

# The World Heritage Convention: looking ahead

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## Introduction:

In order to look into the future, one has to reflect upon the past. In many ways, the Convention as it was conceived in the 1960s was very visionary and well ahead of its time. When the Convention was being negotiated, it was not easy to conceive of a global partnership to protect the most important places of our common heritage for the future. It was also not easy to consider both culture and nature as a continuum of one common heritage. Yet, the framers of the Convention had the foresight to conclude this remarkable treaty, and it is now time for us to reflect on whether or not we are responsibly carrying forward its noble principles.

As you all are well aware, in the recent past, particularly since 2009, there has been a lot of debate on the future of the World Heritage Convention. As a result, the General Assembly adopted last year a Vision & Strategic Action Plan for the period 2013-2022, several reform measures have been put in place, and more are still being contemplated. Most recently on 2<sup>nd</sup> and 3<sup>rd</sup> October, an important and open dialogue was convened by the UNESCO Director-General at Headquarters between the States Parties, the Advisory Bodies and the Secretariat, in pursuit of this reform objective.

At the outset, one might well ask - why this sudden concern about the future of the Convention? Has it lost its appeal, relevance or credibility? Certainly not its appeal and relevance if you go by its popularity, with 190 countries having signed the Convention, and with 157 of them having over 900 sites included on the World Heritage List. Nor its relevance, as it is without doubt, *the* foremost international treaty to safeguard the world's cultural and natural heritage. However, some questions have certainly been raised about its credibility. It is now common knowledge that a number of disturbing developments have come together in recent times that threaten to weaken the basic principles enshrined in the Convention.

In making this reflection, allow me to briefly draw a parallel between the Convention and human life. To begin with, when we are young we spend a lot of time learning, acquiring knowledge and gaining experience. And so it was with the Convention. In the early years of its life, various rules, procedures, guidelines and institutions were put in place for it to be implemented effectively and efficiently.

Our youth is often the most productive period of our lives, when we manage to make some important achievements. And so it was with the Convention also. It succeeded in identifying and safeguarding many of the world's most iconic and precious places, representing our common heritage.

When we reach the age of 40 years, people begin to say don't worry, life begins at 40! We give-up some of the reckless practices of our youth, and begin to take better care of our health. For the Convention as well, the 40<sup>th</sup> anniversary marks a turning point in its life, a time for making a new beginning and perhaps recovering some lost ground. Therefore, let us consider this

occasion as an opportunity, or a variant of the so-called midlife crisis, and reflect on the need for some course-corrections in the life of the Convention.

### **Analysis:**

I will proceed now with a brief analysis of the current situation through a series of questions, which I think are some of the important issues that we should collectively examine:

#### **1. Is the Convention maintaining the high standards that it was meant to uphold?**

As I just mentioned, it is common knowledge now that there are some issues that are calling into question the credibility of the Convention. These include the declining standards in the state of conservation of sites, particularly in the face of mounting development-related pressures, and the rush to inscribe sites on the World Heritage List, without due process and scientific rigour. These issues relate fundamentally to the decision-making processes under the Convention and more specifically, to the role and responsibility of the World Heritage Committee.

You will recall that these issues have already been debated at length in several 'expert meetings', mandated by the Committee itself, and also within the framework of the process for reflecting on the 'future of the Convention'. Furthermore, the External Auditor of UNESCO has also drawn attention to these problems in the evaluation of the Global Strategy for World Heritage. These various analyses have yielded some concrete proposals that now have to be acted upon seriously.

#### **2. Does the notion of "representativity" mean that every State Party to the Convention must have a site on the World Heritage List?**

As you all well know, the Global Strategy for a Representative, Balanced and Credible World Heritage List aims to ensure that it reflects the world's cultural and natural diversity of 'outstanding universal value'. It does not mean that all countries and geographical regions have to be fully represented, because the overarching requirement for a site to be considered for inscription is for it to meet the criteria for outstanding universal value, irrespective of where it is located.

To my mind, reserving a seat on the Committee for a country that has no site on the World Heritage List gives the impression that if a State Party is elected as a member of the Committee, the chances of inscription are enhanced. This view is also endorsed by the findings of the 2011 evaluation of the Global Strategy by UNESCO's External Auditor in which they note that (*and I quote*) "The countries most present on the Committee have nearly four times as many properties inscribed than the average country" (*unquote*). Therefore, such a provision in the election rules is counterintuitive to not only the Global Strategy, but also calls into question the Committee's decision-making processes.

#### **3. Are the growing typologies of heritage diluting the notion of the World Heritage List being a 'select list' of the world's most outstanding places?**

Without specifically referring to any particular typology of sites, the point that I wish to emphasise is that the Convention itself envisages, under Article 12, that cultural and natural heritage that is not included in the World Heritage List should not be considered any less outstanding. In other words, not every type of heritage can be or should be automatically considered for inclusion within the World Heritage List. Yet a trend seems to be emerging which

is contrary to this understanding, and which seems to be based more on chauvinistic considerations, than on the rigorous application of the criteria for assessment of outstanding universal value.

This trend is further compounded by the definition of new typologies of heritage, covering a variety of themes, epochs, regions and cultures which can eventually result in an infinite number of sites on the World Heritage List. I do not think that it would serve the Convention well if it evolves from being a list of select sites to a representative list or a list of common sites. I will not elaborate more on this particular subject, because I know that it can be very contentious and sensitive.

**4. Is safeguarding our common heritage, for the present and future generations, the real motivation for identifying and adding sites to the World Heritage List, or has it been eclipsed by other considerations such as of economics and national prestige?**

Following from my previous point, we also need to discuss the issue of motivation for seeking to nominate sites to the World Heritage List. While acknowledging the fact that there are differing perspectives on how World Heritage is valued in different parts of the world, the general impression is that there is often intense pressure to have sites designated as World Heritage, because of the expected economic benefits and/or because of the prestige involved. Perhaps we are failing in our narrative to effectively communicate a coherent message about the true objectives of the Convention, and therefore, there is much that needs to be done to remedy this situation.

**5. Why has it taken so long to debate the idea of "a system of international cooperation", which is really at the heart of the Convention?**

The Convention is fundamentally about international cooperation for safeguarding the common heritage of humankind. This message of "*establishing an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods*" is not only clearly articulated in the preamble to the Convention, but more explicitly emphasised in Articles 6 and 7 under which it is considered the "*duty of the international community as a whole to co-operate*" through the "*the establishment of a system of international co-operation and assistance*".

Although this is a core principle of the Convention, the manner in which the implementation procedures under the Convention have evolved over the past 4 decades seem to have made the system not so collaborative. Consequently, there are now growing calls for greater assistance, communication, dialogue and transparency. We have also seen the development of new procedures like the 'upstream process' for nominations. However, where this collaboration and assistance is most lacking is in promoting the conservation of sites, particularly those that are on the Danger List. I think that it is time to seriously consider adopting specific measures that would help the Convention to revert to its original spirit of international cooperation. For this purpose, I believe that there is also great potential for south-south cooperation, which has not been fully taken advantage of so far.

**Some proposals:**

As we look forward to the next 40 years and beyond, I would like to present for your consideration some proposals for reinforcing the relevance and credibility of the Convention:

- Firstly, in order to effectively follow-up on the theme of the 40<sup>th</sup> anniversary, I feel that we should position the Convention squarely within the ongoing debate on the post-2015 development agenda. The World Heritage Convention has the potential to contribute to this process, and we should ensure that the conservation and wise-use of heritage is fully taken into account and integrated in the development of the new set of Sustainable Development Goals (SDGs). As you all know, the commitment to sustainable development is not only enshrined in Article 5.1 of the World Heritage Convention, but it is also underscored in Goal 3 of the "Strategic Action Plan 2013-2022", which calls for the Convention to "*contribute to the sustainable development of the world's communities and cultures*" by ensuring that "*heritage protection and conservation considers present and future environmental, societal and economic needs*".

At the same time, we have to seriously consider how development imperatives can be better harmonised with the conservation of outstanding universal value of World Heritage sites, because this is crucial for development to be truly sustainable. As Gustavo Araoz and George Abungu mention in their presentations, sustainable conservation of sites is a pre-requisite to their contributing to sustainable development. Since such developmental pressures will only continue to grow in the future, more attention needs to be given to this particular area of ensuring effective conservation of sites on the World Heritage List.

- Secondly, although the coming years will be crucial and provide a potential window of opportunity, but in order to justify a case for sustainable development we must document and demonstrate the contribution of World Heritage sites to sustaining livelihoods, economies and the environment. The role of tourism is self-evident, but there are many more ways that heritage contributes to sustainable development, and we need to make this case through evidence-based examples. It is precisely as a contribution to this effort that we have prepared the volume on "World Heritage: Benefits Beyond Borders", which showcases a variety of knowledge drawn from a diverse range of 26 World Heritage properties from around the world. We would like to continue to update this portfolio of relevant experiences and best practices on a continuing basis, on the website of the World Heritage Centre. Many good practices exist across the world and we must share them more widely and also scale-up their application.
- Thirdly, greater stakeholder engagement in all processes of the Convention will be the key to its success in the long-term. Lately, there have been growing calls for more civil society engagement, particularly of local communities and indigenous peoples, and of NGOs in the various processes of the Convention. Although communities are a particular focus for the Convention, the achievements under this strategic objective have been far from impressive. The UNPFII has also appealed for the principle of "free prior and informed consent" to be introduced within the World Heritage Operational Guidelines, as is the case already under the Operational Directives (I.1.U.4 and I.2.R.4) of the 2003 Intangible Heritage Convention. I feel that this is an issue that the World Heritage Committee will have to seriously consider. It will also have to discuss modalities for giving more opportunity in its meetings for the NGO perspectives to be heard.
- Continuing with this theme, the issue of enhancing collaboration among all stakeholders is central to reforming the working procedures under the Convention. The need for greater communication, dialogue and transparency between the States Parties, the Advisory Bodies, and the Secretariat has repeatedly been raised in the recent past. The Committee will have

to consider appropriate changes to the Operational Guidelines, including reviewing the time-lines for the nomination and state of conservation processes, to fully achieve this vision of cooperation and assistance, which is fundamental to the Convention.

- Another important issue that I wish to highlight is about Article 5 of the Convention. We need to consider how the policy and practice of World Heritage Conservation can more effectively influence national policies, laws and institutions for promoting heritage conservation in general. There is mounting evidence to show that heritage sites that are not inscribed on the World Heritage List are very often neglected, and suffer from serious lack of resources and proper management. This is contrary to the spirit of Article 12 of the Convention, which reminds us of the value also of heritage that is not included on the World Heritage List. Therefore, there is a need to emphasize the inspirational or motivational role of the World Heritage programme to impact positively on heritage conservation as a whole.
- The last point that I wish to highlight is that the potential of heritage in promoting appreciation for other cultures, mutual respect, tolerance, reconciliation and the building of peace, has really not been fully realised. Although there may be some examples of good practice in this respect, these are greatly overshadowed by recurrent news about heritage becoming the victim of conflict and intolerance.

With this in mind, the UNESCO Director-General launched in 2011 the global initiative - "Culture: a Bridge to Development". This initiative seeks to build cultural bridges among professionals, civil society and the authorities, and create networks and platforms to facilitate their participation in heritage and socio-economic development projects. One component of this flagship initiative is dedicated to "Heritage and Dialogue", and seeks to develop innovative and creative approaches to heritage safeguarding and culture-sensitive development projects, as powerful tools for promoting dialogue and reconciliation. As you can imagine, heritage-based tourism and various cultural and creative industries hold great potential to contribute to this objective.

There are similar initiatives in other parts of the world as well. For example, the PUSH project involving Israel, Jordan and Palestine seeks to promote understanding of shared heritage, and the Parks for Peace initiative of IUCN.

## **Conclusion:**

In concluding my presentation, I would like to come back to my original question that I raised at the beginning of my presentation, and strongly affirm that the World Heritage Convention has stood the test of time, and its relevance is beyond question. I am sure that we can confidently look forward to the next 40 years!

However, what is clear is that its implementation procedures will have to keep pace with and adapt to the changing times and context. I also think that we as custodians of this Convention must act in the interest of the larger common good, rather than in the pursuit of ones own narrow parochial interests.

If I am permitted to paraphrase a famous saying, I would say: "*Ask not what the Convention can do for you, but ask what you can do for the Convention*".

Thank you!