on the square understood. The State Party has later submitted a note on the proposal a review of which is appended with this mission report.

The proposed reconstruction of Bhaidegah Temple though based on very limited evidence might be found acceptable in the cultural context of the Kathmandu Valley in view of the established 2007 IMP and precedents of similar reconstruction at this property. However, before any work proceeds, the State Party needs to set out in a detailed report to be provided to the World Heritage Centre for review by ICOMOS, a justification for the re-building to clarify the extent of original elements to be used in the reconstruction and all the evidence upon which the design is based. The report needs to include detailed architectural drawings and proposals on ornamentation to be used and a detailed survey of what currently exists. The report will need to be peer reviewed by experts familiar with Newari culture/ architectural traditions.

E. Bhaktapur Durbar Square Monument Zone

Extensive reconstruction has been undertaken in Bhaktapur Durbar Square and other historic complexes. The new constructions severely compromise the historic character and the integrity of the site.

The integrity of the property has been severely compromised by the new structure built adjacent to the Pujari Math. This should be immediately demolished and a new structure following the earlier design can be rebuilt here. The objections to this structure are not account of additional height but the total alteration of the traditional building typology abutting a very significant structure.

Many of the principal monuments such as the 55 window palace are inaccessible to public as these have been provided no alternate uses. In fact during the mission some significant buildings were seen threatened by inappropriate use or even fire related disaster due to use of cooking stoves inside buildings.

At Bhaktapur grants are provided to incorporate traditional building elements in new buildings that are replacing traditional structures. Instead priority should be given to conservation of structures and design/ technical support for their effective adaptive reuse.

The site management is poor and there is a lack of co-ordination amongst various agencies and stakeholders.

F. Swoyambu Monument Zone

Though the monument zone retains its OUV and integrity, if rapid construction is not controlled the site will be adversely affected. Various illegal and non-conforming buildings would need to be demolished to reduce the structure pressure on top of hill where the Swoyambu stupa is located.

A disaster risk reduction management plan is clearly not in place as repeated lightening damage have been faced at the site.

Despite of UNESCO's support in 1983-84 to carry out studies on the structure of hillock, the landslides problem has not been stabilized due to reconstruction, badly management by dumping of waste (construction and tourism related) at the site and deforestation has resulted in portions of the hillock becoming unstable.

G. Bauddhanath Monument Zone

The Stupa itself is in a safe state of preservation and like several of the other Kathmandu Valley sites is a living, religious site.

5. CONCLUSIONS AND RECOMMENDATIONS

The World Heritage property of the Kathmandu Valley comprises seven distinct, monument zones including the Hindu temples of Pashupati and Changu; the Buddhist sites of Swoyambhu and Bauddnath and the palace squares of Hanuman Dhoka, Patan and Bhaktapur. Although the property was an early nomination of 1979, it remains one of the most complex World Heritage properties, incorporating 4 monument zones of religious value and three urban historic districts and a multiplicity of governing authorities and involved agencies and community groups at all levels. It is also worth noting that the country is still in the early stages of political transition, moving from a hierarchically organised top down monarchical system to one which gives more authority and responsibility to the local level.

The World Heritage property was inscribed on the List of World Heritage in Danger in 2003 following which an Integrated Management Plan (IMP) was developed and finalized in 2007. The IMP clearly defined the property across all seven monument zones and ensembles and also clearly defined the buffer zone. The property was removed from the List of World Heritage in Danger in July 2007 (Decision 31 COM 8C.3). Significant innovation can be found in the structure of the IMP and its 16 documents, in the creation of the Integrated Management Framework, in the development and inclusion of practical instruments such as the conservation guidelines and rectification guidelines. However, the current efforts by the DoA to ensure better implementation of the IMP require more resources to enhance and stronger political commitment.

A major threat to the integrity of the property is the 2007 construction of a new road through the Pashupati monument zone. The road construction was abandoned after threats to the property became evident and the World Heritage Committee, at its 32nd session adopted decision 32 COM 7B.76, requesting the State Party to mitigate the impact of the proposed road construction. Since 2008, following protests by those involved with the IMP to the highest levels of the Government, and responses to the proposal by the World Heritage Centre and ICOMOS, construction of the road has been halted and mitigation measures are being devised. Despite the Government of Nepal's commitment in its State of Conservation of 2009 and 2010 to re-examine and realign the trajectory of the road in order to ensure the safeguarding of Pashupati monument zone, the World Heritage Centre and ICOMOS did not receive any information on the follow-up to the March 2011 Advisory Mission on this matter.

Further, another Asian Development Bank supported project on the extension of Kathmandu International Airport may also pose potential threats to the property.

The mission team acknowledges and congratulates the DoA, the local authorities in the seven monument zones of the WH property and in particular Pashupati Area Development Trust for their considerable efforts made in the implementation of the IMP and the recommendations of the World Heritage Committee.

5.1 Concluding recommendations on the Desired State of Conservation of the property (including management effectiveness and enhanced decision-making)

Based on the field evaluations and open and frank consultation meetings with different stakeholders at the property from 23 to 28 November 2011, the joint World Heritage Centre/ICOMOS reactive monitoring mission proposes the following key recommendations:

A. Construction of the road within Pashupati Monument Zone and extension of the Kathmandu International Airport

The World Heritage Centre and ICOMOS joint mission team consider that it is essential to follow up on the mitigation efforts directed to the road work already undertaken by the Department of Roads in the Pashupati Monument Zone. A clear resolution of this conflict is needed that will both respect the outstanding universal value of the property, and also guide future planning by Governmental Departments to fully respect the requirements of the IMP. In terms of implementation of the IMP, clearly defined processes and procedures, for instance on traffic planning and road construction, should be developed, adopted and fully respected.

In particular, the following corrective measures should be implemented:

1. The proposed road construction crossing the Pashupati monument zone must be abandoned and a scheme of ecological restoration of the area carried out with immediate effect. Awareness-raising efforts should be made to explain to the public and stakeholders that the natural environment is closely linked to the OUV of the property and the boundary defined for the Pashupati zone in 2007 must be respected.
2. Similarly, the Army should vacate the additional lands it has occupied within the Pashupati Monument Zone boundary for use as Golf Course, club houses etc. Only a minimum Army presence should be maintained to ensure security of the International Airport and in a manner that respects the integrity of the World Heritage property.
3. It is of utmost urgency that a transport and urban planning strategy for the entire Kathmandu City and not just for the seven monument zones be developed and adopted. This however could be commenced at the Pashupati Monument Zone. The Strategy needs to address the potential impacts on OUV of any proposed Airport expansion, of the impact of ring road widening and of the impact of new developments to the north of the Pashupati Monument Zone and only include in the Strategy projects that will not impact adversely on the OUV.

4. While other options are discussed, the State Party should be advised to carry out repairs and expansion of the ring road circling the east side of Kathmandu airport into at least a four lane road of high standards that will allow smooth travel.
5. Ecological restoration at the Pashupati site, the Changu Narayan, the Swoyambhu Stupa zone need to be carried out with indigenous species as a priority.
6. In view of the above, a detailed report on steps undertaken by the State Party on the five above mentioned points should be submitted to the World Heritage Centre for review by 1 February 2013. In addition, if an alternate route is now proposed, a heritage impact assessment of such a route should be carried out by an independent expert.

Timeframe: the World Heritage Committee should review the progress made on the above by 1 February 2013 and examine the heritage impact assessment of the proposed alternative road around the property boundary.

B. Progress on the implementation of the Integrate Management Plan (IMP)

The development and adoption of the IMP (2007) for Kathmandu Valley has provided a participatory and consultative approach to address the conservation and management of the World Heritage property. However, an institutional set up to support the successful implementation of the IMP is still lacking. A close coordination of efforts from different stakeholders is urgently required to combine the synergy between the Government (DoA, DoR, Environment, Civil Aviation, Nepal Army and UNESCO) and the communities (both civil and religious). Further, the implementation of the IMP should be further enhanced by mechanisms for undertaking systematic heritage, environment and visual impact assessments prior to designing and approving of any development projects close to the World Heritage property. The DoA is therefore urged to consider the following measures:

- 1) Site Specific management guidelines need to be developed on the basis of the 2007 Integrated Management Plan (IMP). The Management Handbooks for each of the seven component parts are repetitive and too similar to one another though the zones themselves are very distinct. As such, these do not allow site managers to adopt specific conservation policies. Similarly, site specific building regulations need to be agreed for each of the seven zones. For example each of the seven zones require specific building regulations.
- 2) Though the Kathmandu Valley property comprises seven distinct monument zones, there is a single Outstanding Universal Value (OUV). This needs to be explained independently to stakeholders at each of the seven monument zones, particularly in terms of the attributes that convey OUV.
- 3) The concerned municipal bodies need to ensure that grants are available for preservation of private historic buildings rather than only for beautification and reconstruction with traditional wooden elements.
- 4) Building regulations for the Kathmandu Valley should be carefully developed and implemented to ensure that glass blocks, as built in the proximity of the Pashupati Shrine, or a nine-storey building at the edge of the Hanuman Dhoka site, do not disfigure the architectural character of the World Heritage property.

- 5) Furthermore, the DoA is urged to ensure that all conservation/restoration intervention activities within the World Heritage property are approved after full documentation and heritage impact assessment, and that an effective monitoring system is put into place to ensure international conservation standards are applied during the project execution process.
- 6) Further efforts are needed to strengthen cross-sectoral co-ordination mechanisms for the implementation of the IMP, to ensure integration of objectives all Government Departments whose actions could affect the OUV of the property, thus avoiding development and projects conflicts among lines Ministries.
- 7) The IMP would need to be updated to allow additional public and private resources to be identified to support the present efforts and maturing the functioning of Coordinative Working Committee (CWC) with clear and firm political commitment for its implementation at the highest level possible.
- 8) As has been observed in earlier ICOMOS missions, a disaster management plan for all seven monument zones is required to be prepared. Though the main natural risk to the Kathmandu Valley are seen as earthquakes, erosion and fire. The first two have been the subject of study and conferences. The Pratapur Temple in the Swoyambhu Monument Zone has been damaged twice by fire caused by lightning strikes in 2003 and 2011. On the earlier occasion this has led to re-building using scarce resources. There is the need for a detailed Risk Assessment strategy to address fire issues and which should be integrated into a wider Strategy to address all the key risks.
- 9) As with recommendations of earlier ICOMOS missions, this mission noted with concern the rapid loss of traditional housing. The difficulty of controlling change in traditional housing has been highlighted in the Management Plan. Clearly 'many technical questions' remain unresolved with regard to 'involving transformation of private residences: degree of permissible change, installing amenities in traditional buildings, dealing with low floor to floor distances'. The on-going difficulty of managing change in private residence was brought up during the mission. A visual inspection of the three Durbar Chowk's suggested that of the houses within the properties and their buffer zones, 80% seem to have been already replaced and the remainder are vulnerable in terms of extensions, particularly upwards or re-building. As seen in the case of the concrete structures built in the Bhaktapur squares, it has not been possible to control development on some of the most prominent buildings which have a significant impact within the setting of monuments and a detailed appraisal is needed in order to understand which domestic properties can be seen as the most significant parts of the setting of the monuments and monument ensembles.

Timeframe: Report progress to the World Heritage Committee by 1 February 2013 and as an on-going process to ensure better implementation of the IMP.

C Enhanced conservation of the property

The reactive monitoring mission found the following:

1. The standards of conservation/ management/ presentation varied significantly across the seven component parts. A high standard of preservation must be aimed for all seven monument zones.
2. The new structure adjacent to the Pujari Math in the Bhaktapur site should be demolished and be rebuilt as per earlier design. The new structure is significantly distracting from the historic character and has compromised the integrity of the site, urban setting and the streetscape.
3. Efforts must be made to preserve key historical building across all monument zones by providing alternate public uses; an outstanding example of this is the Patan Museum which meets the highest international standards.
4. Traditional building crafts must be encouraged in an informed manner in order for the understanding of traditional architecture not be limited to isolated decorative wooden elements but also that enables to ensure that the Kathmandu Valley 'buildings and structures, with their intricate ornamentation, display craftsmanship in brick, timber and bronze that are some of the most highly developed in the world'.

D. Public communication and outreach

There is a serious need for enhanced public information dissemination and awareness-raising in relation to the World Heritage property and its OUV, to internationally recognized conservation standards and to procedures. Despite the participatory approach for the development of the IMP, interpretation and public outreach was found to be weak. The mission noted with concern that much misinformation has been disseminated as a result of insufficient transparency and untimely information dissemination. Most new initiatives for outreach have been undertaken by NGOs, members of the community, or the private sector, rather than the national and local authorities. To avoid unnecessary misunderstanding between the local population, the Nepali authorities and the international community, the mission recognized the need for accurate information to be disseminated to the general public in a timely manner and recommended the following:

- 1) Enhance, particularly at municipal levels, awareness-building in relation to World Heritage values, conservation processes, internationally recognized conservation standards and procedures, as well as timely information dissemination to the general public.
- 2) Improve ways of information sharing and communication on conservation programmes and the World Heritage property through better presentation systems, publications and other promotional activities. UNESCO Kathmandu may provide assistance to meet such needs, upon request from the authorities.

Specific proposals:

In addition, the mission would also like to propose the following specific recommendations for the seven monument zones:

A. Pashupati

Restore the large portion of land occupied by the Army within the Pashupati monument zone to public use.

The Army Golf Course with the high amount of tree felling and clearing required has caused the OUV and the integrity of the Property to be severely compromised. Also, in public perception with the area east of the proposed road mostly being inaccessible to public and thus segregated from the World Heritage Site, the rationale for preventing the construction of the road is not understood. It is thus necessary to restore the 'sacred grove' in the army golf course area.

The State Party should start a scheme of ecological restoration of the area excavated for the road construction and secure the site from any further vehicular access.

While other options are discussed, the State Party should be advised to carry out repairs and expansion of the ring road running along the east side of the airport into at least a four lane road of high standards that will allow smooth travel.

The State Party should not consider any road through the World Heritage Property whether on grade/ tunneled or elevated.

B. Changu Narayan Temple

The hillock of Changu Narayan needs to be carefully afforested using indigenous species in order to ensure no landslides take place.

Specific design guidelines need to be developed for the cluster of houses/ shops lining the access to the Shrine.

C. Hanuman Dhoka square

Commercial interests, poor signage, illegal constructions need to be strictly checked at the Hanuman Dhoka monument zone.

The Integrated Management Framework needs to be further developed into site specific management guidelines and conservation plans.

The Kathmandu Metropolitan City needs to provide specific design guidelines for new structures that are to be built within the property and especially those in the open squares as these should not compromise the integrity of the Property.

D. Patan

The Patan Durbar Square is well preserved and the ongoing conservation works has significantly ensured that the integrity and authenticity of the site is maintained.

E. Bhaktapur

The Municipality should take measures to fund conservation of historic buildings rather than only support rebuilding with traditional building elements.

The recently built four storeyed RCC frame structure built on the Dattatreya Square adjoining the Pujari Math is a major violation considerably affecting the architectural character and the integrity of the square and should be demolished and a building matching the earlier could be built here.

Significant efforts need to be made to convert buildings such as the 55 window palace into a public use facility or at least make it accessible to the public.

Proper management systems need to be put in place to ensure the integrity of the site is not further compromised.

F. Swoyambhu

Urgent steps need to be undertaken to ensure preservation of remaining historical residential structures on the hillock.

Site specific management plans need to be developed and agreed upon by all stakeholders to ensure OUV and integrity of the site is retained. Further, disaster and risk reduction plan should be developed for the site.

G. Bauddhanath

Building regulations should be strengthened, it needs to be ensured that the owners of buildings surrounding the Stupa are not allowed to build any additional floors.

5.2 General Recommendations

Even though the Kathmandu Valley has undergone immense urbanization ,I despite some negative incidents, inappropriate restoration practices and strong development pressures, the World Heritage property of Kathmandu Valley has retained, of its the authenticity of the historic ensembles as well as much of the traditional urban fabric within the boundaries. It may therefore be concluded that the Outstanding Universal Value of the property is still being sustained by the State Party for the time being.

It is of utmost urgency that transport and urban planning for the entire Kathmandu City and not just for the seven monument zones be carried out. This however could be commenced at the Pashupati Monument Zone but include the potential impact of the International Airport expansion, the impact of ring road widening and the impact of new developments to the north of the Pashupati Monument Zone.

The State Party is strongly urged to take effective steps to enhance co-ordination through existing institutional frameworks for strengthening the conservation and management of the property, with the effective implementation and updating of the Integrated Management Plan (IMP).

With regard to the road construction impacting on the Pashupati Monument Zone and the proposed extension of the Kathmandu International Airport, the joint mission team considered that it is important to follow up on the mitigation efforts directed to the road work already undertaken by the Department of Roads in the Pashupati Monument Zone by implementing a scheme of ecological restoration of the area disturbed by the road construction. Also designated under Criteria vi, it is recognized that the *“The Kathmandu Valley World Heritage site is tangibly associated with unique coexistence and amalgamation of Hinduism and Buddhism with animist rituals and tantrism. The symbolic and artistic values are manifested in the ornamentation of the buildings, the urban structure and often the **surrounding natural environment, which are closely associated with legends, rituals and festivals**”*. Building the proposed road through the sacred grove associated with the Pashupati Monument Zone will severely compromise the OUV of the property.

Further, awareness raising, capacity building, and transparency in the decision making process are also strongly recommended as the insufficient levels of these three issues have resulted in unfortunate misunderstanding and sometimes mistrust

between stakeholders, communities and the general public, which may also have a negative impact on the management of the World Heritage property.

ANNEXES

Annex 1: Terms of Reference: 23-28 November 2011- Reactive Monitoring Mission to **Kathmandu Valley (Nepal)**

Annex 2: ICOMOS review of the Bhaidegah Temple reconstruction proposal

Annex 3: Itinerary of the Mission

Annex 4: List of Persons met

Annex 5: Maps and photographs illustrating conservation issues and integrity of the property

Annex 1

Terms of Reference for a Joint World Heritage Centre/ICOMOS Reactive Monitoring Mission to Kathmandu Valley (Nepal) (C 121) 23 - 28 November 2011

In accordance with **Decision 35 COM 7B.75 (Annex I)** of the World Heritage Committee at its 35th session (UNESCO, June 2011) regarding the state of conservation of the World Heritage property of Kathmandu Valley (C 121) in Nepal, the joint World Heritage Centre/ICOMOS reactive monitoring mission shall carry out the following tasks in close consultation with the Nepali authorities and other stakeholders of the Kathmandu Valley World Heritage property:

- Assess the current state of conservation of the property (including all seven monument zones, with a particular attention to the Pashupati monument zone) and assess threats that might have an impact on the property's Outstanding Universal Value;
- Evaluate progress made by the Nepali authorities in the implementation of the Integrated Management Plan (IMP) of the property and check whether adequate resources have been allocated and effective mechanisms for its sustained implementation are in place;
- Examine the current proposals for to the planned road construction and possible extension of the Kathmandu International Airport and discuss the cultural heritage impact assessments for these two developments in order to assess potential impacts on Outstanding Universal Value
- Examine the progress made in addressing the concerns expressed by the World Heritage Committee in its previous decisions as well as recommendations made by March 2011 UNESCO expert Advisory Mission regarding Pashupathi monument zone;
- Follow up with the Nepali authorities to the request by the World Heritage Committee to submit a State Party progress report on the state of conservation of the property by 1 February 2012 (**Decision 35 COM 7B.75**, Paragraph 7);
- On the basis of the foregoing findings and in close consultation with the Department of Archaeology, recommend measures for improving the conservation and management of the property.
- Prepare a joint report incorporating the above findings and recommendations of the Reactive Monitoring Mission for review by the World Heritage Committee at its 36th session. The report should follow the attached format (**Annex II**).

Extract of the Decisions adopted by the World Heritage Committee at its 35th session (UNESCO, 2011)

Kathmandu Valley (Nepal) (C 121)

Decision: 35 COM 7B.75

The World Heritage Committee,

1. Having examined Document WHC-11/35.COM/7B,
2. Recalling Decision **32 COM 7B.76**, adopted at its 32nd session (Quebec City, 2008), State of conservation of World Heritage properties WHC-11/35.COM/7B, p. 142 Inscribed on the World Heritage List,
3. Takes note of the conclusions and recommendations of the March 2011 UNESCO international expert advisory mission to the Pashupati Monument Zone of the Kathmandu Valley with respect to the proposed tunnel road construction of 2007 and the proposed Kathmandu International Airport extension;
4. Urges the State Party to abandon its plans for the tunnel road construction crossing the Pashupati monument zone, to determine a road trajectory that goes around the property boundary and to restore the pre-2007 situation at the monument zone;
5. Requests the State Party to invite a joint World Heritage Centre / Advisory Bodies reactive monitoring mission to the property to assess the state of conservation of the property, including the tunnel road construction crossing the Pashupati monument zone and the planned extension of the Kathmandu International Airport;
6. Also requests the State Party to provide the World Heritage Centre with detailed information including an independently prepared Heritage Impact Assessment for review by the World Heritage Centre and the Advisory Bodies, in accordance with Paragraph 172 of the Operational Guidelines, prior to the mission;
7. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2012**, a report on the implementation of the March 2011 UNESCO international expert advisory mission recommendations and on the state of conservation of the property, for examination by the World Heritage Committee at its 36th session in 2012.

Annex 2

BHAIDEGAH TEMPLE
PATAN DURBAR SQUARE
KATHMANDU VALLEY WORLD HERITAGE SITE

ICOMOS REVIEW OF RECONSTRUCTION PROPOSAL



Ratish Nanda
Conservation Architect

April 2012

EXECUTIVE SUMMARY

The proposed reconstruction of Bhaidegah¹ temple though based on very limited evidence might be found acceptable in the cultural context of the Kathmandu Valley in view of the established 2007 Integrated Management Framework (IMF) and precedents of similar reconstruction at this property.

It is understood that *“All cultures and societies are rooted in the particular forms and means of tangible and intangible expression which constitute their heritage, and these should be respected”*. The IMF helps us understand the values in the cultural context and authenticity. This is important since *“It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must be considered and judged within the cultural contexts to which they belong”*.

The proposal as forwarded by the State Party is poorly written, does not present the case in an appropriate scientific manner, with discussion not based on established conservation norms and does not even refer to the 2007 IMF. However, an understanding of the cultural context based during the recent reactive monitoring mission and a study of the IMF, including the accepted cultural context establishes that the proposals might be appropriate on the basis of the following parameters:

- ❖ The existing structure proposed to be replaced is considered to be inappropriate/obtrusive on account of its alien form and it not corresponding to any traditional style, or matching in scale, height, façade with the surrounding buildings.
- ❖ The OUV is respected by the proposed reconstruction by:
 - Proposing to utilise the ‘highly developed craftsmanship’.
 - Respect the historical period/ layer considered most significant.
 - Respecting and even enhancing the integrity of the urban setting.
- ❖ The existing documentation of the pre 1934 structure of the Bhaidegah temple clearly allows an understanding of the original scale and the surviving wooden elements allow an understanding of the level of craftsmanship that would need to be matched.
- ❖ A reconstruction based on high craftsmanship encouraged by conservation agencies – presently perceived to be anti- development – will also show a way forward.

However, before any work proceeds, the State Party needs to set out in a detailed report to be provided to the World Heritage Centre for review by ICOMOS, a justification for the re-building to clarify the extent of original elements to be used in the reconstruction and all the evidence upon which the design is based.. The report needs to include detailed architectural drawings and proposals on ornamentation to be used and a detailed survey of what currently exists. The report will need to be peer reviewed by experts familiar with Newari culture/ architectural traditions.

It is also recommended that the State Party include in the report how modern retro-fitting measures will be included in the reconstruction to ensure that it does not suffer damage in future earthquakes.

¹ Various spellings have been used for this structure in e mail correspondence and reports. This spelling is from the flier forwarded by the State Party.

Key Points for Consideration

- The Patan Durbar Square is one of the seven monument zones that comprise the Kathmandu Valley World Heritage property, designated in 1979.
- In 2007, the State Party, UNESCO & ICOMOS finalised an 'Integrated Management Framework' for the Kathmandu World Heritage Site that allowed the site to be removed from the 'Endangered' list.
- The Patan Durbar Square comprises an urban ensemble of 17th century 'Malla era' pagodas with a Shikhara architectural style.
- All buildings in this complex suffered severe damage during the earthquake of AD 1934. Several buildings suffered almost total collapse. Following the damage suffered during the earthquake, most structures were reconstructed².
- The Bhaidegah temple, being one of the largest and standing prominently at the entrance zone of the Patan Durbar Square, was however not rebuilt in its original form.
- It seems that in the post earthquake phase, the collapsed three tiered roofs were hastily replaced with a stucco dome, with the original gilded finial placed hastily on top of the dome. It has been suggested that since the Bhaidegah temple had not been built by the Nepal Royals it was not considered worthy of reconstruction in the post earthquake phase.
- However, the Bhaidegah temple continues to serve as a temple and is an active centre for religious practice. The call for reconstruction to the original design, considered more 'authentic' by the community of worshipers, emanates from 'a group of citizens coming together in 2011'.
- The stated objective being to '...using the original technique and materials³ to bring the temple back to its original size and shape, and restoring the 'historical integrity' of the Patan Durbar square in the process'.
- The proposed restoration is also stated as being '*important for the sake of the devotees in the community*', in a culture where traditional skills and practices still survive, the restoration is expected to '*provide continuity to the indigenous traditions*' that were used in the original building. Also, it is suggested that the project will '*help reviving historical interest in the Malla era*' and finally, '*the restoration will be an economic catalyst, as it will promote the philosophy of building conservation, energize urban renewal efforts and enhance tourist attraction of Patan's city core*'.

² It is not clear if the reconstruction used any original material. It is stated that '*in Nepal people tend to entirely rebuild a building when it has been damaged.... When communities have resources, they prefer to rebuild – without reusing existing recyclable historic materials...*'.

³ There is no account of percentage of original materials available for use. I understand that these, at most, will be limited to a few brackets and as such this statement cannot be considered completely accurate. However, 'original material' here might refer to the use of wood as in the original construction in lieu of the present masonry structure.

KATHMANDU VALLEY WORLD HERITAGE SITE:

The Kathmandu Valley World Heritage Site was inscribed on the UNESCO World Heritage List in 1979 as a single site comprising of seven monument zones.

The Integrated Management Plan prepared for the property in 2007, states, “The Cultural Heritage of the Kathmandu Valley is illustrated by seven groups of monuments and buildings which display the full range of historic and artistic achievement for which the Kathmandu Valley is world famous”. The seven monument zones include the Patan Durbar square. The Patan Durbar Square lies within the Lalitpur sub-metropolitan city and is amongst the best preserved and presented of the seven zones.

The Kathmandu Valley was inscribed under criteria iii, iv and v. The statement⁴ of justification for OUV provided in the 2007 Integrated Management Framework include:

- Criteria iii
 - The Kathmandu Valley World Heritage Site is a testimony to the unique “Newari Culture” **which is still alive today**.
 - The cultural traditions... is manifested in the **unique urban society** which boasts of one of the **most highly developed craftsmanship of brick, timber** and bronze in the world.
- Criteria iv
 - Comprised of exceptional architectural typologies, ensembles **and urban fabric** which illustrate the highly developed culture of the Kathmandu Valley which reached **an apogee between 1500 and 1800 AD**
 - The exquisite examples of palaces complexes, **ensembles of temples** and stupas are unique to the Kathmandu valley.
- Criteria vi
 - The Kathmandu Valley World Heritage Site is tangibly associated with unique coexistence and amalgamation of Hinduism and Buddhism with animist rituals and tantrism.
 - The symbolic and artistic values are manifested in the ornamentation of the buildings, the **urban structure** and often the surrounding natural environment, which are closely associated with legends, rituals and festivals

The 2007 Integrated Management Framework for the Kathmandu Valley furthermore recognizes that *“the authenticity of the Kathmandu Valley World Heritage Property is retained through the unique form, design, material and substance of the monuments, displaying a highly developed traditional craftsmanship and situated within a traditional urban or natural setting, which have however **throughout history gone**”*

⁴ Draft Statement of OUV presently under review by ICOMOS and to be submitted to the Committee in July 2012.

through a process of cyclic renewal'. It is further accepted that *"Cyclic renewal in the case of the Kathmandu Valley has clearly meant reconstruction. This is especially obvious after the destruction of monuments due to earthquakes"*.

Amongst the cases cited, it is pertinent to note that *"... the Chyasilin Mandapa on the Bhaktapur Darbar Square, which was totally destroyed during the 1934 earthquake was reconstructed five decades later based solely on photographs. The Mandapa itself has very little that could be called authentic, however it does contribute to recreating part of the original (pre 1934) identity of the Bhaktapur Darbar Square"*.

Also while, *"restoration should be carried out based on detailed documentation of the building"*, it has been accepted that *"... buildings that were built using reinforced cement concrete and are **considered obtrusive need to be rectified – not in pursuit of regaining lost authenticity but to minimise their impact on their surroundings**"*.

"Rectification Guidelines" provided in the 2007 Integrated Management Framework states that *"Inappropriate Buildings can generally be understood as those buildings that do not correspond to any of the traditional styles of architecture normally understood to be found within the Kathmandu Valley and do not correspond in scale, height, façade (material, colour, texture) with the surrounding buildings"*. The guidelines are provided *"to remedy those elements and attributes of inappropriate buildings that contribute negative impact on the value of the surrounding historic context & specifically focussing on the compatibility of mass (height, coverage and form) and exterior (material, colour, texture, order, scale and proportions)"*. :

PATAN DURBAR SQUARE MONUMENT ZONE

The boundary of the property encompasses the Durbar Square and extends north including Kwa Bahal and the Kumbeshwor temple. An area of 15.89 ha is included in the property which most visitors enter at the Bhaidegah temple. The Buffer zone of the zone encompasses the whole historic city of Lalitpur comprising an area of 103.17 ha.

The principal attraction of this monument zone is the actual 'Durbar Square' itself with its monumental palace and temple buildings, almost all of which were rebuilt after the 1934 earthquake and several of which have undergone major conservation in recent years by the same group of people responsible for this reconstruction proposal. The conservation/ reuse works carried out at Patan meet established standards and are a model for Kathmandu.

The ticket counter for the Patan Monument Zone is abutting the Bahidegah temple and as such most visitors here enter this monument zone of the property here.

The proposed reconstruction of the Bhaidegah temple is based on the understanding that the existing structure built in the post 1934 phase is inappropriate and this requires 'rectification'. The proposed structure, when understood in the Kathmandu cultural and urban context as per the 2007 IMF guidelines might meet the criteria of authenticity in Form and Design, Material and Substance, Use and Function, Traditions, Techniques and Management systems.

Though it is well understood that *"In relation to authenticity, the reconstruction of archaeological remains or historic buildings or districts is justifiable only in exceptional circumstances"* and only *"acceptable only on the basis of complete and detailed documentation and to no extent on conjecture"* the 2007 IMF for the

Kathmandu Valley property can be understood to mean that the Bhaidegah temple reconstruction proposal is an acceptable option for the Patan Durbar square as the negative impact of the ‘inappropriate’ existing structure on its surroundings will be rectified.

Available Evidence of Original Form of Bhaidegah Temple

All available evidence of the original form provided by the State Party is limited to the following three:

1. A watercolour dating from AD 1853 showing extent of craftsmanship in the wooden members of the lowermost floor. Only the ground of the ‘three tiered’ structure is visible in this sketch.
2. A photograph of the square taken in c.1920 showing the complete profile of the three tiered temple with two faces visible from an angular direction.
3. Original wooden struts discovered presently in storage of the Department of Archaeology and which may be ‘permitted to being used in the reconstruction’.

This in essence would mean that the proposed reconstruction would be based on conjecture as complete and detailed documentation is simply not available, especially in case of the ornamentation of the wooden elements. The reconstruction proposal includes photographs of a handful of timber elements said to belong to the original structure but it is not clear how many of these survive or how many will actually be used in the reconstruction rather than be retained in the museum setting.

RECOMMENDATION

It is thus recommended that:


1. The proposed reconstruction might be found acceptable in the cultural context of the Kathmandu Valley.
2. This is “not in pursuit of regaining lost authenticity but to minimise” the impact of the present obtrusive structure on the Patan Durbar square.
3. Before any work proceeds, the State Party needs to set out in a detailed report to be provided to the World Heritage Centre for review by ICOMOS, a justification for the re-building to clarify the extent of original elements to be used in the reconstruction, including justification of its use rather than safekeeping in a museum setting, and all the evidence upon which the design is based
4. The report needs to include detailed architectural drawings and proposals on materials and ornamentation to be used and it is understood that this would require dialogue with several including craftsmen, priests, experts and this dialogue needs to be carefully documented and shared.
5. A detailed survey of what currently exists would also need to be provided.
6. The report should indicate the extent of discussion surrounding the reconstruction and how this is to be documented and shared.
7. It is recommended that measures to include retrofitting as protection against future earthquakes need to be included. This may require the original plinth that still exists to be dismantled prior to reassembly thus also giving a chance

to adequately strengthen the foundations to bear the load of a larger structure than has existed on this plinth for almost a century.

8. Any future proposal for similar reconstruction should be detailed and present the justification in a similar format and in reference to the 2007 IMF for the Kathmandu Valley.

Annex 3

Itinerary of the Mission

<div>  <p>United Nations Educational, Scientific and Cultural Organization</p> </div> <div> <p>World Heritage Centre/ICOMOS</p> <p>Active Monitoring Mission to the World Heritage property of Kathmandu Valley (Nepal) (C 121)"</p> <p><u>Provisional Timetable of Mission</u></p> <p>23 to 28 November 2011 Kathmandu, Nepal</p> </div>								
Time	19 NOV SATURDAY	22 NOV TUESDAY	23 NOV WEDNESDAY	24 NOV THURSDAY	25 NOV FRIDAY	26 NOV SATURDAY	27 NOV SUNDAY	28 NOV MONDAY
9:00		LDT car drop-off F. Jing at Bhairahawa airport		UNESCO car pick up Ratish, Bruno & Feng at Annapurna for UNESCO			UNESCO car pick up Feng & Ratish at Annapurna for UNESCO	
9:30			UNESCO car pick up Bruno & Jing at Annapurna for Hanuman Dhoka	Security Debriefing by Yogendra Chhetri/ Feng and Bruno discuss at UNESCO Library Venue: UNESCO Participation: Ratish		UNESCO car pick up Ratish & Feng at Annapurna for Hanuman Dhoka	Internal discussion meeting Venue: UNESCO meeting Hall Participation: WHC/APA, ICOMOS Expert, UNESCO	UNESCO car pick up Feng at Annapurna for Changu Narayan and Bhaktapur

10:00			Site Visit: Hanuman Dhoka Durbar Square MZ and surrounding areas of concern Participation: DoA site office/ KMC Interaction/ Consultation meeting with stakeholders as needed	UNESCO car pick up Bruno, Ratish & Feng at UNESCO for Pashupati	UNESCO car pick up Bruno, Ratish & Feng at Annapurna for Pashupati	Site Visit: Hanuman Dhoka Durbar Square MZ and surrounding areas of concern Participation: DoA site office/ KMC	KAT CLT	Site Visit: Changu Narayan MZ and surrounding areas of concern Participation: n: DoA site office/ BM/CN VDC Interaction/ Consultation meeting with stakeholders as needed		
10:30				Interaction with stakeholders Venue: PADT Participation: DoA/PADT/DoR/Army/Ai rport/MoE/ /UNESCO KAT & Consultant Kai Weise	Interaction with stakeholders Venue: PADT Participation: DoA/PADT/DoR/Arm y/Airport/MoE/ /UNESCO KAT & Consultant Kai Weise		Site Visit: Hanuman Dhoka Durbar Square MZ and surrounding areas of concern Participation: DoA site office/ KMC		UNESCO car take WHC/KAT/ ICOMOS team to DoA	Debriefing Session for State Party of Nepal Venue: DoA or Participation: DoA/ DoA site officers from 7 MZs/DoR/Airport/Nep al Army/MoE/ Rep from MoFACAPAC and MoE/UNESCO KAT & Consultant Kai Weise
11:00									Site Visit: Swoyambhu MZ and surrounding areas of concern e.g. big bell installation etc Participation: DoA/ KMC/FSMC	
11:30						UNESCO car pick up Ratish & Feng at Annapurna for Hanuman Dhoka		Site Visit: Swoyambhu MZ and surrounding areas of concern e.g. big bell installation etc Participation: DoA/ KMC/FSMC		
12:00							UNESCO car pick up Ratish & Feng at Annapurna for Hanuman Dhoka		Site Visit: Swoyambhu MZ and surrounding areas of concern e.g. big bell installation etc Participation: DoA/ KMC/FSMC	
12:30				UNESCO car pick up Ratish & Feng at Annapurna for Hanuman Dhoka	Site Visit: Swoyambhu MZ and surrounding areas of concern e.g. big bell installation etc Participation: DoA/ KMC/FSMC					
13:00			Break			Break	Break	UNESCO car pick up Ratish & Feng at DoA to drop Ratish at Airport by 13:00 & Jing to follow up vist as necessary or return to Hotel	UNESCO car pick up Feng at Changu Narayan for Bhaktapur	

13:30		UNESCO car pick up Bruno and Feng at Annapurna for DoA	Break	Break	Break		BreakK	BreakK
14:00		Pre-briefing Session for KV site managers Venue: DoA Participation: DoA/site managers from 7 MZs - KMC, LSMC, BM, BADC, FSMC, PADT, CN VDC and respective DoA site officers from 7 MZs/ Rep from MoFACAPAC//UNESCO KAT & Consultant Kai Weise	UNESCO car pick up Bruno & Jing at Hanuman Dhoka for Swoyambhu	UNESCO car pick up Ratish & Feng at Pashupati for Bouddhanath (Bruno stays in Pashupathi for further discussion with related national experts)	Consulttion with Pashupati MZ stakeholders continues	UNESCO car pick up Ratish and Feng at Swoyambhu for Patan	Follow up site visit by Feng if required	Site Visit: Changu Narayan MZ and surrounding areas of concern Participation: DoA site office/ BM Interaction with stakeholders as needed
14:30			Site Visit: Swoyambhu MZ and surrounding areas of concern e.g. big bell installation etc Participation: DoA/ KMC/FSMC	Site Visit by Ratish and Feng: Bouddhanath MZ and surrounding areas of concern Participation: DoA/ KMC/BADC		Break / Lunch		
15:00						Site Visit: Patan Mz - Patan Durbar Square, Durbar precinct, other areas of concern e.g. location of proposed buddha statue etc Participation: DoA site office/ LSMC Interaction with stakeholders as needed		
15:30							Departure Ratish for New Delhi at 15:40	
16:00		UNESCO car pick up Bruno and Feng at DoA for Patan						
16:30	Arrival Feng Jing 16:40 UNESCO WHC UNESCO car pickup	Site Visit: Patan Mz - Patan Durbar Square, Durbar precinct, other areas of concern e.g.			Further site visit by Bruno, Ratish & Feng if needed			

17:00		location of proposed buddha statue etc Participation: DoA site office/ LSMC	UNESCO car pick up Bruno & Feng at Swoyambhu for Hotel	UNESCO car pick up Ratish & Feng at Bouddha and then Bruno at Pashupati for Axel's Home		UNESCO car pick up Ratish and Feng at Patan for Hotel		UNESCO car go directly to drop-off Feng to Airport by 16:30~17:00
17:30	F. Jing stays at Hotel Annapurna	Interaction with stakeholders as needed						
18:00		UNESCO car pick up Bruno and Feng at Patan for Hotel		Dinner for Bruno, Ratish & Feng and invited guests at Axel's Home		WHC/ICOMOS discussion and report drafting by Ratish & Feng at Hotel		
18:30					Hotel car pick up Bruno for Airport to reach by 18:30			
19:00								
19:30			Arrival Ratish Nanda ICOMOS Expert Hotel Car pick up at 22:10	UNESCO car pick up Bruno and Feng at Axel's place for Hotel	Departure Bruno for Paris at 21:30			Departure F. Jing for Paris at 19:35

Annex 4

List of Persons met

<p>Annex 3: List of persons met</p> <p>“Reactive Monitoring Mission to the World Heritage property of Kathmandu Valley (Nepal) (C 121)”</p> <p>Contact Information</p> <p>23 to 28 November 2011</p> <p>Kathmandu, Nepal</p>							
S N	Mr./ Ms.	First Name	Last name	Unit	Organization	Postal address	City
UNESCO Office in Kathmandu							
1	Mr.	Axel	Plathe	Head and UNESCO Representative to Nepal	Ministry	Singha Durbar	Kathmandu
2	Ms.	Arpanah	Rongong	Culture/ Communication	Ministry	Singha Durbar	Kathmandu
3	Ms.	Nipuna	Shrestha (Singh)	Culture	Ministry	Singha Durbar	Kathmandu
4	Ms.	Nabha	Basnyat Thapa	Culture	Ministry	Singha Durbar	Kathmandu
5	Mr.	Deepak	Shahi		Ministry	Singha Durbar	Kathmandu
6	Mr.	Bhoj Bahadur	Rana				
7	Mr.	Dhan Bahadur	Tamang		Ministry	Singha Durbar	Kathmandu
Department of Archeaology (DOA)							

9	Mr.	Damodar	Gautam	Chief Archaeological officer, Chief of World Heritage Conservation Section	DOA	Singha Durbar	Lalitpur
10	Mr.	Ramesh	Thapaliya	Architect/Engineer, World Heritage Conservation Section	DOA	Singha Durbar	Kathmandu
11	Mr.	Suresh Suras	Shrestha	Archaeological Officer, World Heritage Conservation Section	DOA	Singha Durbar	Kathmandu
12	Ms.	Saraswati	Singh	Chief Executive, Hanuman Dhoka Durbar Museum Development Committee	Hanuman Dhoka Durbar Square Museum Development Committee		Kathmandu
13	Mr.	Shyam Sundhar	Rajbansi	Chief, Monument Preservation & Palace Maintenance Office, Patan Durbar Sq MZ	Palace Maintenace Office	Patan	Kathmandu
14	Ms.	Aruna	Nakarmi	Chief, Monument Preservation & Palace Maintenance Office, Bhaktapur Durbar Sq MZ	Palace Maintenace Office	Bhaktapur	Kathmandu
15	Mr.	Prakash	Darnal	Chief, National Archives	National Archives		Kathmandu
16	Mr.	Devendra Nath	Tiwari	Chief, Patan Museum Development Committee	Patan Museum	Patan	Kathmandu
Lumbini Development Trust							
17	Mr.	Rajendra	Thapa	Member Secretary	Kathmandu Metropolitan City office		Kathmandu
18	Mr.	Basanta	Bidari	Chief Archaeologist,	Lalitpur Metropolitan City Office		Kathmandu
19	Mr.	Gyanin	Rai	Chief, Liaison Office, BabarMahal, Kathmandu	Bhaktapur Municipality		Lalitpur

Monument Zones of Kathmandu Valley: Hanuman Dhoka Durbar Square, Swoyambhu, Pashupati and Bouddhanath

20	Mr.	Indra Man	Singh Suwal	Chief, Heritage and Building Division	Nepal Academy of Music and Drama		Kathmandu
21	Mr.	Hari Kumar	Shrestha	Program Manager, Hanuman Dhoka Durbar Square Area Conservation Program	Nepal Academy of Music and Drama		Kathmandu
22	Ms.	Shriju	Pradhan	Community Mobilizer Heritage and Building Division	Academic council, Nepal Academy of Music and Drama		Kathmandu

Pashupati Area Development Trust

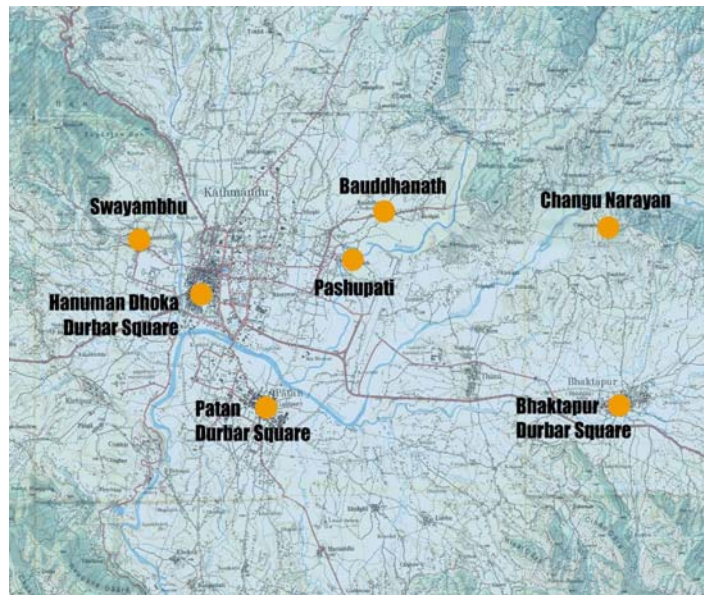
23	Mr.	Sushil	Nahata	Member Secretary	Nepal Academy of Music and Drama		Kathmandu
24	Mr.	Kosh Prasad	Acharya	Executive Director	Nepal Academy of Music and Drama		Kathmandu
25	Mr.	Rajendra Dhar	Rajopadhyay	Deputy Director	Nepal Academy of Music and Drama		Kathmandu
26	Mr.	Shyam Shekhar	Jha	Director, Administration	Nepal Academy of Music and Drama		Kathmandu

Boudhanath Area Development Committee							
27	Mr.	Tesring Dorje	Lama	Chief Executive	Nepal Academy of Music and Drama		Kathmandu
28	Mr.	Shambnu	Adhikari	Office contact person	Nepal Academy of Music and Drama		Kathmandu
Federation of Swoyambhu Management and Conservation, Swoyambhu							
29	Mr.	Gyanu	Lama	Vice-Chairman	Nepal Academy of Music and Drama		Kathmandu
30	Mr.	Mahendra Ratna		General Secretary	Nepal Academy of Music and Drama		Kathmandu
Lalitpur Sub-Metropolitan City, Pulchowk: Patan Durbar Square							
31	Mr.	Prabin	Shrestha	Chief, Urban Development Division	Nepal Academy of Music and Drama		Kathmandu
32	Mr.	Chandra Shoba	Shakya	Chief, Culture Heritage Conservation Section	Nepal Academy of Music and Drama		Kathmandu
Bhaktapur Municipality, Bhaktpaur							
33	Mr.	Krishna Gopal	Prajapati	Chief, Heritage Section	Nepal Academy of Music and		Kathmandu

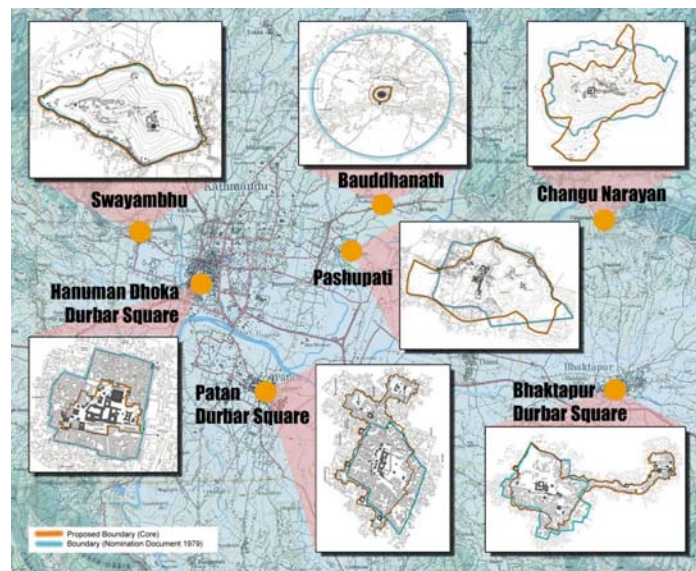
					Drama		
34	Mr.	Ram Govinda	Shrestha	Chief, Building Permit Section	Nepal Academy of Music and Drama		Kathmandu
Changu Narayan Village Development Committee (VDC) Monument Zone of Kathmandu Valley: Changu Narayan							
35	Mr.	Badri	Koriala	VDC Secretary	Nepal Academy of Music and Drama		Kathmandu
36	Mr.	Rajendra	Ganesh	Technical officer	Nepal Academy of Music and Drama		Kathmandu

Annex 5

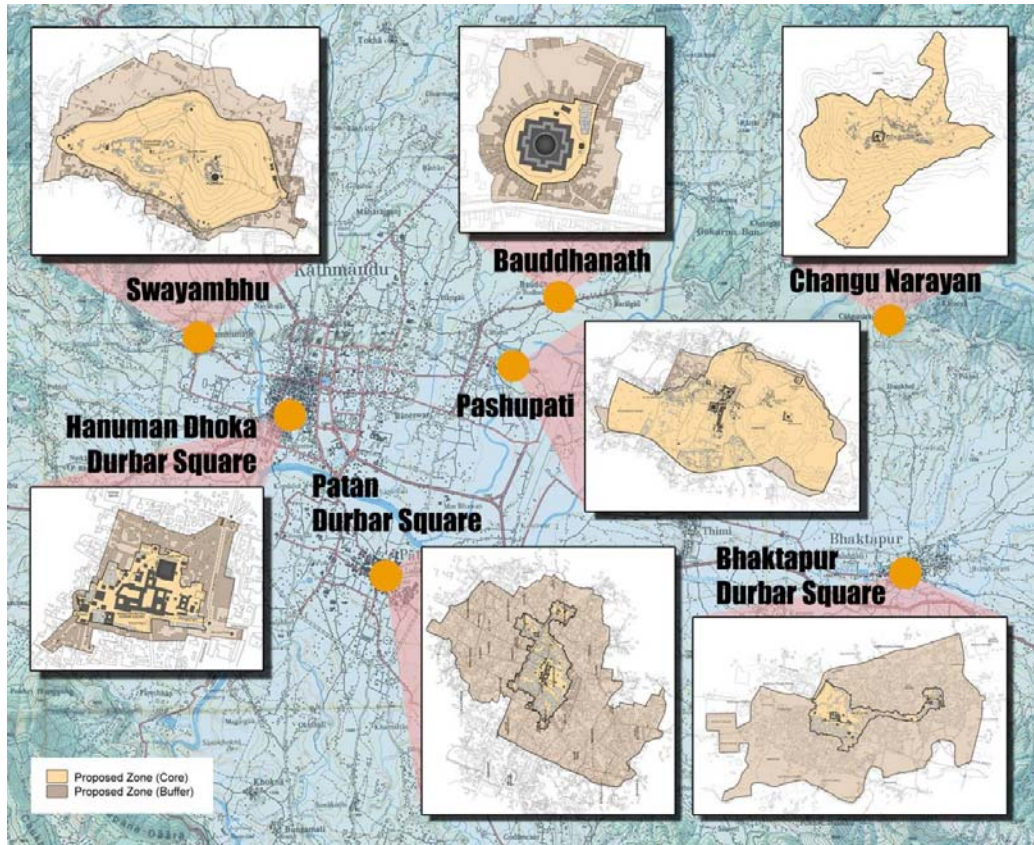
Maps and photographs illustrating conservation issues and integrity of the property



Location of seven Monument Zones in the Kathmandu Valley



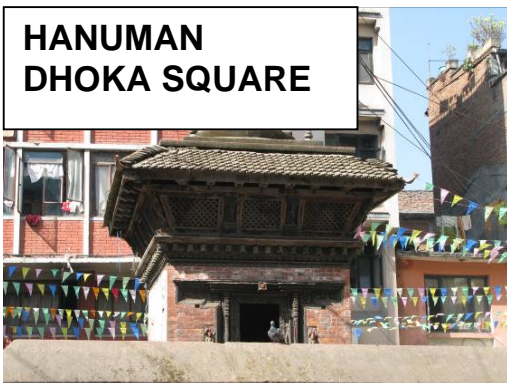
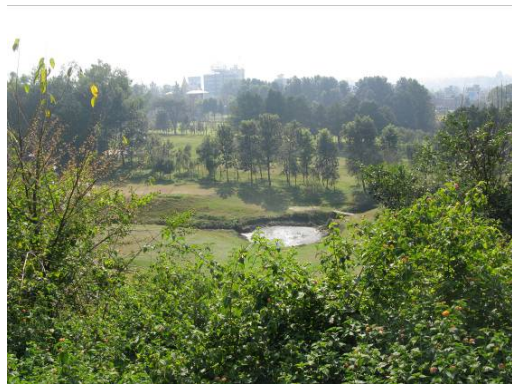
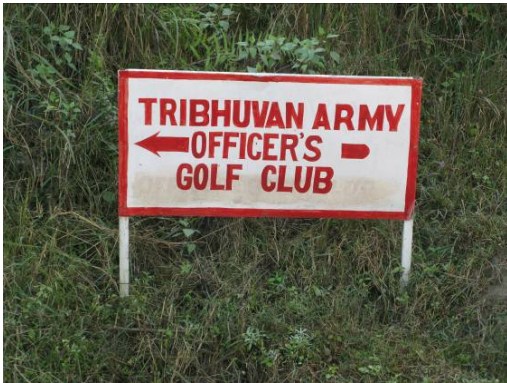
Map illustrating the 2006 adopted boundary in comparison with the original boundary of 1979

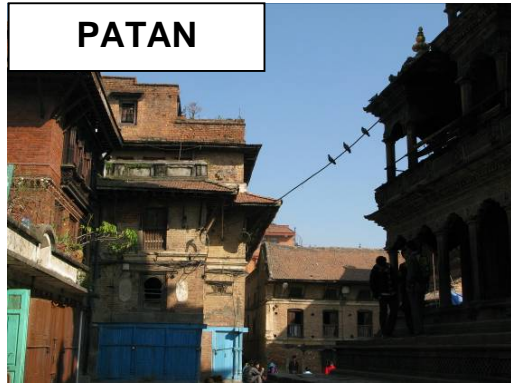


Map illustrating the 2006 adopted boundary of seven Monument Zones

PASHUPATI



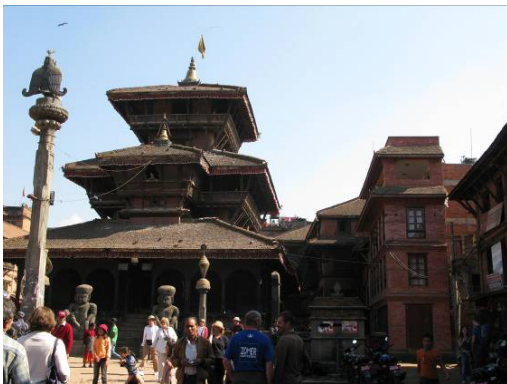
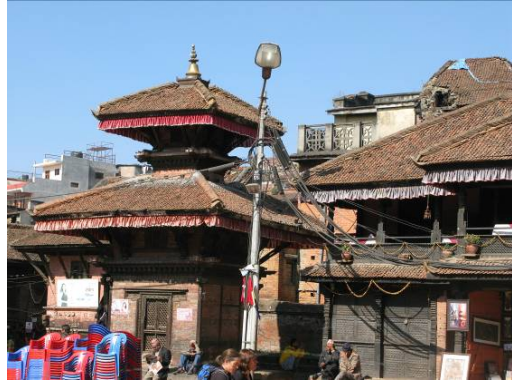


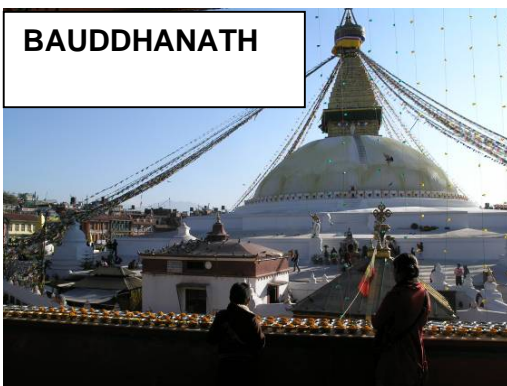
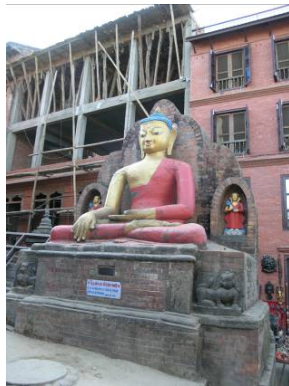


PATAN



BHAKTAPUR





BAUDDHANATH



