

## **A NEW INTERNATIONAL INSTRUMENT: THE PROPOSED UNESCO RECOMMENDATION ON THE HISTORIC URBAN LANDSCAPE (HUL)**

### **Report to the Intergovernmental Committee of Experts (UNESCO HQ, 25–27 May 2011)**

#### **Background**

The General Conference of UNESCO decided at its 35th session (October 2009) that existing UNESCO standard-setting instruments relating to urban heritage should be supplemented by a new Recommendation on the Historic Urban Landscape (**35 C/Resolution 42**).

In accordance with the *Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution* (hereafter *Rules of Procedure*) the General Conference by its 35 C/Resolution 42 also set a working method for the preparation of the new Recommendation. In particular, it decided to convene a meeting of experts invited in their personal capacity (category VI) to compile a first draft of the proposed recommendation to be sent to Member States for comments.

The meeting of international experts was held from 17 to 19 February 2010 at UNESCO Headquarters. The discussions and recommendations by the expert group provided a solid basis upon which the Secretariat prepared a first draft text of the proposed new Recommendation, which was included in a preliminary report setting

forth the position of the Director-General with regard to the issue of the Historic Urban Landscape. In conformity with the *Rules of Procedure*, on 23 August 2010 this first draft text and the preliminary report were submitted by the Director-General to the Member States of UNESCO, requesting them to submit their comments and observations on the text by 25 December 2010.

### **Comments on the draft text of the proposed Recommendation**

In response, a total of 30 comments and observations from Member States of UNESCO were received, both on the draft text of the proposed Recommendation, including its Action Plan, and on the preliminary report accompanying the draft text.

The Secretariat has received comments from the Governments of the following countries (in alphabetical order): Australia, Austria, Belgium, Bulgaria, Canada, China, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Greece, Hungary, Israel, Japan, Kyrgyzstan, Lithuania, Mauritius, Monaco, Norway, Pakistan, The Philippines, Poland, Saudi Arabia, Switzerland, United Arab Emirates, United States of America, and Venezuela.

All welcomed the draft Recommendation and its action plan and were supportive of the process to prepare the proposed Recommendation on the Historic Urban Landscape.

These comments are available in their entirety at the following web address:  
<http://whc.unesco.org/en/activities/638>

Some comments included concerns on the scope and the role of the Recommendation itself in terms of general procedure and related to legal and administrative matters; a number of comments also raised specific issues and expressed observations on the content of the draft text of the proposed Recommendation. Most of the comments received proposed the insertion of alternative specific terms in replacement of others suggested for deletion, for each of the sections of the proposed draft text of the Recommendation.

The present report has been prepared on the basis of the comments and observations transmitted by Member States of UNESCO and contains a draft text of

the proposed Recommendation that has been revised in light of those comments and observations.

The International Council on Monuments and Sites (ICOMOS) also reviewed the first draft through an extensive consultation process within its constituency. The Secretariat has taken due note of its observations in the preparation of the revised draft.

### **Working method and timetable**

In accordance with the *Rules of Procedure*, the present report is communicated to Member States of UNESCO and, in conformity with **35 C/Resolution 42** and pursuant to **185 EX/Decision 46**, it will be submitted to the intergovernmental meeting of experts (category II) which will be held at UNESCO Headquarters from 25 to 27 May 2011.

The purpose of such a meeting is to consider the revised draft text of the Recommendation in light of the comments and observations that have been received from Member States, with a view to approving a draft to be submitted to the General Conference at its 36th session (25 October–11 November 2011), for consideration and possible adoption.

### **General issues**

#### *Scope and nature of the proposed Recommendation*

A number of observations received from Member States focused on the legal implications of the proposed Recommendation and its action plan.

While international conventions define rules and set norms and guidelines, which Member States, subject to their becoming a party to such legal instruments, undertake to comply with, recommendations formulate principles for the international regulation of any particular question that Member States are invited to apply voluntarily, through whatever legislative or other steps may be required in conformity with their own constitutional practice and the nature of the question considered.

In **35 C/Resolution 42**, the General Conference reiterated that UNESCO should play a leading international role in setting forth principles and guidelines for the conservation of Historic Urban Landscape and further decided that “existing UNESCO standard-setting instruments relating to the conservation of the historic urban landscape should be supplemented through a new *recommendation* on this matter”.

#### *Reporting by the Member States and implementation of the Recommendation*

Some comments focused on the implementation of the Recommendation, in particular as regards the reporting activities by Member States, as well as the assistance to be provided by the Secretariat to Member States - both these issues being covered by the draft action plan.

The scope of the draft action plan is to propose a set of steps that would assist Member States in adapting the principles formulated in the Recommendation to their specific contexts, as well as facilitating its implementation and the monitoring of its impact on the conservation and management of historic cities and urban settlements. To this end, the Secretariat aims to establish a dedicated support platform, drawing upon the expertise and international network of the Culture Sector, aiming to assist Member States in the implementation of the principles set in the proposed Recommendation on the Historic Urban Landscape and in the development and exchange of related policies, experiences and practices. The draft action plan, however, is not formally part of the Recommendation.

As regards the issue of reporting by Member States on the implementation of the Recommendation once it has been adopted, in accordance with Article 17 of the *Rules of Procedure* “Member States shall submit, by the dates specified by the General Conference, reports on the measures that they have adopted in relation to [...] each recommendation adopted”.

In this regard, the review exercise on the implementation of the Recommendation once every 6 years, formulated in the draft action plan, shall be undertaken in conjunction with the reporting activity by Member States and with the assistance provided to Member States by the Secretariat in the implementation of the

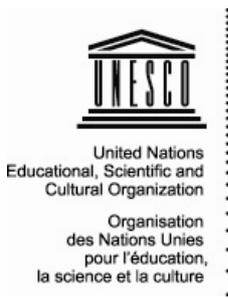
Recommendation and in the preparation and follow-up of these reports, as established by the *Rules of Procedure*.

### *Historic Urban Landscape and World Heritage*

Various comments received from Member States referred to the specific context of World Heritage and to the application of the Historic Urban Landscape approach in the management of World Heritage cities.

In recognizing the importance of the inclusive concept of Historic Urban Landscape in sustaining the heritage values of *all* historic cities and not just those inscribed on the World Heritage List, the General Conference decided that a Recommendation on the Historic Urban Landscape would be the proper form of instrument to regulate at the international level a set of principles and policies that Member States could integrate and apply at the national level, adapting it to their own traditions, discipline and practice (**35 C/Resolution 42**). Indeed, it is precisely on the inclusive Recommendation for all historic cities (and not just those inscribed on the World Heritage List) that Member States were asked to comment upon.

In parallel to the process of adoption of the proposed Recommendation, and as regards the specific need to provide the World Heritage Committee with the relevant tools so as to fully address some of the challenges that affect the historic cities inscribed on the World Heritage List, the World Heritage Committee is currently working on the inclusion of the Historic Urban Landscape approach in the relevant sections of the *Operational Guidelines* through an *ad hoc* working group that will present its recommendations to the Committee at its 35th session (June 2011), in order to ensure consistency with the work undertaken in the framework of the preparation of the UNESCO Recommendation (Decisions 34 COM 7.1 and 34 COM 13, Brasilia, 2010).



## RECOMMENDATION ON THE HISTORIC URBAN LANDSCAPE

### Revised Draft

#### PREAMBLE

**Considering** that historic urban areas are among the most abundant and diverse manifestations of our common cultural heritage, shaped by generations of communities and constituting a key testimony to humankind's past and present endeavours and aspirations and in all parts of the world,

**Further considering** that urban heritage is a human and social asset, defined by an historic layering of cultural and natural values that have been produced and assigned by successive and existing cultures and an accumulation of traditions, recognized as such in their diversity,

**Also considering** that urbanization is proceeding at an unprecedented scale in the history of humankind and that throughout the world this is a strategic entry point for human development and the fight against poverty, driving socio-economic change and growth, which should be harnessed at the local, regional, national and international levels,

**Noting**, however, that rapid and uncontrolled development is transforming urban areas and their settings, with the potential to fragment and deteriorate urban heritage with deep impacts on community values, throughout the world.

**Considering** therefore that, in order to support the protection of natural and cultural heritage, emphasis needs to be put on the integration of urban conservation strategies into local development processes, including contemporary architecture, urban planning and infrastructure development for which the application of a

landscape approach is considered a new means to address urban heritage management and maintain urban identity,

**Considering** that the principle of sustainable development provides for the preservation of existing resources and that urban heritage is one them, the active protection of this heritage and its sustainable use is a condition *sine qua non* of development,

**Recalling** that a corpus of standard-setting documents, including conventions, recommendations and charters, exists on the subject of the conservation of historic areas<sup>1</sup>, which promote traditional conservation methods and all of which remain valid,

**Noting**, however, that under processes of demographic shifts, global market liberalization and decentralization, as well as mass tourism, market exploitation of heritage, and climate change, conditions have changed and cities are now subject to development pressures and challenges not present at the time of adoption of the last UNESCO recommendation on historic areas in 1976 (i.e. the Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas),

**Further noting** the evolution of the concepts of culture and heritage, and approaches to their management, through key international meetings<sup>2</sup>, which have been useful in guiding policies and practices worldwide,

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<sup>1</sup> In particular the 1972 UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage, the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the 1962 UNESCO Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites, the 1968 UNESCO Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private Works, the 1972 UNESCO Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage, the 1976 UNESCO Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas; the 1964 ICOMOS International Charter for the Conservation and Restoration of Monuments and Sites (Venice Charter), the 1982 ICOMOS International Charter for Historic Gardens (Florence Charter), and the 1987 ICOMOS Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter), the 2005 ICOMOS Xi'an Declaration, as well as the 2005 Vienna Memorandum.

<sup>2</sup> In particular the 1982 *World Conference on Cultural Policies* in Mexico City, the 1994 *Nara Meeting on Authenticity*, the 1995 summit of the *World Commission on Culture and Development*, the 1996 *HABITAT II Conference* in Istanbul with ratification of Agenda 21, the 1998 UNESCO *Intergovernmental Conference on Cultural Policies for Development* in Stockholm, the 1998 joint World Bank-UNESCO *Conference on Culture in Sustainable Development—Investing in Cultural and Natural Endowments*, the 2005 *International Conference on World Heritage and Contemporary Architecture in Vienna*, the 2005 ICOMOS *General Assembly on the Setting of Monuments and Sites* in Xi'an, and the 2008 ICOMOS *General Assembly on the Spirit of Place* in Québec.

**Desiring** to supplement and extend the application of the standards and principles laid down in existing international instruments,

**Having before it** proposals concerning the Historic Urban Landscape as an approach to urban heritage conservation, which appear on the session's agenda as item [...]

**Having decided at** its thirty-fifth session that this issue should be addressed through a Recommendation to Member States,

**Adopts**, [this ... day of ... 2011], the present Recommendation. The General Conference recommends that Member States apply the above provisions by adopting, as a national law or in some other form, measures with a view to giving effect to the principles and norms set out in this Recommendation in the territories under their jurisdiction.

The General Conference recommends that Member States bring this Recommendation to the attention of the national, regional and local authorities and of institutions, services or bodies and associations concerned with the safeguarding of urban historic settlements and their wider geographical settings.

The General Conference recommends that Member States report to it, at the dates and in the form determined by it, on action taken by them on this Recommendation.

## **INTRODUCTION**

1. Our time is witness to the largest human migration in history. Now more than half of the world's population lives in urban areas. Urban areas are increasingly important as engines of growth and as centres of innovation and creativity; they provide opportunities for employment and education and respond to people's evolving needs and aspirations.

2. Rapid and uncontrolled urbanization, however, can result in social and spatial fragmentation and a drastic deterioration of urban environmental quality. This may be due to excessive building density, standardized and monotonous buildings, loss of

public space and amenities, inadequate infrastructure, debilitating poverty, social isolation, and an increasing risk of climate-related disasters.

3. Urban heritage, including its tangible and intangible components, constitutes a key resource in enhancing the liveability of urban areas and sustaining productivity and social cohesion, in a changing global environment. As the future of humanity hinges on an effective management of resources, conservation has become a strategy to achieve a balance between urban growth and quality of life.

4. In the course of the past half century, urban heritage conservation has emerged as an important sector of public policy worldwide. It is a response to the need to preserve shared values and to benefit from the legacy of history. However, the shift from an emphasis on architectural monuments primarily towards a broader recognition of the importance of the built environment as a whole and of the role of social, economic and cultural processes in the conservation of urban values, matched by a drive to adapt the existing policies and to create new tools to address this vision, has not yet reached its full potential.

5. This Recommendation addresses the need to better frame urban heritage conservation strategies within the larger goals of overall sustainable development, in order to support public and private actions aimed at preserving and enhancing the quality of the human environment. It suggests a landscape approach for identifying, conserving, managing and valuing historic areas within their broader urban contexts, by considering the inter-relationships of their physical forms, their spatial organization and connection, their natural features and settings, and their social and cultural values.

6. This approach addresses the policy, governance and management concerns involving a variety of stakeholders, including local, national, international, public and private actors in the urban development process.

7. This Recommendation builds upon the four previous UNESCO Recommendations related to heritage preservation, recognizing the importance and the validity of their concepts and principles in the history and practice of conservation. In addition, modern conservation conventions and charters address the many dimensions of cultural and natural heritage and constitute the foundations for this Recommendation.

8. To assist Member States in its implementation, this Recommendation is supported by an action plan.

## **I. DEFINITION**

9. The historic urban landscape is the urban area understood as the result of a historic layering of cultural and natural values, extending beyond the notion of “historic centre” or “ensemble” to include the broader urban context and its geographical setting.

10. This wider context includes the site’s topography, geomorphology and natural features; its built environment, both historic and contemporary; its infrastructures above and below ground; its open spaces and gardens; its land use patterns and spatial organization; its visual relationships; and all other elements of the urban structure. It also includes social and cultural practices and values, economic processes, and the intangible dimensions of heritage as related to diversity and identity, all of which establish the basic role of the city as an agent for communal growth and development.

11. This definition provides the basis for a comprehensive approach for the identification, assessment, conservation and management of historic urban landscapes within an overall sustainability framework.

12. The historic urban landscape approach aims at preserving the quality of the human environment and enhancing the productive use of urban spaces and social and functional diversity. It integrates the goals of urban heritage conservation with those of social and economic development. It is rooted in a balanced and sustainable relationship between the built and natural environment and between the needs of present and future generations with the legacy from the past.

13. The historic urban landscape approach considers cultural creativity as a key asset for human, social and economic development and provides tools to manage physical and social transformations and to ensure that contemporary interventions respect and are harmonious with heritage in a historic setting.

14. The historic urban landscape approach learns from the traditions of local communities and promotes respect for their values, while recognizing the legitimate concerns of the national and international communities.

## **II. OPPORTUNITIES AND CHALLENGES FOR THE HISTORIC URBAN LANDSCAPE**

15. The existing UNESCO Recommendations recognize the important role of historic areas in modern societies. They also identify a number of specific threats to the conservation of historic areas, and provide general principles, policies and guidelines to meet such challenges.

16. In the past decades, due to the sharp increase in the world's urban population, the scale and speed of development and the changing economy, urban settlements and their historic areas have become centres and drivers of economic growth in many regions of the world and have taken on a new role in cultural and social life. As a result, they have also come under a large array of new pressures, including:

### *Urbanization and Globalization*

17. Rapid urban growth is transforming the essence of many historic urban areas. Global processes have a deep impact on the integrity and values attributed by community to urban areas and their settings, and on the perceptions and realities of inhabitants and users. On the one hand, urbanization provides economic, social and cultural opportunities that can enhance the quality of life and traditional character of urban areas; on the other hand, the unmanaged intensification of urban density and growth can undermine the sense of place, the identity of communities, and the integrity of the urban fabric. Such threats include gentrification, the increase in permissible building height and lot size to allow for over-sized constructions, the unchecked rise in real estate costs and the increase of automobile traffic.

18. Due to fragmented approaches to territorial planning, and in contrast to historic cities subject to increase development pressure, other historic urban areas are losing their traditional role as the result of suburbanization and urban sprawl that diminish their functionality, deplete them of their population and often lead to the severe decay of their fabric and use.

### *Development*

19. Many global economic processes offer ways and means to alleviate urban poverty and to promote social and human development. The greater availability of innovations, such as information technology and sustainable planning, design and building practices, can improve urban areas and the quality of life they support. When properly managed, new functions in urban historic settlements, such as services and tourism, are important economic initiatives that can contribute to the well-being of the communities and to the conservation of cultural heritage. Failing to capture these opportunities leads to unsustainable and unviable cities, just as implementing them in an inadequate and inappropriate manner results in the destruction of heritage assets.

### *Environment*

20. Human settlements have constantly adapted to climatic and environmental changes. However, the intensity and speed of present changes are challenging our complex urban environments. Concern for the environment, in particular for energy consumption, is giving rise to new approaches and new models for urban living, based on innovative and more ecologically sensitive policies and practices aiming at strengthening sustainability and the quality of urban life. Many of these initiatives, however, do not yet integrate natural and cultural heritage.

21. The historic urban landscape approach reflects the fact that the discipline and practice of urban heritage conservation have evolved significantly in recent decades, enabling policy-makers and managers to deal more effectively with new opportunities and challenges. The historic urban landscape approach supports communities in their quest for development and adaptation, while retaining qualities and values linked to their history and collective memory and to the environment.

## **III. POLICIES**

22. Modern urban conservation policies, as reflected in existing international recommendations and charters, have set the stage for the preservation of historic urban areas. However, present and future challenges require the definition and implementation of a new generation of public policies identifying and protecting the historic layering of cultural and natural values in urban environments. Special

emphasis should be put on a balanced relation between urban continuity and contemporary architecture. Respect for historic values should be the guiding principle for architectural interventions. Continuity of composition, which does not disrupt existing architecture, deserves priority.

23. Policies for urban heritage conservation should be integrated into those dealing with the broader urban context, with historic forms and practices informing sustainable contemporary development. Policies should provide mechanisms for balancing long-term conservation and sustainability with short-term management objectives. An integrated approach allowing conservation practice to be part of distinctive and successful urban design and development should also explore innovative technical and planning practices applicable to historic settings. In particular, the responsibilities of the different actors are the following.

24. Member States should integrate urban heritage conservation strategies into national development policies and agendas according to the historic urban landscape approach. Within this framework, local authorities should prepare urban development plans that take the area's values, including heritage values, and the associated features, into consideration.

25. Public service providers and the private sector should be aware of their responsibilities and cooperate through public-private partnerships to ensure the successful application of the historic urban landscape approach.

26. International organizations dealing with sustainable development processes should integrate the historic urban landscape approach into their strategies, plans and operations.

27. National and international non-governmental organizations should participate in developing and disseminating tools and best practices.

28. All levels of government – local, national/federal, regional – should be aware of their responsibility and contribute to the definition, development, implementation and assessment of urban heritage conservation and development policies, based on a participatory approach of all stakeholders and coordinated from both an institutional and sectorial viewpoint.

#### IV. TOOLS

29. The successful application of the historic urban landscape approach requires an expanded and robust toolkit that includes a broad range of interdisciplinary and innovative tools, adapted to local contexts, and a number of which may still need to be created. Tools may be organized into the following categories:

30. **Regulatory systems** should include special ordinances, acts, codes or decrees to conserve and manage tangible and intangible components of the urban heritage, including their social and environmental values. Traditional and customary systems should be recognized and reinforced as necessary.

31. **Community engagement tools** should educate a diverse cross-section of stakeholders and empower them to identify key values in their urban areas, develop visions, set goals, and agree on actions to safeguard their heritage and promote sustainable development. In particular, seeking a strengthening of governance and citizen participation in the reallocation of buildings. These tools, which constitute and integral part of urban governance dynamics, should facilitate intercultural dialogue by learning from communities about their histories, traditions, values, needs, and aspirations and by facilitating the mediation and negotiation between conflicting interests and groups.

32. **Technical tools** should help protect the integrity and authenticity of the material attributes of urban heritage. They should also allow for the recognition of cultural significance and diversity, and provide for the monitoring and management of change to improve the quality of life and of urban space. Consideration should be given to the mapping of cultural and natural features, while heritage, social and environmental impact assessments should be used to support sustainability and continuity in planning and design.

33. **Financial tools** should also aim to improve urban areas while safeguarding their heritage values. They should aim to build capacities and support innovative income-generating development rooted in tradition. In addition to government and global funds from international agencies, financial tools should be effectively employed to foster private investments at the local level. Micro credit and other flexible financing to support local enterprise, as well as a variety of models of public-private

partnerships, are also central to making the historic urban landscape approach financially sustainable.

## **V. CAPACITY-BUILDING, RESEARCH, INFORMATION AND COMMUNICATION**

34. Capacity-building should involve the main stakeholders: communities, decision-makers, and professionals and managers, in order to foster understanding of the historic urban landscape approach and its implementation. Effective capacity-building hinges on an appropriate interaction of these main stakeholders, aimed to define and refine strategies and objectives, action frameworks and resource mobilization schemes.

35. Research should target the complex layering of urban settlements, in order to identify values, understand their meaning for the communities and present them to visitors in a comprehensive manner. It is essential to document the state of urban areas and their evolution, to facilitate the evaluation of proposals for change and to improve protective and managerial skills and procedures.

36. State-of-the-art information and communication technology should be used to document, understand and present the complex layering of urban areas and their constituent components to communicate with all levels of the community. It is particularly important to reach out to women, youth and all underrepresented constituencies in order to capture their attention and foster their support and participation.

## **VI. INTERNATIONAL COOPERATION**

37. Member States and international governmental and non-governmental organizations should facilitate public understanding and involvement in the implementation of the historic urban landscape approach, by disseminating best practices and lessons learned from different parts of the world, in order to strengthen the network of knowledge-sharing and capacity-building.

38. International development agencies and the international cooperation programmes of Member States should integrate the historic urban landscape approach in all their assistance programmes and projects that directly or indirectly affect historic cities and their related heritage resources.

39. Member States should also promote cooperation between local authorities and establish enabling environments for private investment in the sustainable management of urban areas and their historic settings and encourage corporate social responsibility, with a view to making the private sector a full partner in the application of the historic urban landscape approach to urban conservation.

40. In all cases, global participation and pressure should be balanced against local identity and the desire to respect the goal of historical and cultural continuity within a framework of dynamic and creative evolution.