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CONVENTION CONCERNING THE PROTECTION OF  
THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Thirty-sixth session

Saint Petersburg, Russian Federation  
24 June 2011 – 6 July

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

## SUMMARY

In accordance with Section IV B, paragraphs 190-191 of the *Operational Guidelines*, the Committee shall review annually the state of conservation of properties inscribed on the List of World Heritage in Danger. This review shall include such monitoring procedures and expert missions as might be determined necessary by the Committee.

This document contains information on the state of conservation of thirty four natural and cultural properties inscribed on the List of World Heritage in Danger. The World Heritage Centre and Advisory Bodies therefore submit herewith reports for review by the Committee. Where appropriate, the World Heritage Centre or the Advisory Bodies will provide additional information during the session of the Committee.

**Decision required:** The Committee is requested to review the following state of conservation reports. The Committee may wish to adopt the draft Decision presented at the end of each state of conservation report.

The full reports of reactive monitoring missions requested by the Committee are available at the following Web address in their original language: <http://whc.unesco.org/en/sessions/36COM> .

## TABLE OF CONTENT

I. STATE OF CONSERVATION REPORTS .....	1
NATURAL PROPERTIES.....	1
AFRICA.....	1
3. Mount Nimba Strict Nature Reserve (Côte d'Ivoire/Guinea) (N 155 bis).....	1
4. Virunga National Park (Democratic Republic of the Congo) (N 63).....	6
7. Salonga National Park (Democratic Republic of the Congo) (N 280).....	6
ASIA-PACIFIC.....	16
13. Tropical Rainforest Heritage of Sumatra (Indonesia) (N 1167).....	16
16. Los Katios National Park (Colombia) (N 711) .....	22
17. Río Plátano Biosphere Reserve (Honduras) (N 196) .....	22
CULTURAL PROPERTIES .....	32
AFRICA.....	32
18. Tombs of Buganda Kings at Kasubi (Uganda) (C 1022) .....	32
ARAB STATES.....	37
20. Abu Mena (Egypt) (C 90).....	37
21. Ashur (Qal'at Sherqat) (Iraq) (C 1130).....	37
22. Samarra Archaeological City (Iraq) (C 276 rev) .....	39
23. Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev)....	42
24. Historic Town of Zabid (Yemen) (C 611) .....	44
ASIA AND PACIFIC.....	53
25. Minaret and Archaeological Remains of Jam (Afghanistan) (C 211 rev) .....	53
26. Cultural Landscape and Archaeological Remains of the Bamiyan Valley (Afghanistan) (C 208 rev) .....	53
28. Fort and Shalamar Gardens in Lahore (Pakistan) (C 171–172).....	55
EUROPE AND NORTH AMERICA .....	63
30. Bagrati Cathedral and Gelati Monastery (Georgia) (C 710) .....	63
31. Historical Monuments of Mtskheta (Georgia) (C 708) .....	63
32. Medieval Monuments in Kosovo (Serbia) (C 724 bis).....	70
GENERAL DECISION.....	80
36. World Heritage properties of the Democratic Republic of the Congo (DRC) ..	80

## I. STATE OF CONSERVATION REPORTS

### NATURAL PROPERTIES

#### AFRICA

### 3. Mount Nimba Strict Nature Reserve (Côte d'Ivoire/Guinea) (N 155 bis)

Year of inscription on the World Heritage List

1981, extension in 1982

Criteria

(ix) (x)

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

1992

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Iron-ore mining concession inside the property in Guinea;
- b) Arrival of large numbers of refugees from Liberia to areas in and around the Reserve;
- c) Insufficient institutional structure.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

Corrective measures identified

Adopted, See pages <http://whc.unesco.org/en/decisions/1266> and <http://whc.unesco.org/en/decisions/1575>

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/155/documents>

International Assistance

Global amount granted to the property: USD 408,939

For details, see page <http://whc.unesco.org/en/list/155/assistance/>

UNESCO Extra-budgetary Funds

Global amount received for the property: USD 25,282 under the Rapid Response Facility in January 2012 (see page <http://whc.unesco.org/en/news/830/>)

Previous monitoring missions

October/November 1988: World Heritage Centre mission; May 1993: World Heritage Centre / IUCN mission; 1994: IUCN mission; 2000: World Heritage Centre mission; 2007: joint World Heritage Centre / IUCN mission to Guinea; June 2008: joint World Heritage Centre / IUCN mission to Côte d'Ivoire.

Factors affecting the property identified in previous reports

- a) Mining;
- b) Influx of refugees;
- c) Agricultural encroachment;
- d) Deforestation;
- e) Poaching;
- f) Weak management capacity;
- g) Lack of resources;
- h) Lack of trans-boundary cooperation.

*Illustrative material*

See page <http://whc.unesco.org/en/list/155>

### Current conservation issues

On 19 January 2012, the State Party of Côte d'Ivoire submitted a report on the state of conservation of the property. At the time of preparation of this document, no report had been received from the State Party of Guinea. On 25 April, the World Heritage Centre also received from the Ivorian Office of Parks and Reserves (OIPR) a copy of the report of the third tri-national workshop on the management of Mount Nimba Massif, which was held from 6 to 7 December 2011 in Man, Côte d'Ivoire, and a copy of the Management Plan of Mount Nimba Strict Nature Reserve.

*For the portion of the property located in Côte d'Ivoire:*

The state of conservation report submitted by Côte d'Ivoire indicates progress in the implementation of corrective measures adopted by the World Heritage Committee at its 32nd session, for the portion of the property located in Côte d'Ivoire. The report notes that the consequences of successive crises have led to the destruction of equipment and infrastructures of the Reserve, and a decrease in the budget for its conservation. The crisis situation has also caused the withdrawal of many development partners, making it difficult to mobilize funds for the rehabilitation of the property.

- a) *Restore the presence of the authority responsible for the protected area - the Ivorian Office of Parks and Reserves (OIPR) - on the site and resume management activities, restore cooperation mechanisms and strengthen communication with local communities*

The report of the State Party indicates that the unit of management of protected areas of the West Zone was able to reoccupy the headquarters of the West Zone in Man. The head of the sector of Mount Nimba Reserve was also redeployed to Danané with six agents to perform the field activities. But access to the Reserve is still limited due to lack of logistic facilities, which were looted during the successive crises. The State Party also points out that the premises designated for office use and the existing guard posts must be rehabilitated because of their advanced state of deterioration. It is planned to train a mobile monitoring and anti-poaching brigade composed of thirty officers, which will be based in Man, and which will ensure a minimum of management activities. In the context of the participatory management of the property, the establishment of a local management committee for Mount Nimba Reserve is also envisaged. This committee will be a legal framework for consultation between OIPR and the different stakeholders, including local communities and international NGOs.

In January 2012, the property received USD 25,282 under the Rapid Response Facility for the reestablishment of the guard posts at Kouan-Houlé and Yéalé, the closest bases to the Mount Nimba site. Man and Danané are located far from the Reserve and there is urgent need to ensure an effective presence in that area of the property.

- b) *Conduct a study on key wildlife species to clarify the status of Outstanding Universal Value of the property and implement a comprehensive monitoring programme to monitor and control threats, including poaching*

The report of the State Party indicates that the OIPR plans to conduct studies on key wildlife species and habitat conservation.

- c) *Define a buffer zone in consultation with local partners, and provide it with the appropriate legal status to strengthen the conservation of the property through sustainable management of natural resources in the buffer zone*

The report of the State Party does not mention any actions taken to establish a buffer zone in collaboration with local stakeholders.

- d) *Develop a Management Plan, in close cooperation with all partners concerned, notably with the local community, and harmonize this plan with the plan being established in Guinea*

The State Party notes that the third tri-national workshop on the management of Mount Nimba Massif between Côte d'Ivoire, Guinea and Liberia took place in Man in Côte d'Ivoire from 5 to 7 December 2011, with support from the World Heritage Fund. This workshop was organized on the occasion of the establishment of joint management between the three countries. The meeting adopted the Declaration of Man on the Tripartite Management of Mount Nimba, in which the managing authorities of the three components of the massif commit to establishing a tri-national mechanism for monitoring actions to be taken for the sustainable conservation of the massif, and to submitting a draft framework agreement to their respective governments. This agreement will enable the creation of a yearly concertation framework as well as a technical committee. Article 4 of this agreement provides for the development and implementation of a trans-boundary Management Plan for Mount Nimba. This Management Plan will be followed by the establishment of a tripartite legal framework for the property and its zones of influence. The report notes that the meeting also adopted the Mount Nimba Strict Nature Reserve Simplified Management Plan developed by the OIPR for the portion of the property located in Côte d'Ivoire.

- e) *Develop a sustainable funding mechanism for the entire property with the State Party of Guinea*

In 2003, in the framework of the establishment of a sustainable funding mechanism for the property, the State Party of Côte d'Ivoire set up the Parks and Reserves Foundation whose main tasks are to facilitate the long-term financing of the conservation of national parks and nature reserves by mobilizing funds and investing these funds in a trust fund in perpetuity. During the tripartite workshop in Man, the Guinean State expressed its readiness to contribute to the establishment of a sustainable funding mechanism for the entire property.

*For the portion of the property located in Guinea:*

As mentioned above, no report was received from the State Party of Guinea. It is therefore not possible to assess the implementation of corrective measures that were adopted by the World Heritage Committee at its 31st session for the portion of the property located in Guinea.

The World Heritage Centre and IUCN are nevertheless informed that the managing authority of the property, the CEGENS, and the Directorate of Protected Areas of Guinea have been merged since 2011 in view of the establishment of a new structure to be called the Guinean Office for Biodiversity and Protected Areas (OGUIDAP). This new structure will aim to reinforce human and operational capacities of Mount Nimba. The OGUIDAP is also considered a paramilitary structure, which will help strengthen the technical capacity of its personnel especially in the fight against poaching. A recruitment process of agents, followed by military training, began in January 2012. Most of these agents are selected from local communities in the vicinity of the protected areas, such as Mount Nimba.

- f) *Mining*

The World Heritage Centre received a letter dated 16 January 2012 from the Iron Ore Mining Company of Guinea (SMFG), in response to comments from the World Heritage Centre and IUCN on the proposed draft Terms of Reference (TOR) of the Environmental and Social Impact Assessment (ESIA), which had been transmitted in 2011. In their comments, the World Heritage Centre and IUCN had, among other issues, highlighted the fact that the

project should be halted if the ESIA concluded that the negative impacts could not be mitigated.

In its letter, the SMFG indicates that it is prepared to apply the precautionary principle as defined by the United Nations, in the absence of scientific certainty about the impacts of mining on the Outstanding Universal Value (OUV) of the property, and that it plans to abandon the mining project if the environmental impact study reveals serious threats to the OUV of the property. The letter provides detailed responses to each comment and a revised version of the TOR in which these comments were taken into account. The letter noted that the TOR were approved by the Ministry of Environment of Guinea in October 2010 and that a consultant responsible for conducting the ESIA has been recruited. The SMFG believes that the ESIA will be finalized during 2013.

The report of the State Party of Côte d'Ivoire noted that no mining concession has been granted in the Ivorian portion of the property, although mining exploration ambitions were expressed some time ago. The State Party further recalls the Tata Steel Company's waiver of the mining exploration project for the property, following discussions between IUCN, the World Heritage Centre and the Director of the Tata Steel Global Minerals Group.

In Liberia, there is an Arcelor Mittal project located 20 kms from the property. Until now, the State Party of Liberia has not submitted the ESIA for this project. Pollution from mining exploration on the Liberian side could cause the discharge of silt into the rivers towards the Côte d'Ivoire and have negative effects on the Outstanding Universal Value of the property.

### Conclusion

The World Heritage Centre and IUCN note the stabilization of the socio-political situation in Côte d'Ivoire and believe that the Ivorian State Party should take all necessary steps to urgently ensure presence on the property, resume the monitoring operations and reoccupy the bases closest to the site at Kouan-Houlé and Yéalé.

The World Heritage Centre and IUCN also take note of the organization of the tripartite workshop between Côte d'Ivoire, Guinea and Liberia, and consider that this workshop lays the groundwork for a tri-national management of the property. They recommend that the Committee reiterate its request to the two States Parties to continue this dynamic of transborder management of the property by implementing a consensual Management Plan in which joint monitoring actions will be of the utmost importance.

The World Heritage Centre and IUCN note finally that the State of Guinea has not submitted a report on the state of conservation of the property. They consider that with the normalization of the political situation in both Côte d'Ivoire and Guinea, the important institutional changes in Guinea and the implementation of the ESIA by the SMFG, a new joint World Heritage Centre / IUCN reactive monitoring mission is required to develop joint corrective measures for the entire property, together with a timetable for their implementation and the Desired State of Conservation for the removal of the property from the List of World Heritage in Danger, and take stock of the ESIA. They further recommend that the World Heritage Committee maintain the Mount Nimba Strict Nature Reserve on the List of World Heritage in Danger.

### Draft Decision: 36 COM 7A.3

*The World Heritage Committee,*

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.3**, adopted at its 35th session (UNESCO, 2011),

3. Regrets that the State Party of Guinea did not submit a conservation report on the property as requested by the World Heritage Committee at its 35th session, making it impossible to assess the progress of the implementation of corrective measures;
4. Welcomes with satisfaction the dynamics of trans-boundary management of the property as practised by the State Parties of Guinea, Côte d'Ivoire and Liberia, and reiterates its request to the State Parties of Guinea and Côte d'Ivoire to concretise this commitment to joint management of the property by implementing a common strategy for management and joint monitoring of Mount Nimba;
5. Notes with satisfaction the stabilization of the socio-political situation in Côte d'Ivoire and requests the State Party of Côte d'Ivoire to urgently ensure a presence on the property, resume the monitoring operations and reoccupy the bases closest to the site at Kouan-Houlé and Yéalé;
6. Notes the start of the implementation of the Environmental and Social Impact Assessment (ESIA) by the Iron Ore Mining Company of Guinea and reiterates its request that the study be conducted in accordance with the highest international standards, and that it should quantify the potential impact of proposed mining on the property, in close consultation with all stakeholders, and to submit to the World Heritage Committee, any intermediate result;
7. Requests the State Parties of Guinea and Côte d'Ivoire to intensify their efforts to implement corrective measures, especially strengthening of surveillance;
8. Also requests the State Party of Liberia to submit to the World Heritage Centre the ESIA of the potential Arcelor Mittal mining project in Liberia, situated 20 kms from the property, and which could have negative effects on the Outstanding Universal Value of the property;
9. Further requests the State Parties of Guinea and Côte d'Ivoire to invite a joint World Heritage Centre / IUCN mission to assess the state of conservation of the property, update the corrective measures and propose a timetable for their implementation, develop a proposal for the Desired State of Conservation in view of the removal of the property from the List of World Heritage in Danger, and evaluate the progress of the ESIA by the Iron Ore Mining Company of Guinea;
10. Further requests both States Parties to submit to the World Heritage Centre, by **1 February 2013**, a detailed report on the state of conservation of the property and on progress in implementing corrective measures and other recommendations of the 2007 and 2008 missions, and on the progress of the ESIA by the the Iron Ore Mining Company of Guinea, for examination by the World Heritage Committee at its 37th session in 2013;
11. **Decides to retain the Mount Nimba Strict Nature Reserve (Côte d'Ivoire and Guinea) on the List of World Heritage in Danger.**

**Note : the following reports on the World Heritage properties of the Democratic Republic of the Congo (DRC) are to be read in conjunction with Item 36 of the present document.**

#### **4. Virunga National Park (Democratic Republic of the Congo) (N 63)**

Year of inscription on the World Heritage List

1979

Criteria

(vii) (viii) (x)

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

1994

**Application of the reinforced monitoring mechanism at the property since 2007 (31 COM 7A.32)**

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Increased poaching of wildlife;
- b) Incapability of staff to patrol the 650 km long boundary of the Park;
- c) Massive influx of 1 million refugees occupying adjacent parts of the Park;
- d) Widespread depletion of forests in the lowlands.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

See page <http://whc.unesco.org/en/decisions/4338>

Corrective measures identified

See page <http://whc.unesco.org/en/decisions/4338>

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/63/documents/>

International Assistance

Global amount granted to the property: USD 152,160.

For details, see page <http://whc.unesco.org/en/list/63/assistance/>

UNESCO Extra-budgetary Funds

Total amount provided to the property: 2001-2005, the property received USD 900,000 in the framework of the UNESCO programme for the conservation of DRC World Heritage properties. 2005-2009, USD 300,000. 2010-2012, USD 411,900 (funded by United Nations Foundation, Italy, Belgium and Spain).

Rapid Response Facility: 2007, USD 30,000. USD 90,000 in support to the project to develop alternative energy sources to charcoal (funded by the French-speaking Community of Belgium).

Previous monitoring missions

April 1996: World Heritage Centre reactive monitoring mission; March 2006: World Heritage Centre monitoring mission; August 2007: joint World Heritage Centre/IUCN reinforced monitoring mission; December 2010: World Heritage Centre reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Armed conflict, lack of security and political instability;
- b) Attribution of a petroleum exploration permit inside the property;
- c) Poaching by the army and armed groups;
- d) Encroachment;
- e) Extension of illegal fishing areas;
- f) Deforestation and cattle grazing.

Illustrative material

See page <http://whc.unesco.org/en/list/63>



### Current conservation issues

The State Party submitted a state of conservation report on 2 February 2012. This report highlights an increase in the wildlife populations in the eastern sector of the Park on the Lulimbi plateau and the Rwindi plain, and the birth of nine gorillas in the Mikeno sector. It also mentions a timid return of tourism, mainly for gorilla visits and climbing volcanoes. However, the report notes that the persistence of pockets of militias in the Park at the Nyamulagira, Mount Kasali sectors and on the south and west coasts of Lake Edward remains a major constraint for its management.

The report provides information on progress in implementing corrective measures adopted at the 35th session of World Heritage Committee:

- a) *Take steps at the highest level to halt illegal exploitation of natural resources of the Park, particularly poaching, charcoal production and fishing by undisciplined elements of the army and armed groups operating within the property*

The report gives a detailed description of surveillance and protection operations in the Park and signals the resumption of control of 80% of the Park: 17 joint operations with the Armed Forces of the DRC (FARDC) were organized, and 43,000 man-days of patrols were deployed. Out of 650 people arrested, 39 were armed and transferred to the military prosecutor. 121 civilians were transferred to the Country Prosecutor's Office.

A programme of electric fencing of the Mikeno sector boundary is underway to protect the crops of local farmers from depredation by wildlife. The report notes a heavy toll of 11 guards killed in successive attacks and a guard who died following an accident. The report does not provide details on measures taken at the highest level to support these monitoring efforts.

- b) *Strengthen efforts to disarm armed groups operating in and around the property, in cooperation with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)*

The State Party points out that the managing authority of the Park collaborated and provided logistical support to the FARDC (reconnaissance flights, communication, transport) in three joint operations to dislodge armed groups from the Park.

The report notes that the positions of the armed groups inside and outside the Park are known, but that, increasingly, they are small, highly mobile groups.

The report does not provide information on cooperation with MONUSCO concerning the disarmament of armed groups operating in and around the property.

- c) *Immediate closure and removal of the Nyaleke army training and reunification camp within the Park, in accordance with the decision of the Minister of Defence*

The State Party points out that much of the Nyaleke army training and reunification camp inside the Park has been evacuated and the remaining armed elements represent only a small threat. However, it notes that the complete evacuation of the camp is not yet scheduled. No timetable on the complete evacuation and destruction of the camp is provided.

- d) *Take measures at the highest level to enable the ICCN to continue the peaceful evacuation of illegal occupants in the property without political interference*

The State Party indicates that a second forum on the issue of development of natural resources of Virunga National Park was organized. During this forum, the participants pledged to evacuate the Park. The populations of Kilolirwe expressed their willingness to leave the Park as soon as security conditions are met in areas where they will settle. The report notes that encroachment at Lubiliha has increased, however, UNESCO, (IOM) the

International Organization for Migration, UN HABITAT and the Congolese authorities have undertaken measures, and a study is ongoing to relocate offices built in the Park, and evacuate populations to the identified site of COTONGO, where the subdivision is in progress.

The World Heritage Centre noted that MONUSCO has called on UNESCO to facilitate dialogue with ICCN and to resolve population / Park conflicts, at Lubiliha. This initiative led to the joint IOM / UNESCO / ICCN / MONUSCO project. Following this intervention, the border crossing will be transferred outside the Park by June 2012. The displacement outside the Park of the State administrations illegally installed in the Park shows the willingness of the State Party to find solutions to restore the territorial integrity of the property and will send a strong signal to remaining populations. The World Heritage Centre notes that for the area of the west coast of Lake Edward, new activities for peaceful evacuation are planned in the framework of the conservation programme for the DRC, with funding from Belgium.

e) *Continue law enforcement focusing on priority areas, and maintain the measures taken in the context of the institutional reform to re-motivate the personnel of the Park*

The State Party indicates that the institutional reform has led to the downsizing of staff from 990 to 340 officers and administrative and technical staff. It points out that it is important to continue to recruit guards to compensate for deaths and staff retirement.

f) *Pursue communication and awareness raising activities targeted at the competent authorities and local populations*

The State Party points out that following the organization of the second forum mentioned above, a consultation framework was put in place, which resulted in the creation of three forums for dialogue on issues of conflict resolution and fishing on Lake Edward. The report provides no information on the nature of these three forums for dialogue, or on their actions.

g) *Pursue actions to eliminate all charcoal production within the property, and promote alternative energy sources*

The State Party points out that the carbonization problem has significantly diminished and that alternatives and actions to reduce wood consumption were put in place. The report notes that in 2011, 2533 ha of land were reforested, 11,200 improved stoves were distributed, and a hydro-electric micro power station financed by the Park is under construction. It will serve more than forty thousand inhabitants.

The World Heritage Centre and IUCN note the improved situation as regards the carbonization problem which is a major threat to the integrity of the site, but also note the importance of providing quantitative information on this decline.

h) *Petroleum exploration*

The State Party report affirms that petroleum exploration may cause serious harm to the property's Outstanding Universal Value. It states that following the Government's announcement of the suspension of exploration, a strategic environmental assessment was undertaken. But the SOCO Company, assigned to one of three petroleum exploration blocks straddling the Park, continues to hold meetings hostile to the Park.

The World Heritage Centre and IUCN were informed of the signing of two ministerial decrees authorizing the start of petroleum exploration and the issuance of a Certificate of Environmental Acceptability to SOCO for its aeromagnetic and aerogravimetric data gathering campaign. In a letter dated 17 April 2012 addressed to the President, the Director-General of UNESCO expressed her deepest concern about these decrees, which are contrary to the Government's decision of March 2011 to suspend petroleum exploration pending completion of the strategic environmental assessment. This letter was preceded by a communication of 5 March 2012 from the Director of the World Heritage Centre to the

Ministry of the Environment, Nature Conservation and Tourism. In his reply dated 19 April, the Minister clarified that the aerogravimetric and aeromagnetic data gathering campaign will be carried out without physical incursion into the Park and that a decision on petroleum exploration will be taken based on the results of the strategic environmental assessment.

The World Heritage Centre and IUCN were also informed that one of the two other petroleum exploration blocks straddling the Park was awarded to the TOTAL Petroleum company by Presidential decree.

### Conclusion

The World Heritage Centre and IUCN note the significant progress reported by the State Party in the implementation of certain corrective measures, including resumption of control of 80% of the Park despite the persistence of pockets of militias in the Park, marked reduction in the carbonization problem, the measures taken against encroachment at Lubiliha and the creation of forums for dialogue with communities to resolve some important conflicts.

The World Heritage Centre and IUCN take note that the State Party mentions an increase in the numbers of wildlife in some sectors of the Park and consider that given that the numbers of most large mammal species of the plains have been reduced by 50% to 96% since the property's inscription, it will take time to restore these populations. They recommend that aerial surveys of key species be performed regularly to confirm these positive trends and to monitor the indicators set for the Desired State of Conservation for removing the property from the List of World Heritage in Danger.

The World Heritage Centre and IUCN recommend that the Committee express its deep concern over the granting of the Certificate of Environmental Acceptability for the aeromagnetic and aerogravimetric data collecting campaign and that it reiterates its request to cancel all the permits for petroleum exploration within the property's boundaries.

The World Heritage Centre and IUCN note that the significant funding mobilized for the conservation of the property, notably by the European Commission, reflects the importance that the international community attaches to this site, and seems to be bearing fruit, but they also note that the petroleum exploration and exploitation projects could destroy these efforts. Therefore, they recommend retaining Virunga National Park on the List of World Heritage in Danger and maintaining the Reinforced Monitoring Mechanism for this property.

### **Draft Decision:        36 COM 7A.4**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.4**, adopted at its 35th session (UNESCO, 2011),*
3. *Extends its deepest condolences to the families of guards killed during operations conducted to protect the property, since its last session;*
4. *Welcomes with satisfaction the significant progress reported by the State Party in the implementation of certain corrective measures, including the resumption of control of 80% of the Park, despite the persistence of pockets of militias in the Park, diminishment of the carbonization problem, the measures taken against encroachment at Lubiliha and the creation of forums for dialogue with the communities to resolve important conflicts;*
5. *Expresses its deep concern over the granting of a Certificate of Environmental Acceptability for an aeromagnetic and aerogravimetric data gathering campaign, which*

appears to contradict the Government's decision announced at the 35th session of the Committee to suspend petroleum exploration pending completion of the strategic environmental assessment;

6. Reiterates its request to the State Party to cancel all permits for petroleum exploration within the property boundaries and recalls its position on the incompatibility of petroleum exploration and exploitation with World Heritage status;
7. Appeals to the TOTAL and SOCO companies to adhere to commitments already made by Shell and ICMM not to undertake petroleum exploration or exploitation within World Heritage properties;
8. Requests States Parties to the Convention to make every effort to ensure that petroleum and mining companies in their territory cause no damage the World Heritage properties, in accordance with Article 6 of the Convention;
9. Notes that the report of the State Party refers to an unquantified increase in the numbers of wildlife in some areas of the Park, and considers that it will take time to restore these populations, given that the numbers of most species of large mammals of the plains have been reduced by 50% to 96% since the inscription of the property;
10. Also requests the State Party to undertake aerial surveys of key species to confirm these positive trends and monitor indicators established for the Desired State of Conservation for removing the property from the List of World Heritage in Danger;
11. Urges the State Party to continue the implementation of the corrective measures decided by the Committee at its 35th session (UNESCO, 2011) in accordance with the commitments in the Kinshasa Declaration to rehabilitate the Outstanding Universal Value of the property;
12. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a detailed and quantified report on the conservation status of the property and on progress in implementing corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;
13. Decides to continue the application of the Reinforced Monitoring Mechanism;
14. **Also decides to retain Virunga National Park (Democratic Republic of the Congo) on the List of World Heritage in Danger.**

## **7. Salonga National Park (Democratic Republic of the Congo) (N 280)**

Year of inscription on the World Heritage List  
1984

Criteria  
(vii) (x)

Year(s) of inscription on the List of World Heritage in Danger  
1999

**Application of the reinforced monitoring mechanism at the property since 2007 (31 COM 7A.32)**

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Impact due to conflict;

- b) Increased poaching and illegal encroachment.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger  
Not yet drafted

Corrective measures identified

Adopted, See page <http://whc.unesco.org/en/decisions/1270>

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/280/documents/>

International Assistance

Global amount granted to the property: USD 144,500

For details, see page <http://whc.unesco.org/en/list/280/assistance/>

UNESCO Extra-budgetary Funds

Total amount provided to the property: Conservation Programme for the World Heritage properties of the DRC ("DRC Programme") funded by the United Nations Foundation (UNF), Italy and Belgium: approximately USD 320,000 from 2001 to 2005. UNF funding from 2005 to 2008.

Previous monitoring missions

2007: World Heritage Centre/IUCN reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Armed conflict, lack of security and political instability;
- b) Poaching by the army and armed groups;
- c) Conflicts with local communities concerning Park boundaries;
- d) Impact of villages located within the property.

Illustrative material

See page <http://whc.unesco.org/en/list/280>

Current conservation issues

On 2 February 2012, a report on the state of conservation of the property was submitted by the State Party with information on the State Party efforts to secure the property. From 2 to 15 March 2012, a joint World Heritage Centre and IUCN mission visited the property to assess its state of conservation, progress achieved in the implementation of the corrective measures and establish the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, as requested by the World Heritage Committee at its 35th session. The mission report is available on line at the following Internet address : <http://whc.unesco.org/fen/sessions/35COM>

The mission confirmed that the main threats to the integrity of the property, identified by previous missions, remain current, notably insecurity due to the presence of armed bands, poaching by the military and local communities, conflicts with local communities regarding Park boundaries and fishing in rivers forming the natural boundary of the Park, the absence of protected ecological *continuum* between the two sectors of the Park and the impact of villages located within the Park. Based on information gathered, the mission considered that the situation in the property has further deteriorated since the 2007 reactive monitoring mission. However, the mission notes that the insecurity situation, that had resulted in the establishment of an illegal administration in and around certain parts of the Park, has incited the State to launch, in October 2011, an important mixed operation, between the ICCN management authority and the FARDC armed forces, called 'Operation Bonobo' to reestablish authority and combat large-scale poaching. The mission also notes a general low morale in the guards as well as the partners due to the very poor involvement of the authorities in the restoration of the Outstanding Universal Value of the Park and its management.

Progress in the implementation of the previous Committee decision was evaluated by the mission:

- a) *Organize and implement a mixed operation to combat large-scale poaching between the Congolese Armed Forces and the ICCN management authority in the most threatened zones*

Following the identification of about ten armed groups in the property, representing about 200 poachers, a security operation was launched as of 3 October 2011, before the general elections. At the time of the mission, 22 poachers had been arrested, 9 judged and sentenced (two freed following appeal). 140 weapons of war and 70 hunting rifles were seized. Five poachers were killed. Some poachers hid in one of the villages in the Park. During the mission, the operation was extended by four months to track down poachers in their hide-outs. Although the mission considers that this operation was very positive, it notes that no control mechanism seems to have been established to prevent the military, who remain in small numbers in the property, from engaging in poaching activities, as has been observed on other occasions. Also, the indispensable and immediate measures to ensure the continuity of this operation to restore and establish effective long-term control of the Park by the ICCN, do not appear to have been taken.

- b) *Establish a permanent consultation structure between the political, administrative and military provincial authorities of the four provinces concerned with the property to eliminate, in a coordinated manner, illegal activities, notably large-scale poaching, in the Park*

The mission notes that a permanent consultation structure between the four provinces exists, but has only met once in 2008. It appears that there is some confusion between this permanent consultation structure and a quadripartite meeting of the Governors, MONUSCO and the chiefs of the military regions to coordinate 'Operation Bonobo'.

The mission considers that at the present time, it is indispensable to formalize this consultation structure and to perpetuate its functioning and mandate.

- c) *Implement the anti-poaching strategy recently developed and an operational system of Law Enforcement Monitoring (LEM)*

Despite its repeated requests, the mission was unable to obtain a copy or even simply the outline of this anti-poaching strategy that should have been finalized in 2007. In any event, the 2007 strategy is probably obsolete after six years without any real implementation and should at least be updated.

The mission noted that 90 guards have been trained, but are still waiting to be integrated after two years. Currently, there are 200 poorly-equipped guards, with no means of transportation, and not possessing the necessary competences to carry out anti-poaching operations. The mission notes that several documents provide a figure of 600 guards being necessary for the protection of the property. The mission also notes the importance to ensure monitoring of the anti-poaching strategy that should be monitored and evaluated through the immediate implementation of the MIST system, adopted by the ICCN. Permanent monitoring of the results by the *ad hoc* committee is also necessary. The mission noted the strong interest indicated by the German Development Bank (KfW) and the WWF to become involved in the long-term management of the Park.

- d) *Initiate a procedure through a participatory process, to resolve conflict concerning the use of Park resources*

The mission considers that apart from the issue of resident populations inside the Park (see point e), conflict concerning the use of natural resources of the Park essentially focus on the issue of the exact boundaries of the property and fishing in the rivers forming the natural boundary of the Park. The mission notes that over a total area of 334 km of non-natural boundaries to be delineated, roughly 110 km have been delineated since 2009 through a

participatory process. The mission was also informed that an agreement protocol for the co-management of the Luilaka, Luile and Lokoro Rivers was signed on 24 June 2011, between the Park direction and the fishing associations. In this co-management agreement, fishing is authorized in all the waters up to the land boundary in high-water seasons, Park side. The mission notes that this authorizes fishing inside the Park over a large area and that this situation does not enable the effective control of the movement of poachers who use fishing as a pretext to penetrate into the Park to carry out illegal hunting. The mission emphasizes that uncontrolled circulation of fishermen in the Park hampers the capacity of ICCN to regain control. It considers that it would have been preferable to limit the fishing rights to river waters only. The mission notes that the agreement makes no mention of restrictions, the basis of all sustainable fishing strategies, in the absence of a quota or control of catches.

e) *Urgently address the issue of the status of villages inside the Park*

The mission notes that the Management Plan in the process of being validated, foresees the relocation of the two communities of the property. It considers that before deciding on this relocation, a study of the different options to manage this pressure should be conducted. This study should include the possible to control, over a given period, the activities of the communities, for example, through the adoption of regulations for the management of natural resources in the property (eventually on a temporary or transitory basis), indicating their control methods and actions to promote and encourage these communities to relocate outside the Park. This plan would be accompanied by a timetable to allow the ICCN and its partners to restore the necessary resources for the valid management of these zones, which does not appear to be the case at all today.

f) *Reconnect, in the frame of the preparation of a development plan for Salonga National Park, the two sectors of the Park by means of a buffer zone*

The mission notes that important work has been accomplished in the area between the two sectors of the property. Participatory zoning and an organization of the land has been carried out in its western two-thirds, already inhabited and preventing ecological *continuum* between the two blocks. On the contrary, in the eastern corridor a natural intact vegetation zone still exists that could constitute an excellent ecological corridor. This sector was the subject of a preliminary survey of biodiversity that revealed very good indicators of the presence of flagship species.

Work remains to be carried out with the communities to secure this area by granting it a listed status and conferring an appropriate governance, acceptable to the communities. The mission considers that the priority is, therefore, the adoption of this status and the governance of the zone of *continuum*, then the participatory drafting of its Management Plan.

g) *Establish a special fund for the rehabilitation of the DRC World Heritage properties, with a Government contribution*

See the general report on the DRC World Heritage properties (see Document WHC-12/36.COM/7A.Add).

#### *Other conservation issues*

The mission was informed that Government interest exists for oil exploration and exploitation in the central basin which encompasses the property, but it did not have detailed information concerning this subject.

The mission notes that the impact of industrial logging has not yet affected the Park, and forest clearing for agriculture in the eight enclaves only affects a very limited area of the property in comparison to its exceptional size. The complexity and floral wealth of the habitats are therefore intact. From the fauna standpoint, the mission notes that there is no new data on the wildlife populations available since the 2007 mission. This mission had

noted that the 2003 inventories showed an important reduction in elephant populations throughout the property. The mission notes that this population has since undergone intense ivory poaching. The mission concludes that although the Outstanding Universal Value of the property is maintained for the time being, it is increasingly threatened. Erosion of biodiversity continues and the integrity of the property is seriously questionable due to the above-mentioned threats. The mission has proposed an update of the corrective measures, with priorities, reproduced in the draft decision.

Based on the draft Statement of Outstanding Universal Value, the mission has attempted to prepare a proposal for the Desired state of conservation for removal of the property from the List of World Heritage in Danger, with the management team of the Park, with indicators that could measure the restoration of the biological values of the property, its integrity and management. However, the exercise was hampered by the lack of data on the state of the animal populations of the Park or again the intensity of poaching, for both of the two sectors. It was decided to limit the type of indicators to be considered, without quantifying them for the present. These indicators are included in the mission report. The mission considers that it is extremely important to obtain additional data to finalize this proposal, notably inventories providing a more exact notion of the presence of animal biodiversity.

### Conclusion

The World Heritage Centre and IUCN note the recent progress in the security of the property, but emphasize that the corrective measure to combat poaching is not yet sufficiently completed, and that it is imperative that ICCN and its partners can, without delay, regain control of the area that has been abandoned by armed bands. The World Heritage Centre and IUCN also note the progress accomplished by the managers and their partners concerning the participatory management of the natural resources, in particular the delineation of the park. However, they draw the attention of the Committee to the management capacities of ICCN, that still remain too limited to deal with the enormous challenges and threats to the Outstanding Universal Value. In conclusion, they note that the situation in Salonga National Park has further deteriorated since the last reactive monitoring mission in 2007.

The World Heritage Centre and IUCN recommend that the Committee request the State Party for detailed information on the oil exploration and exploitation projects in the central basin that risk to overlap the property. They recommend that the World Heritage Committee adopt the corrective measures updated by the mission, to maintain the property on the List of World Heritage in Danger and to continue to apply the Reinforced Monitoring Mechanism.

### **Draft Decision:      36 COM 7A.7**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.7**, adopted at its 35th session (UNESCO, 2011),*
3. *Notes with satisfaction the recent progress in the security of the property and progress accomplished by the managers and their partners concerning the participatory management of the natural resources, notably the delineation of the property;*
4. *Expresses its deep concern regarding the conclusion of the reactive monitoring mission that the Outstanding Universal Value of the property, although intact, has further deteriorated since the 2007 reactive monitoring mission with erosion of biodiversity and questioning of the integrity of the property;*



5. Requests the State Party for detailed information on the oil exploration and exploitation projects in the central basin that risk to overlap the property and recalls its established position on the incompatibility of oil exploration and exploitation with World Heritage status;
6. Urgently requests the State Party to implement the corrective measures, as updated by the joint World Heritage Centre/IUCN reactive monitoring mission of 2012 for the rehabilitation of the Outstanding Universal Value of the property:
  - a) Secure the property through the implementation of the third stage of 'Operation Bonobo' to eliminate the pockets of rebellion still present inside the property,
  - b) Revitalize the permanent consultation framework between the political, administrative and military provincial authorities of the four provinces concerned with the property to eliminate poaching in the Park by rapidly organizing a second meeting and establishing a monitoring mechanism for this consultation,
  - c) Revise, adapting to the current situation in the Park and implement the anti-poaching strategy and ensure its monitoring by immediately establishing the monitoring of law enforcement through the daily use of the MIST programme,
  - d) Implement without delay the overall ecological monitoring of the whole Salonga National Park to collect updated data to orient the anti-poaching strategy and finalize the Management Plan,
  - e) Address the conflicts concerning the management of natural resources by accelerating the participatory delineation process of the non-natural boundaries of the Park and pursue the present formalization procedure for the fishing associations by establishing a zoning, creating restricted zones and reconsidering the land boundary granted locally for fishing,
  - f) Pursue the creation of an ecological continuum between the two sectors of the Park through participatory work for the orientation of this area and propose a listing status for this protected area and accompany this process with a simple Management Plan,
  - g) Conduct studies concerning the situation and ecological impact of the two communities established inside the Park, before taking any relocation decision;
7. Takes note of the indicators developed by the mission with the management team of the Park and also requests the State Party, in collaboration with the World Heritage Centre and IUCN, to quantify these indicators based on the results of overall ecological monitoring of the whole property and the results of monitoring law enforcement to enable the proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger;
8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a detailed report on the state of conservation of the property and progress achieved in the implementation of the updated corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;
9. Decides to continue the application of the Reinforced Monitoring Mechanism;
10. Also decides to retain Salonga National Park (Democratic Republic of the Congo) on the List of World Heritage in Danger.

## ASIA-PACIFIC

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

Year of inscription on the World Heritage List

2004

Criteria

(vii) (ix) (x)

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

2011

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

Corrective measures identified

Not yet identified

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

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

International Assistance

Global amount granted to the property: USD 96,600.

For details, see pages <http://whc.unesco.org/en/intassistance/1782/> and

<http://whc.unesco.org/en/intassistance/838/>

UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 1,800,000 for the 3-year UNF/UNFIP Project (2005-2007) – Partnership for the Conservation of Sumatra Natural Heritage; USD 35,000 Rapid Response Facility grant (2007).

Previous monitoring missions

2006: UNESCO/IUCN reactive monitoring mission; 2007: World Heritage Centre/IUCN reactive monitoring mission; February 2009: World Heritage Centre/IUCN reactive monitoring mission; April 2011: *World Heritage Centre/IUCN reactive monitoring mission*.

Factors affecting the property identified in previous reports

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

Illustrative material

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

Current conservation issues

On 10 February 2012, the State Party submitted a report on the state of conservation of the property, providing an overview of actions carried out to address key threats to the property, including road construction, mining, and illegal logging and encroachment. It also provides information on other activities carried out, including boundary demarcation, wildlife monitoring and forest rehabilitation. No Corrective Measures, nor a draft Desired State of

Conservation for removal of the property from the List of World Heritage in Danger are proposed for adoption by the Committee.

a) *Road construction*

The State Party reports that throughout 2011, the Minister of Forestry received requests from regents and governors around Kerinci Seblat National Park (KSNP) to allow the construction of several roads, some of which are suggested to be for evacuation purposes in the event of volcanic eruptions. The State Party notes that a multi-disciplinary coordination team conducted a survey of the proposed road construction routes to review their necessity. The initial report recognizes that the proposed roads cross some primary forest in the wilderness and core zones of the property, would fragment the home ranges of big mammals such as Sumatran Tiger and Sumatran Elephant, and may encourage illegal logging. The final recommendations from the coordination team were expected in March 2012.

The State Party also reports that a 'special zone' was established to accommodate road construction between Tanjung Kasri and Renah Kemumu, two enclave villages within KSNP. No further information on the conditions of this 'special zone' are provided.

It should be recalled that the Committee, at its 35th session (UNESCO, 2011) requested the State Party to conduct a Strategic Environmental Assessment (SEA) of the cumulative effects of all road development plans in the Bukit Barisan mountain range. The State Party has previously indicated that prior to conducting an SEA, the existing inter-ministerial World Heritage Working Group under the Coordinating Ministry of Social Welfare would need to be reactivated, and had expressed its intention to apply for financial and technical support to reactivate this Group. The State Party, with support from the UNESCO-Jakarta office, is currently in the process of identifying donors to fund the SEA, which is estimated to cost USD 600,000.

b) *Encroachment, illegal logging and boundary demarcation*

The majority of park activities in 2011 consisted of law enforcement to combat illegal logging and encroachment in the property, particularly in Bukit Barisan Selatan National Park (BBSNP) and Gunung Leuser National Park (GLNP). The report states that in BBSNP the park authorities had set a target to reduce encroachment in eight locations with a total area of 15,527 ha (2,277 households) in 2011, but that in practice, anti-encroachment operations were conducted at over fourty sites. A total figure of the number of households relocated and the area covered is not given.

The lack of on-the-ground boundary demarcation in GLNP has led to increased encroachment at Besitang and Bohorok, and the presence of Acehnese refugees within GLNP in the Sekoci and Sei Lengan areas has resulted in the degradation of an estimated 22,100 ha of forest. According to a media report dated 6 March 2012, the area occupied by Acehnese refugees is claimed as a forest concession by the logging company PT Mulya Karya Jaya, whereas GLNP park authorities note that the area does not form part of the National Park. According to the State Party, the park director was requested in August 2011 to prioritize on-the-ground boundary demarcation of GLNP.

In the case of KSNP, the State Party reports that the demarcation of the boundary of the Siporak Hook, which was repatriated to KSNP in 2004, was started in 2011. It also states that a letter by the regent of Merangin district and the Mayor of Sungai Penuh, dated August 2010, to forbid encroachment on park land appears to be effective in preventing encroachment, and only few cases of encroachment and illegal logging are reported. However, the State Party also notes that in some areas the boundary demarcation has been removed by local communities.

IUCN has received reports indicating that despite the letter issued by the regent of Merangin and the Mayor of Sungai Penuh, encroachers remain in place and new encroachment has occurred in KSNP, including in the important Siporak Hook ecosystem. The same reports

note that there is increasing conflict between park authorities, small-holder encroachers and human-rights organizations, particularly in the Merangin district.

IUCN has also learned that the industrial timber plantation company PT Mugitriman International has commenced large scale and intensive timber collection in the former Rimba Karya Indah forest concession in 2011, using extraction methods that breach the company's Environmental Impact Assessment and that do not follow standard procedures for watershed forests. PT Mugitriman International is also reported to have secured two more timber plantation permits in High Conservation Value Forest (HCVF) adjoining the property, and to have applied for a Commercial Forest Plantation for the primary forests in the Rimba Karya Indah (RKI) finger, which is surrounded on three sides by the property and has been repeatedly recommended for urgent inclusion in KSNP, for the first time by the World Bank in 2002, due to biodiversity and watershed protection values.

A number of reports about an illegal plantation permit in the Tripa Peat Swamps given by the former Governor of Aceh to the palm oil company PT Kallista Alam in August 2011 have been communicated to IUCN. The Tripa Peat Swamps are part of the Leuser Ecosystem which surrounds GLNP, and were included in the provincial government's map of areas off-limits to forestry activities published in May 2011, as part of a two-year moratorium on new forestry concessions in peat and primary forest. A revised version of this map was issued in November 2011, excluding the Tripa forest from the protected zone.

The Tripa Peat Swamps are recognized as one of only three remaining coastal peat swamps in the Leuser Ecosystem, and as habitat for an exceptional range of biodiversity within the Leuser Ecosystem, including populations of Sumatran orangutan and Sumatran tiger. In reply to a letter sent by the World Heritage Centre expressing concern about the illegal palm oil concession in the Tripa Peat Swamp Forest, the authorities, by letter of 9 May 2012 reported that the Government has conducted investigations which have concluded that the clearance by way of forest fires in certain areas of the Tripa Swamp has impacted on conservation efforts and is in violation of laws. Further investigations will be conducted by the Ministry of Environment and the National Police, and the area of PT Kalista Alam will be included in the second revision of Indicative Map on Moratorium of New Licence.

#### c) *Mining*

The State Party notes that the gold mining concession areas of PT Arustirta Power and PT Aspirasi Widya Chandra overlap with GLNP for 1,773 and 161 ha, respectively. The State Party stresses that so far there has not been any exploration activity in either area. It notes that the local government of South Aceh has been requested to clarify the overlap between the mining concessions and GLNP, but that this clarification has not yet been given. A map of five gold mining concessions in the vicinity of GLNP in South Aceh is provided as an annex to the State Party report.

IUCN has received reports that in 2011 PT Aneka Tambang conducted gold mining exploration within the boundaries of KSNP in the Sungai Tenang area, operating under permits that were issued by Jambi Province and local district leaders based on a map that did not recognize the same KSNP boundaries as maps held by the Ministry of Forestry. The Ministry of Forestry is currently investigating the case, in collaboration with the national police authority and the Corruption Eradication Commission. IUCN has also received reports that an Indonesian subsidiary of Sumatra Copper & Gold Mining is conducting exploration activities close to KSNP borders in the Lebong Tandai area and possibly conducting surveys inside KSNP. Furthermore, an Australian-owned coal mining company has reportedly been issued with a Permit in Principle to conduct mining activities in 100,000 ha of HCVF adjoining KSNP in West Sumatra, and open cast iron ore mining is reported to occur close to KSNP borders in Solok Selatan district. IUCN has also received reports that mining surveys (iron ore, coal, and gold) have been conducted within and adjacent to KSNP in North Kerinci and Bungo districts and the Hulu Batang Asai area of Sarolangun district (Jambi Province), as well as in North Bengkulu and Lebong districts (Bengkulu Province). On 10 April 2012, the

World Heritage Centre sent a letter to the State Party requesting further information on the reported mining in KSNP, however, no response had yet been received at the time of writing this report.

d) *Monitoring system*

The State Party provides recent population estimates for some large mammal species in the property, namely Sumatran Rhino, Sumatran Tiger, Orangutan, and Sumatran Elephant. It states that the populations of Sumatran Tiger and Orangutan appear to be increasing, whereas the Sumatran Elephant population shows a 50% decline in BBSNP when comparing the 2010 and 2002 estimates. No population trend is given for Sumatran Rhino, but the State Party notes that there have been no recent cases of rhino poaching in the property. The State Party also notes that population surveys of these species are conducted by a range of organizations and institutions, and that park authorities focus their activities on educating and raising the awareness of related stakeholders, particularly local communities.

IUCN has received reports that in GLNP, the populations of Orangutan, Sumatran Tiger, Sumatran Elephant and Sumatran Rhino are all decreasing, although exact numbers and the extent of the decline are not known. These reports also note that many smaller species, including several songbird species, are also in decline and have disappeared from some areas. IUCN has also received reports that, although the tiger population in KSNP shows an overall increase, reduced tiger presence was recorded in three formerly important tiger habitats in Jambi and Bengkulu districts. These reports note that there is evidence of active tiger poaching in KSNP, including in locations proposed for road development. They also note that there is no formal monitoring of Sumatran Elephant in KSNP, but three elephants were recorded poached in the property and in adjacent forests by the national park's tiger monitoring team and the specialist tiger protection patrol units. Furthermore, the same reports note that there is intensive pressure on wild bird populations in KSNP, with one investigation suggesting that up to 1,000 birds a month are being trafficked from Kerinci district to other areas of Sumatra, Batam Island and Java Island.

During a high-level meeting with the Vice President of the Republic of Indonesia on 26 October 2011, the Chair of the IUCN Species Survival Commission and his delegation made a recommendation, among others, that the State Party ensure that there is regular, frequent, intensive and independent monitoring of all rhino populations in Indonesia in order to detect population trends, and to inform future conservation and management decisions.

*Ecosystem based restoration plan*

The State Party notes that in 2011, 8000 ha of BBSNP, 1925 ha of KSNP, and 3740 ha of GLNP have been rehabilitated by planting native tree species, and that budget has been secured to continue implementing the rehabilitation programme in the coming three years. The rehabilitation plan is not further elaborated.

However, unless law enforcement to combat encroachment and illegal logging is improved, the rehabilitation programme will be insufficient to effectively address the threat of forest degradation in the property. The rehabilitation programme should be accompanied by a prioritized programme to improve law enforcement in the whole property and its adjacent areas. The State Party has previously stated that it was in the process of reviewing the 2007 Emergency Action Plan, which was expected to be finalized by end December 2011. In May 2012, the State Party submitted a request for International Assistance to support the development and socialization of the Emergency Action Plan for the integrated and coordinated management of the property, by means of the organization of a two-day high-level workshop.

*Conclusion*

The World Heritage Centre and IUCN note the progress reported by the State Party, but note that many of the principal issues affecting the property remain of high concern. A more

coordinated and holistic approach is necessary to address the major issues affecting this serial property. They are of the view that the Inter-ministerial World Heritage Working Group could play a key role in coordinating these efforts and should therefore urgently be reactivated. New proposals for road construction continue to be a major threat to the property, including proposals by the State Party for a 'special zone' to accommodate road construction between Tanjung Kasrih and Renah Kemumu, where increased traffic has already resulted in human-tiger conflict. A moratorium on road development projects that could negatively impact the property's Outstanding Universal Value should be imposed, until a Strategic Environmental Assessment (SEA) of the cumulative effects of all road development plans in the Bukit Barisan mountain range has been conducted, as requested by the World Heritage Committee at its 35th session.

The reports of declining wildlife populations are alarming. A property-wide mechanism for monitoring the Outstanding Universal Value of the property should be developed and implemented, including for Sumatran Rhino and other key species, in consultation with the IUCN Species Survival Commission and the involvement of conservation organizations working actively in the property.

The World Heritage Centre and IUCN recommend that the Committee request the State Party to revoke any existing mining concessions where they overlap with the property and ensure that no further mining concessions within the property are issued, nor in areas adjacent to the property where there is a potential negative impact on its Outstanding Universal Value, in line with the World Heritage Committee's established position that mineral exploration and mining are incompatible with World Heritage status.

The World Heritage Centre and IUCN also recommend that the Committee express its serious concern by the reports of continued encroachment and a decline of law enforcement; and particularly about the Tripa Peat Swamps case, which in the continued absence of legal action signals a worrying absence of protected area governance in this province, raising concerns over the property's integrity itself. They further highlight that there is an urgent need for professional, neutral support for conflict resolution and mediation to tackle the encroachment problem, to be led by national level conflict resolution specialists in order to ensure neutrality.

The State Party has submitted an International Assistance Request to support the further development of the Emergency Action Plan. The State Party is encouraged to submit the new Emergency Action Plan to the World Heritage Centre for review, and as a basis for supporting action.

In view of the continued major threats to the property described above, the World Heritage Centre and IUCN recommend that the Committee retain the property on the List of World Heritage in Danger.

**Draft Decision:      36 COM 7A.13**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7B.16**, adopted at its 35th session (UNESCO, 2011),*
3. *Acknowledges the progress reported by the State Party, and urges the State Party to continue increasing the efforts to combat illegal activities within the property;*

4. *Notes the on-going process of updating the Action Plan, and requests the State Party to urgently reactivate the Inter-ministerial World Heritage Working Group which would facilitate its implementation;*
5. *Also requests the State Party, in consultation with the World Heritage Centre and IUCN, to develop corrective measures and a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the Committee at its 37th session in 2013, and considers that the planned workshop for discussing the Emergency Action Plan could be used as a platform for this process;*
6. *Also urges the State Party to impose a moratorium on the construction of new roads that could negatively impact the Outstanding Universal Value (OUV) of the property, until a Strategic Environmental Assessment (SEA) of the road network in the Bukit Barisan Mountain Range has been conducted, in order to identify transport options for the region that do not adversely impact the property's OUV, and to submit this assessment to the World Heritage Centre for review;*
7. *Further requests the State Party to develop and implement a property-wide mechanism for monitoring the Outstanding Universal Value of the property, including for Sumatran Rhino and other key species, in consultation with the IUCN Species Survival Commission and the involvement of conservation organizations working actively in the property;*
8. *Requests moreover that the State Party revoke any existing mining concessions where they overlap with the property, and to ensure that no further mining concessions are issued within the property or in adjacent areas where mining could have negative impacts on the property's OUV, in line with the established position of the Committee that mineral exploration and mining are incompatible with World Heritage status;*
9. *Further urges the State Party to seek professional, neutral support at the national level for resolving the conflict between park authorities, small-holder encroachers and human-rights organizations, in order to formulate solutions to the complex issue of small scale encroachment throughout the property, and particularly in the Merangin district, Sekoci and Sei Lapan;*
10. *Finally requests that the State Party submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property, including confirmation of the reactivation of the Interministerial World Heritage Working Group, information on the status of the Strategic Environmental Assessment of the Bukit Barisan road network, and on the progress achieved in addressing the other points raised above, for examination by the Committee at its 37th session in 2013;*
11. ***Decides to retain the Tropical Rainforest Heritage of Sumatra (Indonesia) on the List of World Heritage in Danger.***

## LATIN AMERICA AND CARIBBEAN

### 16. Los Katios National Park (Colombia) (N 711)

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

1994

#### Criteria

(ix) (x)

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

2009 - Present

#### Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Illegal logging;
- b) Unauthorized settlements;
- c) Fishing and hunting;
- d) Threats from major infrastructure projects.

#### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Drafted; proposed for adoption in the draft Decision below

#### Corrective measures identified

A set of interim corrective measures were proposed by the State Party and noted by the Committee in Decision **34COM 7A.14** (see page <http://whc.unesco.org/en/list/711/documents> ).

A revised set of corrective measures have been drafted by the 2011 monitoring mission and proposed for adoption in the draft Decision below.

#### Timeframe for the implementation of the corrective measures

Drafted; proposed for adoption in the draft Decision below

#### Previous Committee Decisions

See page <http://whc.unesco.org/en/list/711/documents/>

#### International Assistance

Global amount granted to the property: USD 30,000

For details, see page <http://whc.unesco.org/en/list/711/assistance/>

#### UNESCO Extra-budgetary Funds

N/A

#### Previous monitoring missions

November 2011: Joint WHC/IUCN Mission to Bogota in lieu of visit to the property

#### Factors affecting the property identified in previous reports

- a) Armed conflict;
- b) Illegal extraction of natural resources;
- c) Threats from major infrastructure projects;
- d) Lack of control of management agency.

#### Illustrative material

See page <http://whc.unesco.org/en/list/711>



### Current conservation issues

On 27 February 2012, the State Party submitted a brief state of conservation report to the World Heritage Centre, which included an updated retrospective Statement of Outstanding Universal Value (RSOUV), along with a proposed Desired state of conservation for the removal of the property from the List of World Heritage in Danger, developed in cooperation with the World Heritage Centre during the reactive monitoring mission from 22 to 25 November 2011. The mission was not able to visit the property due to security concerns expressed by the United Nations Department of Safety and Security, but instead held consultation meetings with the State Party and other stakeholders in the capital Bogota. The State Party noted during the mission that for the past three years, due to an agreement with the armed forces of Colombia, there has been more frequent patrols in the area, and that insecurity was no longer a concern of the National Parks Service in carrying out its mandate in the area. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/36COM>.

In Decision **34 COM 7A.14**, the Committee requested the State Party to implement a set of interim corrective measures. Based on the State Party report and the information collected by the monitoring mission, the following progress is reported:

- a) *Complete and implement the control and monitoring Action Plan, including the construction of ranger stations, the provision of equipment and the maintenance of adequate numbers of park personnel*

A Local Action Plan for Prevention, Control and Monitoring was adopted in 2011, accompanied by a formal monitoring strategy. The Plan outlines the various management issues on a sector by sector basis along with a detailed threats analysis. It also aims to identify priorities and mechanisms through which management can involve local communities.

The State Party has completed the refurbishment and furnishing of five strategically located ranger stations in and around the property, with another three expected to be completed in 2012. Extensive signage has been installed and, at the time of the mission, 22 persons were reported to be working for the Park, though the February 2012 State Party report indicates only 16. The State Party is aware of the precarious nature of its capacity to manage the property. It indicates that several park staff are currently paid through project financing that comes to an end at the end of 2012. This impermanent nature of park staff puts in doubt the State Party's long term capacity to ensure effective control and surveillance work in and around the property.

Monitoring of fisheries are a specific target of the monitoring plan as communities living next to the property are highly dependent on freshwater fish for their subsistence, but until recently, the State Party had no information on the sustainability of their catches. A participatory fish catch monitoring programme was established two years ago, and with the information being gathered, the State Party will soon be in the position to draw conclusions on this practice, and adopt corresponding management measures. The perennity of this effort will depend on sustainable financing, which has not yet been secured.

Water pollution, cited in the 2008 State Party report to the Committee, emanates in most part from a community located close to the boundaries of the property. The pollution is mostly made up of human and solid waste. As this community is located on this large river, downstream from the property, any pollution so generated is quickly diluted and washed further out beyond the property boundaries. The State Party indicated that there are reports of fishing practices using toxic chemicals, though there is no information on the extent to which this is taking place.

Based on the State Party's affirmations, the pollution emanating from the small downstream human settlements does not appear to pose a serious threat to the property, but the use of toxic chemicals for fishing should be strictly prohibited.

- b) *Prevent illegal logging within the property by establishing the capacity, at site level, to apprehend and bring to justice the instigators of such activities, and by carrying out communication campaigns with the local communities*

Dialogue between the National Parks Agency and the pertinent government agencies responsible for forest management is on-going, in an effort to ensure that only legal timber enters the commercial stream. The State Party reported knowing the location of illegal logging sites, and indicated that only a relatively small portion of the property (e.g. several hundred hectares) was affected. It reported that more frequent ranger surveillance has helped reduce this activity, though the newly and legally established *Wounaan* community (see point d below) within the property raises new concerns over the potential for increased forest clearing for agriculture.

- c) *Implement alternative and sustainable livelihoods programmes for affected communities surrounding the property in the framework of a wider programme for the reduction of incentives for illegal logging*

With support from the United States Agency for International Development (USAID) and international NGOs, the State Party reports being engaged in improving food security in areas of horticulture and fisheries. It is also supporting work on community governance, training in small business development and environmental education. A more systematic approach to helping develop sustainable livelihoods would more likely ensure the perennity and effectiveness of these efforts.

- d) *Complete the resettlement process for those people who have recently established themselves within the Park boundaries*

In 2011, a relatively small group of indigenous *Wounaan* entered the Park, living in an area of the Park which they consider their ancestral land. Their land claim in the Park was recently recognized by the State Party. Under Colombian law, communities residing within protected areas must negotiate a community Management Plan with the National Government, to ensure that their activities remain sustainable and do not undermine the values for which a protected area is recognized. This process is underway in regards to the *Wounaan* in Los Katíos National Park, though the State Party has indicated that it could be several years before it is finalized.

- e) *Resolve the incompatibility between the State Party's obligation to conserve the property's Outstanding Universal Value, and the proposed large infrastructure projects currently under consideration*

The State Party reports that the Pan-American Highway proposal did not move beyond the discussion phase and is no longer being seriously proposed. It noted that discussions over this roadway have waxed and waned for several decades. The State Party indicated that highway construction through a National Park was not permitted under the Colombian constitution, nor was the reduction of Park area permitted, providing high level legal protection against further consideration of a road passing through the property, if not nearby.

The State Party report indicates that in 2010, the Ministry of the Environment had denied a licence for the construction of an electrical utilities corridor intended to link Colombia with Panama. However, the World Heritage Centre and IUCN note that various internet news sources, including one belonging to the Government of Colombia (see: <http://www.regiones.gov.co/Mesoamerica/Prensa/Paginas/110829a-interconexion-electrica-colombia-panama.aspx>), which indicate that a formal agreement had been concluded between the two Governments in August 2011, and that the necessary legal preparations in both countries were underway. The State Party informed the mission that an electrical utilities corridor would be constructed near the property boundary in order to supply communities beyond who did not yet have electricity. In its 2008 report to the Committee, the State Party mentioned the threat arising from the possible construction of an interoceanic canal. Further investigation and discussions with the State Party during the monitoring

mission revealed that there are currently no plans at any Governmental level for such infrastructure. Similarly, concerns expressed in the same report over a potential hydroelectric dam in the property were not substantiated in follow-up investigations.

### Conclusion

The World Heritage Centre and IUCN note that there has been progress on several of the concerns raised at the time of inscription of the property on the List of World Heritage in Danger, and that several of these issues have been settled or are close to being settled. They take note that a number of potential major infrastructure projects, including the Pan-American Highway, interoceanic canals and hydroelectric power plants, do not at this time pose a threat to the property. Water pollution appears to be a relatively minor issue though fishing using toxins should be rigorously prohibited. The World Heritage Centre and IUCN wish to draw the Committee's attention to the fact that the only infrastructure project of immediate concern is the planned electrical utilities corridor near the property and recommend that the Committee request the State Party to undertake an Environmental Impact Assessment on this proposal's potential effects on the property's Outstanding Universal Value.

The World Heritage Centre and IUCN also note that the property is subjected to relatively minor levels of illegal logging and associated illegal hunting, and note that while the State Party is confident that with the new field stations, these practices will be better monitored and controlled, this will depend on its capacity to retain a minimum number of staff at the property – which does not appear to be assured at this time.

The World Heritage Centre and IUCN note that the recent indigenous *Wounaan* settlement within the property is compatible with Colombian legislation and protected area policies and can also be justified according to the *Operational Guidelines*, provided that conservation objectives are not compromised. Clear negotiated natural resource use agreements are needed, and until these have been finalized and implemented, there is on-going serious concern over how this newly established community may affect the property's Outstanding Universal Value over time.

Based on the above-mentioned findings, the reactive monitoring mission together with the State Party updated the corrective measures and developed a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger.

### **Draft Decision: 36 COM 7A.16**

*The World Heritage Committee,*

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.16**, adopted at its 35th session (UNESCO, 2011),
3. Endorses the recommendations expressed by the reactive monitoring mission;
4. Welcomes the efforts of the State Party to implement the interim corrective measures adopted by the World Heritage Committee at its 34th session, in particular efforts at providing adequate human resources for the management of the property;
5. Takes note that major infrastructure projects such as canals and highways do not at this time present a threat to the property, however requests the State Party to inform the Committee should such projects be proposed in the future, in line with Paragraph 172 of the Operational Guidelines;

6. *Also requests that an Environmental Impact Assessment be duly carried out for the electrical utilities corridor planned near the property's boundaries, including an evaluation of its potential impacts on the property's Outstanding Universal Value, in order to inform project design and operations;*
7. *Urges the State Party to implement the updated technical corrective measures to restore the integrity of the property, and to submit a financial estimation of the costs to implement the updated corrective measures:*
  - a) *Illegal logging, hunting and fishing: Control illegal logging, related illegal hunting, and inappropriate use of fishing techniques by investing in monitoring, control and law enforcement to further implement the Action Plan 'Plan Choque', while increasing the involvement of local communities in the governance of Los Katios National Park and promoting legal livelihood alternatives for them in the surrounding landscape,*
  - b) *Settlements within the property: Finalize and implement comprehensive natural resource use agreements with the Wounaan community within the property,*
  - c) *Mega projects: Integrate World Heritage concerns into Environmental Impact Assessments for development projects affecting the property, and ensure that its Outstanding Universal Value is not threatened by mega projects including the planned electrical utilities corridor,*
  - d) *Security: Ensure that the National Park's staff are able to carry out their work without disturbance, guaranteeing a minimum stable number of permanent staff required for the monitoring and surveillance of the property;*
8. *Considers that the Desired state of conservation indicators intended to measure the restoration of the values and ecological integrity of the property, which were jointly developed by the State Party and the 2011 monitoring mission, should be reached to enable the removal of the property from the List of World Heritage in Danger;*
9. *Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a detailed report on the state of conservation of the property and the implementation of the above, with a particular focus on the advances related to the corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;*
10. ***Decides to retain Los Katios National Park (Colombia) on the List of World Heritage in Danger.***

## **17. Río Plátano Biosphere Reserve (Honduras) (N 196)**

Year of inscription on the World Heritage List

1982

Criteria

(vii) (viii) (ix) (x)

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

1996-2007; 2011 to present

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Illegal logging;
- b) Illegal occupation;
- c) Reduced capacity of the State Party;
- d) General deterioration of law and order and the security situation in the region.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

Corrective measures identified

Adopted in Decision **35 COM 7B.31**, See page <http://whc.unesco.org/en/decisions/4439>

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/196/documents/>

International Assistance

Global amount granted to the property: USD 198, 000

For details, see <http://whc.unesco.org/en/list/196/assistance/>

UNESCO extra-budgetary funds

Total amount provided to the property: USD 80,000 (in addition to approximately USD 100,000 of in-kind technical assistance) under the management effectiveness assessment project "Enhancing our Heritage".

Previous monitoring missions

1995 and 2000: IUCN monitoring missions; 2003 and 2006: World Heritage Centre/IUCN reactive monitoring missions; 2011: Joint World Heritage Centre/IUCN reactive monitoring mission.

Factors affecting the property identified in previous reports

- a) Illegal settlements;
- b) Illegal livestock grazing and agricultural encroachment;
- c) Illegal logging;
- d) Illegal commercial fishing;
- e) Poaching;
- f) Alien Invasive Species;
- g) Management deficiencies;
- h) Potential impacts from hydroelectric development projects;
- i) Lack of law enforcement;
- j) Lack of clarity regarding land tenure and access to natural resources.

Illustrative material

See page <http://whc.unesco.org/en/list/196>

Current conservation issues

The State Party submitted a report on the property's state of conservation on 7 February 2012. Responses to the corrective measures identified at the time of inscription of the property onto the List of World Heritage in Danger are as follows:

- a) *Establish permanent and systematic monitoring to identify encroachment and land use changes of the entire protected area, and if possible the broader region, and relocate illegal occupants who have recently settled in the property, in particular in the core zone of the Rio Plátano Biosphere Reserve*

The State Party provides quantitative information illustrating its efforts at dealing with illegal logging and poaching, focusing on the number of patrols, arrests and prosecutions. Twenty four reports of illegal logging and deforestation were investigated and under prosecution in 2011, while twenty cases of wildlife trafficking have been forwarded to the Environmental

Prosecutor's Office. One aerial surveillance mission is reported, along with the establishment of a military post in the heart of the property. The results of these activities were reported to the Ad-Hoc Technical Committee created under Presidential Decree (see point f below). A series of military field posts are planned for the coming year, with the intention of increasing the monitoring capacity in and around the property.

Illegal settlement in the property, resolved after an initial occurrence in the 1990's, was again an issue noted during the 2011 joint World Heritage Centre / IUCN reactive monitoring mission. The State Party now reports that a systematic, transparent and legal process was undertaken in September 2011, during which all illegal occupants (73 persons) were removed from the property, along with 600 head of cattle. All related infrastructure was destroyed. A national press conference was held to communicate the intentions of the operations, taking the opportunity to emphasize that the national authorities were investing heavily in ensuring the property would be protected from illegal activities, and to discourage others from considering such actions.

*b) Continue efforts to negotiate and clarify access to land and natural resources while enforcing existing land tenure and access arrangements and explore opportunities for more meaningful co-management with a particular focus on the indigenous communities of the cultural zone*

The State Party reports on its on-going efforts to improve forest resource management, through the emission of non-commercial extraction permits and a strengthening of the chain of custody for timber. One hundred and ninety four non-commercial licenses were awarded, which are designed to help local and indigenous communities legally extract forest products for local construction needs.

*c) In cooperation with the indigenous communities concerned, complete land tenure and resource access arrangements adapted to their historical and cultural contexts*

The State Party reports that an inter-institutional judicial group was formed to provide legal support for the regularization of land tenure, including the attorney for the Indigenous Affairs Office. The Forest Conservation Institute, which reports directly to the President, was identified as having the legal responsibility to provide land tenure to the ancestral lands of indigenous groups in the zone. It affirms that a clear legal process has been identified through which these lands are expected to be titled in the coming years.

*d) In coordination with the World Heritage Centre and IUCN, review in a timely manner, any projects for the construction of hydroelectric dams on the Patuca River until it has been clearly demonstrated to the World Heritage Committee that they will not negatively impact the property's Outstanding Universal Value*

The State Party indicates that, besides Patuca III, no other hydroelectric dams are currently contemplated on the Patuca River. It provided a copy in Spanish of the entire Environmental Impact Assessment report of the Patuca III hydroelectric dam (464 pages, not counting annexes) and copies of environmental mitigation works contracts in December 2011. These are currently under review by IUCN. The dam is located on the Patuca River, a few kilometres downstream from the conjunction of the *Guayambre* and the *Guayape* Rivers and 77km from the property's boundaries. The Patuca River flows for approximately 200km beyond the dam, in a wide arc around the boundary, before coming against the southern boundary of the property's buffer zone. The Patuca River never flows any closer than 13km from the property boundary. The watershed feeding into the Patuca River upstream from the dam does not overlap with the property, reducing the risk of any impact to aquatic ecosystems therein. However, the State Party notes that the Patuca River forms the southern and eastern boundaries of the Río Plátano Biosphere Reserve as redefined in 1997, which adjoins the property and is intimately related to it. Based on this analysis, the World Heritage Centre considers that the Patuca III dam does not pose a threat to the Outstanding Universal Value of the property as it is currently recognized under the *World Heritage Convention*. However, IUCN notes that based on the available information, it cannot draw a definite

conclusion in this regard. IUCN considers that the State Party should provide, in one of the two working languages of the *Convention* (English or French), information regarding the direct, indirect and long-term impacts of the dam on the property's Outstanding Universal Value. However, both the World Heritage Centre and IUCN note that the dam's distance from the property and the presence of several tributaries of the Patuca River downstream of the dam, could potentially mitigate negative impacts. Nevertheless, IUCN considers that indirect or long-term impacts, such as displacement of local communities, further complicating the land tenure issue, and impacts on aquatic migratory species downstream from the dam as a result of changes in water flow, should also be noted. Furthermore, recalling the Committee's request that the State Party redefine the property's boundaries so that its Outstanding Universal Value can be better conserved (Decision **35 COM 7B.31**), they note that the dam may impact areas that are being considered for inclusion in the property. IUCN also notes that other protected areas in the region may be impacted.

- e) *Provide the necessary human resources and logistical capacity to the agencies responsible for the protection and management of the property to enable them to regularly monitor and deal with illegal activities affecting the property*

No information was provided on any specific efforts aimed at strengthening the capacity of national agencies responsible for managing the property, or for implementing national programmes or policies, though there are plans to bolster the military presence. In this regard, fourteen points within and around the property have been identified as critical for the monitoring and controlling of illegal activities. These are to be operated by the military starting in 2012. The State Party reports that support is received from a variety of stakeholders, including NGOs, the military and community members in the implementation of its activities.

- f) *Using the on-going management planning process, seek to coordinate the many actors, various institutions and external supporters involved in Río Plátano in order to significantly improve coherence, effectiveness and efficiency of future management in addressing the issues affecting the property*

Soon after the 2011 joint World Heritage Centre/IUCN reactive monitoring mission to the property, the Government of Honduras declared it as a "zone of special interest" by Presidential Decree. This status requires that national policies be applied as a high priority and also calls for the formulation of an inter-ministerial strategic plan to address the problems there. It also calls for the creation of an Ad-Hoc Technical Committee to help coordinate efforts, comprised of senior government representatives, in this case led by the Ministry of Natural Resources and the Forest Conservation Institute. The international community in Honduras was officially informed of this development in April 2011 in order to encourage it to prioritize its programmes in such a way as to contribute to dealing with the management priorities.

Beyond the corrective measures identified by the World Heritage Committee, additional issues were requested to be addressed:

- a) *Property boundary design*

The State Party submitted an international assistance request (IAR) on 9 September 2011 requesting financial support for its efforts at re-drawing the property's boundaries. The request was reviewed by the International Assistance Request Panel, which requested clarifications. These were received in February 2012. IUCN further commented on the proposal and these comments were sent to the State Party on 6 April 2012. No response has as yet been received. The World Heritage Centre and IUCN note that any proposal for property boundary modification should take into account potential impacts of the Patuca III dam and ensure that appropriate mitigation measures are taken to minimize impacts should any be discerned.

b) *Increase in illegal drug trans-shipment activities in and near the property*

No property specific measures were reported by the State Party regarding the control of drug trans-shipment activities in and near the property, beyond its reference to the creation of military posts in relation to illegal activities (see point e above). It does indicate that it amended its laws in January 2012, now permitting that a Honduran citizen can be extradited to another country when they have been indicted on drug trafficking, organized crime, or terrorism charges. Prior to this amendment, extraditions were not entertained under Honduran law. Press reports and the United States of America White House website indicate that during a visit by the USA vice president to Honduras on 6 March 2012, the matter of drug trafficking was discussed. The USA Government is reported to be intent on continuing its financial support to Honduras in combating trafficking, while the issue of decriminalization of drugs as a way to undermine drug cartels appears to be gaining ground amongst Government leaders in the region.

Conclusion

The State Party has taken important initial steps in drawing the necessary political attention to dealing with the conservation challenges of the property, before and following its inclusion on the List of World Heritage in Danger. The establishment of an inter-ministerial technical committee to oversee progress in dealing with these challenges, and the development of an inter-ministerial strategic plan are welcome indicators of senior political resolve, though a copy of that plan along with the State Party's report would have provided further insights into proposed actions on the part of the Honduran government. The State Party report does not provide information regarding the establishment of the capacity to permanently monitor encroachment and land use change, as requested by the Committee at its 35th session (UNESCO, 2011), and focuses on reactive surveillance and control activities. A more systematic approach, using remote-sensing, may be worth considering complementing field activities.

Efforts at establishing a land tenure system adapted to the specific needs of the indigenous groups in and around the property, though underway, remain to be finalized. Until this issue is dealt with, the property remains at great risk from illegal settlement.

The State Party is demonstrating a clear commitment to deal with the issues identified by the World Heritage Committee; however without an established and stable management presence on the ground, it will not be possible to implement the necessary corrective measures. Though armed forces are seeking to provide some interim response, the presence of non-military permanent and adequate staff, responsible for site management will be necessary to provide for the protection and conservation of the property. The use of the property as an important drug trans-shipment area remains a significant concern, as it undermines the rule of law and the regional political cohesion necessary to deal with other issues such as indigenous land tenure, forest clearing and ranching, and illegal logging and poaching. Given the on-going incongruity between the new zonation of the Biosphere Reserve and the boundaries of the property, it remains incumbent on the State Party to rapidly address this issue. Further information in one of the two working languages of the *Convention* (English or French) should be provided regarding the potential direct, indirect and long-term impacts of the Patuca III dam on the property's Outstanding Universal Value. The World Heritage Centre and IUCN recommend that the Committee retain this property on the List of World Heritage in Danger.

**Draft Decision: 36 COM 7A.17**

*The World Heritage Committee,*

1. Having examined Document WHC-12/36.COM/7A.Add,



2. Recalling Decision **35 COM 7B.31**, adopted at its 35th session (UNESCO, 2011),
3. Welcomes the progress made towards the relocation of illegal occupants from within the property, and also the establishment of an inter-ministerial judicial group to lead the land tenure regularization process for indigenous groups living in and around the property;
4. Takes note of the Environmental Impact Assessment for the Patuca III hydroelectric dam on the Patuca River, and considers that although the dam appears unlikely to significantly affect the Outstanding Universal Value of the property as it is currently inscribed, the State Party should take into account potential impacts of the dam and ensure that appropriate mitigation measures are taken to minimize impacts should any be discerned;
5. Urges the State Party to pursue its efforts at redrawing the property's boundaries to reflect the increased size of the protected area, the new zonation, and the existing land uses, taking into account potential impacts from the Patuca III dam on areas that are considered for inclusion in the property;
6. Also welcomes the State Party's efforts to assure a Government presence in the area, and urges it to ensure that the fourteen checkpoints designed to control illegal activities in and around the property are effectively staffed in 2012;
7. Also urges the State Party to ensure the adequate presence of non-military, permanent, and trained protected areas staff responsible for site management, to provide for the protection and conservation of the property;
8. Reiterates its request to the State Party to establish the capacity to permanently monitor the Outstanding Universal Value of the property, particularly in relation to encroachment and land use change, using a systematic approach, including through the use of remote sensing applications to complement field activities;
9. Requests the State Party to continue its efforts to implement the corrective measures identified in Decision **35 COM 7B.31**;
10. Also requests the State Party to ensure that efforts to prevent the use of the property and surrounding lands for drug trafficking continue, and further welcomes the participation of partner States Parties in finding a solution to this regional problem;
11. Also reiterates its request to the State Party to finalize, in consultation with the World Heritage Centre and IUCN, a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the World Heritage Committee at its 37th session in 2013;
12. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a detailed report on the state of conservation of the property, with a particular focus on the advances related to the corrective measures and on property boundary modification progress, for examination by the World Heritage Committee at its 37th session in 2013;
13. **Decides to retain Rio Plátano Biosphere Reserve (Honduras) on the List of World Heritage in Danger.**

## **CULTURAL PROPERTIES**

### **AFRICA**

#### **18. Tombs of Buganda Kings at Kasubi (Uganda) (C 1022)**

Year of inscription on the World Heritage List

2001

Criteria

(i) (iii) (iv) (vi)

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

2010

Threats for which the property was inscribed on the List of World Heritage in Danger

Fire that resulted in the destruction of part of the property

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted, See page <http://whc.unesco.org/en/decisions/4351>

Corrective measures identified

Adopted, See page <http://whc.unesco.org/en/decisions/4351>

Timeframe for the implementation of the corrective measures

Adopted, See page <http://whc.unesco.org/en/decisions/4351>

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/1022/documents/>

International Assistance

Global amount granted to the property: USD 111,292

For details, see page <http://whc.unesco.org/en/list/1022/assistance/>

UNESCO Extra-budgetary Funds

2011-2012: 68,365 USD from the Japanese FIT for an Expert Project Appraisal Mission for the reconstruction of Muzibu Azaala Mpanga of the World Heritage property of the Tombs of Buganda Kings at Kasubi.

Previous monitoring missions

April 2010: World Heritage Centre mission; November 2010: World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission; August 2011: World Heritage Centre mission; November 2011: World Heritage Centre mission; April 2012: World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission

Factors affecting the property identified in previous reports

Destruction by fire of the Muzibu Azaala Mpanga

Illustrative material

See page <http://whc.unesco.org/en/list/1022>

Current conservation issues

A report on the state of conservation of the property was submitted by the State Party on 16 February 2012. From 2 to 9 April 2012, a joint World Heritage Centre /ICOMOS/ ICCROM reactive monitoring mission was carried out, as requested by the World Heritage Committee at its 34th session (Brasilia, 2010). The mission report is available online at the following Web address: <http://whc.unesco.org/en/sessions/36COM>.

In this report, the State Party provides information on the implementation of corrective measures as follows:

a) *Research project on traditional building materials and techniques of the Ganda Tomb buildings*

A research project on the traditional building practices of other Ganda Tombs was started, the results of which will provide the detailed plans for the reconstruction of the Kasubi tombs. The project includes study visits to the sites, documentation of practices and interviews with elders who have a custodial role to skills and practices, as well as additional archival research.

The mission reported on the different activities that have been undertaken regarding research on traditional Ganda architecture and its intangible aspects, as well as the pilot projects implemented and the application of knowledge and skills in the reconstruction of the Tombs. It noted that there is a need to consolidate existing work and documentation carried out to substantiate decision-making processes on the reconstruction of *Muzibu Azaala Mpanga* and to strengthen the links between the tangible and intangible aspects of traditional Ganda royal architecture to assist its conservation and management. It further recommended increasing research partnerships with Makerere University and other institutions.

b) *Documentation and reconstruction process of the Muzibu Azaala Mpanga*

The State Party indicates that the tangible and intangible aspects of the reconstruction process are being compiled and will be included in an illustrated report. Aspects documented so far include meetings, construction phases and physical construction process. Records include written reports, sketches and design drawings as well as photographs.

The mission reported that restoration works started at Wamala Tombs in March 2012, which constitute the official start of the Kasubi reconstruction. It noted the works implemented and the challenges faced regarding technical issues that have been highlighted by the UNESCO-Japan 2012 mission report. It underscored that a timeline for the Wamala works needs to be completed and integrated within the Kasubi Action plan. As for the *Muzibu Azaala Mpanga* project, the mission noted that the timeline for the completion of works is not accurate and needs to be revised, establishing a critical path with proposed benchmarks. It further noted that details in the design drawings will be informed by the results from the research project as well as from the renovations and repairs carried out at Wamala.

c) *Preparation of a Master Plan for the property*

The State Party reports that the Buganda Kingdom has developed a Master Plan for the reconstruction and conservation of the property. Based on the recommendations made by the World Heritage Centre, the process is to be revised and a work plan developed for implementation. No timeframe was mentioned as to when this process is expected to be concluded.

The mission reported that discussions with the National Technical Team were carried out on the concepts and contents of what the Master Plan would entail and the link with other planning tools for the property and its surroundings.

d) *Implementation of the Management Plan*

The State Party reports that the new Management Plan has been launched and that implementation has started, including the appointment of a site manager. The mission noted that the current 2011-2015 Management Plan takes into account recommendations made by the November 2010 mission and that the established vision and principles are being adhered to. However, it does not include provisions for land uses or activities to sustain the Outstanding Universal Value of the property. These shortcomings, along with the detailed inventory of significant tangible and intangible features in relationship with the broader landscape, need to be addressed for the revision of the Management Plan to adequately identify actions for their conservation and management. The revised Management Plan

should also address issues of collaboration among diverse stakeholders and deal with issues such as urban pressure and encroachment and contain a detailed risk Management Plan.

*e) Role and profile of custodians and craftsmen*

As for the custodians and the widows that look after Kasubi Tombs, the State Party indicates that they have all been registered on the pay-list of the Buganda Kingdom and are being paid at the end of each month, a sign of recognition from the Buganda Kingdom. The *Nalinnya*, as the chief custodian, facilitates provision of food supplements twice every month.

The mission confirmed the active involvement of custodians and training initiated on site and recommended that they take a more active role in the management team, with recognised roles and responsibilities.

*f) Disaster Risk Management Strategy*

The report from the State Party mentions that the reconstruction of Kasubi Tombs is a tripartite arrangement between the Ugandan Government, Buganda Kingdom and UNESCO. The Government of Uganda will donate USD 700,000 and the Buganda Kingdom USD 150,000. The component of Fire Fighting and Disaster Risk management is being addressed by the Japanese Government who will donate approximately USD 650,000 for the project through UNESCO. The strategy for Kasubi Tombs has yet to be completed but work has commenced on the preparatory and emergency measures to protect the property. The UNESCO-Japan project will not only look at issues of disaster risk management, but will also include a research programme on thatching of royal tombs conducted by Japanese experts. The inner fence to protect the main site from being accessed from all angles is completed; access is only from the recognized main entrance.

The mission reports that the Site Manager has received training on disaster management in 2011 in Japan, and has produced a preliminary strategy which has yet to be fully developed. In addition, staff training has yet to be undertaken as well as providing equipment to ensure the protection of the property.

*g) Development of a capacity building strategy*

Measures are already in place to build capacity of the artisans and to enable them to manage the reconstruction effectively. This effort is strengthened by the documentation of traditions and rituals and the transmission of know-how from traditional bearers from the Buganda Kingdom.

The mission noted that progress has been made regarding training of thatchers and overall awareness raising but that a full-fledged capacity building strategy is not yet in place. Although the Management Plan includes some activities, this does not constitute an overall capacity building strategy, which needs to be comprehensively developed, and which would include components such as maintenance, resources management, conservation documentation training, among others.

*h) Other issues*

The State Party reported on the results from the August and October 2011 missions and their outcomes. It also mentions actions being implemented to address waste management and for the replanting of fig trees and a reed fence to deter trespassing and littering. The mission noted that planting of trees is a sustainable solution and that actions need to be completed to deter further encroachment.

*Conclusion*

The World Heritage Centre and the Advisory Bodies note that there has been progress in improving the state of conservation of the property and in the implementation of the corrective measures adopted for the property. They note that in addition to the challenges faced in terms of the reconstruction strategy, it should be highlighted that urban encroachment and unregulated urban development can pose an additional threat to the

property that needs to be adequately managed, through the definition and enforcement of regulations and guidelines, appropriate landscape management and larger collaboration among the diverse entities that have mandates pertaining to these issues. Interpretation and presentation are also aspects that need to be addressed. Finally, they recommend that the Committee welcome the support for the reconstruction of the Muzibu Azaala Mpanga, to be provided by the Government of Japan through UNESCO.

**Draft Decision: 36 COM 7A.18**

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.17**, adopted at its 35th session (UNESCO, 2011),
3. Welcomes the progress made by the State Party in the implementation of the adopted corrective measures, and in the reconstruction of the Muzibu Azaala Mpanga in particular, and urges it to continue its efforts in collaboration with the World Heritage Centre and the Advisory Bodies;
4. Also welcomes the support by the Government of Japan through UNESCO to address the fire fighting and disaster risk management component of the reconstruction of the Muzibu Azaala Mpanga, as well as the research on traditional thatching of royal tombs;
5. Takes note with appreciation of the important contributions to be provided by the Government of Uganda and the Buganda Kingdom, for the reconstruction of the Muzibu Azaala Mpanga;
6. Also takes note of the results of the reactive monitoring mission to the property and encourages the State Party to implement its recommendations, in particular:
  - a) Continue the research project, through enhanced partnerships with universities and other allied institutions, and implement actions to reflect traditional architectural knowledge and to witness traditions, such as in the reconstruction of the custodians' houses or in the design of the Interpretation Centre,
  - b) Define a comprehensive capacity building strategy and identify resources to address gaps in technical capacity critical for the implementation of the reconstruction strategy, including documentation, visitor management, risk management, among others,
  - c) Prioritise the development of the Master Plan to address critical issues such as landscape management, urban pressure, enforcement of regulatory measures and increased collaboration between the different levels of authority and stakeholders,
  - d) Finalise the development of the risk management strategy and train staff on disaster risk management measures,
  - e) Develop a comprehensive interpretation and public awareness programme;
7. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

8. **Decides to retain Tombs of Buganda Kings at Kasubi (Uganda) on the List of World Heritage in Danger.**

## ARAB STATES

### 20. Abu Mena (Egypt) (C 90)

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

1979

#### Criteria

(iv)

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

2001 to present

#### Threats for which the property was inscribed on the List of World Heritage in Danger

- a) A land-reclamation programme and irrigation scheme with no appropriate drainage mechanism, for the agricultural development of the region has caused a dramatic rise in the water table;
- b) The destruction of numerous cisterns, disseminated around the property, has entailed the collapse of several overlying structures. Huge underground cavities have opened in the north-western region of the property;
- c) A large, banked road has been built to enable movement within the property.

#### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted, See page <http://whc.unesco.org/en/decisions/1279>

#### Corrective measures identified

Identified, See page <http://whc.unesco.org/en/decisions/1279>

#### Timeframe for the implementation of the corrective measures

Adopted, See page <http://whc.unesco.org/en/decisions/1279>

#### Previous Committee Decisions

See page <http://whc.unesco.org/en/list/90/documents>

#### International Assistance

Global amount granted to the property: USD 7,000

For details, see page <http://whc.unesco.org/en/list/90/assistance>

#### UNESCO Extra-budgetary Funds

N/A

#### Previous monitoring missions

2002: Expert mission; 2005: World Heritage Centre/ICOMOS reactive monitoring mission; December 2009: World Heritage Centre/ICOMOS reactive monitoring mission.

#### Factors affecting the property identified in previous reports

- a) Rise in the water table;
- b) Impact on structures due to earth trembling and other forms of damage likely to result from the use of heavy earth-moving equipment;
- c) Lack of conservation plan, defining short-, medium-, and long-term objectives and establishing technical parameters (materials, techniques, etc);
- d) Need for a Management Plan, to include research, presentation and interpretation, the role of stakeholders (e.g. the Mar Mena community), staffing, sponsorship, visitor facilities, access, etc.

Illustrative material

See page <http://whc.unesco.org/en/list/90>

Current conservation issues

The State Party did not submit a state of conservation report which was requested by the World Heritage Committee at its 34th and 35th sessions. Due to the prevailing situation in the country, no official information has been received on the state of conservation of the property or on the progress made in the implementation of the corrective measures that have been identified for the property. Prior factors that remain to be addressed include the completion of the condition survey to prescribe measures for a holistic conservation plan that would include proposals for intervention, monitoring and maintenance, the finalisation and implementation of the Management Plan, the definition of the buffer zone and the establishment and enforcement of regulatory measures to ensure the effective protection of the property.

Nevertheless, the State Party submitted a retrospective Statement of Outstanding Universal Value which is currently being reviewed.

Conclusion

The World Heritage Centre and the Advisory Bodies would like to underscore the importance of the continuity of implementing measures to address the threats that warranted the inscription of the property in the List of World Heritage in Danger and consider that, in light of the existing situation, additional assistance will be required to ensure a greater level of support at the international and national level to continue with the implementation of the identified corrective measures. They also reiterate the need for the State Party to submit the details of the proposed interventions that would entail extensive reconstructions, for evaluation prior to their implementation, given the potential negative impact they could have on the conditions of authenticity and integrity of the property.

**Draft Decision: 36 COM 7A.20**

*The World Heritage Committee,*

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.19**, adopted at its 35th session (UNESCO, 2011),
3. Regrets that the State Party did not submit a report as requested and expresses its concern about the lack of information on the state of conservation of the property;
4. Urges the State Party to take all necessary steps to implement the corrective measures adopted at its 31st session in 2007;
5. Requests the State Party to submit a revised timeframe, previously announced for 2010, to complete the corrective measures so as to attain the Desired State of conservation of the property adopted at its 31st session in 2007;
6. Reiterates its request to the State Party to identify a buffer zone surrounding the property, together with regulatory measures for protection and to submit to the World Heritage Centre by **1 December 2012** the relevant information and map for consideration by the World Heritage Committee at its 37th session in 2013;



7. Also requests the State Party to submit, in accordance to Paragraph 172 of the Operational Guidelines, the technical specifications for proposed interventions projects, for review prior to implementation;
8. Reiterates its invitation to the State Party to submit a request for International Assistance to the World Heritage Fund to support the preparation of the requested conservation and Management Plans and to provide a basis for shaping and articulating priority needs;
9. Further requests the State Party to submit, by **1 February 2013**, a detailed progress report on the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013;
10. **Decides to retain Abu Mena (Egypt) on the List of World Heritage in Danger.**

## 21. Ashur (Qal'at Sherqat) (Iraq) (C 1130)

Year of inscription on the World Heritage List  
2003

Criteria  
(iii) (iv)

Year(s) of inscription on the List of World Heritage in Danger  
2003 to present

Threats for which the property was inscribed on the List of World Heritage in Danger  
a) Nearby construction of a dam entailing partial flooding and seepage;  
b) Armed conflict.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger  
Not yet drafted

Corrective measures identified  
Not yet identified

Timeframe for the implementation of the corrective measures  
Not yet established

Previous Committee Decisions  
See page <http://whc.unesco.org/en/list/1130/documents>

International Assistance  
Global amount granted to the property: USD 50,000 (5,000 disbursed)  
For details, see page <http://whc.unesco.org/en/list/1130/assistance>

UNESCO Extra-budgetary funds  
Total amount provided to the property: USD 6,000 from the Italian Funds-in-Trust

Previous monitoring missions  
November 2002: UNESCO mission for the Makhool Dam project; June 2011: World Heritage Centre/ICOMOS reactive monitoring mission

Factors affecting the property identified in previous reports  
a) Partial flooding and seepage due to a dam building project;  
b) Fragile mud brick structures;  
c) Absence of a comprehensive conservation and Management Plan.

Illustrative material  
See page <http://whc.unesco.org/en/list/1130>

#### Current conservation issues

The State Party did not submit the state of conservation report which was requested by the World Heritage Committee at its 35th session (UNESCO, 2011). From 5 to 9 June 2011, a reactive monitoring mission was carried out. The preliminary results of the mission were orally presented at the 35th session but not included in the previous state of conservation report for the property. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/35COM/documents/>

The mission assessed the current state of conservation of the property and highlighted the most significant threats that currently exist. It noted that the construction of the Makhool Dam, which is presently delayed but not cancelled, would constitute a significant risk to the property given the expected flooding along the site. The mission reported that a feasibility study has been carried out and that the final design of the dam and the environmental impact assessment were in the process of being developed. None of these documents have been submitted to the World Heritage Centre for review.

The mission also highlighted that a general strategy for conservation interventions has yet to be developed; given the risk of flooding and to mitigate the erosive action of the Tigris River at some sectors, it is urgent that a risk Management Plan be developed, including provisions for remedial and preventive measures before the integrity of the site is severely compromised. It was reported that technical studies for the construction of a retaining wall have been prepared and that works were expected to begin by June 2011. This project was also not submitted to the World Heritage Centre for review and the current status in terms of implementation is unknown.

The mission also underscored that in general the property presents a poor state of conservation, with significant erosion of earthen architecture remains due to weathering and lack of site drainage. It noted additionally that documentation, conservation, maintenance and monitoring works are not systematically implemented due to the lack of skilled staff, particularly with expertise on earthen architecture conservation, on site and the existence of limited resources. The Management Plan has yet to be developed.

#### Conclusion

The World Heritage Centre and Advisory Bodies note that although efforts have been made by the State Party in regard to the conservation and protection of the property, many significant threats remain unaddressed. They recommend that the Committee express its concern that the construction of the Makhool Dam is still expected to be continued and reiterate that the anticipated impacts, coupled with the poor state of conservation of many of the remains, would severely compromise the conditions of integrity of the property and might cause irreversible damages to the attributes that sustain its Outstanding Universal Value.

#### **Draft Decision: 36 COM 7A.21**

*The World Heritage Committee,*

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.20**, adopted at its 35th session (UNESCO, 2011),
3. Regrets that the State Party did not submit the report on the state of conservation of the property as requested;

4. Takes note of the results of the reactive monitoring mission of June 2011, encourages the State Party to implement its recommendations and urges it to prioritize the implementation of the following actions:
  - a) Develop baseline documentation to carry out a comprehensive condition assessment of the property, including architectural drawings and topographical maps that have yet to be completed,
  - b) Undertake identified priority conservation actions to improve the conservation conditions of the built fabric,
  - c) Undertake a planning process for the formulation of the Management Plan for the property, including a comprehensive conservation plan, a risk Management Plan and provisions for maintenance and monitoring,
  - d) Implement capacity building activities for earthen architecture conservation and site management;
5. Requests the State Party to submit, as per Paragraph 172 of the Operational Guidelines, detailed and updated technical information on the proposed interventions foreseen for the property, in particular the retaining wall to mitigate the erosion from the Tigris River and the project for the Makhool Dam and its environmental impact assessment;
  1. Further notes the limited capacities that currently exist for the implementation of the above, and invites the State Party to submit an International Assistance request for the development of a conservation and Management Plan for the property and for the implementation of priority conservation measures;
  2. Calls upon the international community to financially and technically support the implementation of the above measures, in co-operation with the World Heritage Centre and the Advisory Bodies, to ensure that the Outstanding Universal Value of the property is sustained;
  3. Reiterates its request to the State Party to develop, in consultation with the World Heritage Centre and the Advisory Bodies, a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, altogether with a proposed timeframe, and to finalise the retrospective Statement of Outstanding Universal Value for examination by the World Heritage Committee at its 37th session in 2013;
  4. Also requests the State Party, in the framework of the Retrospective Inventory process, to submit a boundary clarification, no later than **1 December 2012**;
  5. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013 ;
  6. Decides to retain Ashur (Qal'at Sherqat) (Iraq) on the List of World Heritage in Danger.

## 22. Samarra Archaeological City (Iraq) (C 276 rev)

### Year of inscription on the World Heritage List

2007

### Criteria

(ii) (iii) (iv)

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

2007 to present

### Threats for which the property was inscribed on the List of World Heritage in Danger

State of conflict in the country that does not allow the responsible authorities to assure the protection and management of the property.

### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

### Corrective measures identified

Not yet identified

### Timeframe for the implementation of the corrective measures

Not yet established

### Previous Committee Decisions

See page <http://whc.unesco.org/en/list/276/documents>

### International Assistance

N/A

### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 100,000 from the Nordic World Heritage Fund for training and documentation aiming at the preparation of the Nomination File.

### Previous monitoring missions

June 2011: Joint World Heritage Centre/ICOMOS reactive monitoring mission

### Factors affecting the property identified in previous reports

- a) Weathering and lack of maintenance affecting the fragile structures;
- b) State of conflict in the country that does not allow the responsible authorities to assure the protection and management of the property.

### Illustrative material

See page <http://whc.unesco.org/en/list/276>

### Current conservation issues

The State Party did not submit a state of conservation report which was requested by the World Heritage Committee at its 35th session (UNESCO, 2011). From 5 to 9 June 2011, a reactive monitoring mission was carried out. The preliminary results of the mission were orally presented at the 35th session but not included in the previous state of conservation report for the property. The mission report is available online at the following web address: <http://whc.unesco.org/en/sessions/35COM/documents/>

The mission had the opportunity to verify on the ground the state of conservation of five of the main components of the property and to define priority measures to be implemented. The mission noted several factors that affect the property, including the lack of a permanent management and conservation unit, the limited capacities for implementation of conservation measures, the lack of comprehensive planning tools, including a management and a conservation plan and issues related to permanent control and security. In addition, the mission pinpointed several pathologies which currently affect the stability and physical integrity of the monuments and ruins located at the inscribed property.

The World Heritage Centre and the Advisory Bodies note that although efforts have been made by the State Party in regard to the conservation and protection of the property, there are still significant issues that have remained unaddressed given the limited resources and capacities that exist for the sustained implementation of conservation and management actions. They urge the international community to financially and technically support the implementation of priority measures to ensure the protection of the Outstanding Universal Value of the property.

**Draft Decision: 36 COM 7A.22**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.21**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that the State Party did not submit the report on the state of conservation of the property as requested;*
4. *Takes note of the results of the reactive monitoring mission of June 2011, encourages the State Party to implement its recommendations and urges it to prioritize the implementation of the following actions:*
  - a) *Develop baseline documentation, including missing architectural plans and topographic surveys, to carry out a detailed conservation condition survey,*
  - b) *Undertake identified preventive conservation actions to ensure the stability of the built fabric,*
  - c) *Identify regulatory measures to ensure the protection of the property and establish protocols for the approval of public works in the vicinity of the site, including the development of heritage and environmental impact assessments,*
  - d) *Initiate the planning process for the development of the Management Plan for the property, including a comprehensive conservation plan,*
  - e) *Establish a site management unit with adequate staff to implement priority conservation measures as well as maintenance and monitoring actions;*
5. *Also notes the limited capacities that currently exist for the implementation of the above, and reiterates its invitation to the State Party to submit an International Assistance request to support the implementation of capacity building endeavors;*
6. *Calls upon the international community to financially and technically support the implementation of the above measures, in co-operation with the World Heritage Centre and the Advisory Bodies, to ensure that the Outstanding Universal Value of the property is sustained;*
7. *Reiterates its request to the State Party to develop, in consultation with the World Heritage Centre and the Advisory Bodies, a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, altogether with a proposed timeframe, and to finalize the retrospective Statement of Outstanding Universal Value for examination by the World Heritage Committee at its 37th session in 2013;*

8. Requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013;
9. Decides to retain **Samarra Archaeological City (Iraq)** on the List of World Heritage in Danger.

### 23. Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev)

Year of inscription on the World Heritage List

1981

Criteria

(ii) (iii) (vi)

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

1982

**Application of the Reinforced Monitoring mechanism at the property since 2007 (31 COM 7A.18)**

Threats for which the property was inscribed on the List of World Heritage in Danger

(cf. Document CLT 82/CH/CONF.015/8)

"[...] they considered that the situation of this property corresponds to the criteria mentioned in the ICOMOS note and, in particular, to criteria (e) (significant loss of historical authenticity) and (f) (important loss of cultural significance) as far as "ascertained danger" is concerned, and to criteria (a) (modification of juridical status of the property diminishing the degree of its protection), (b) (lack of conservation policy) and (d) (threatening effects of town planning) as far as "potential danger" is concerned. [...]"

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

Corrective measures identified

Not yet identified

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/148/documents>

International Assistance

N/A

UNESCO Extra-budgetary Funds

Total amount provided to the property: approximately USD 5,000,000 (since 1988)

Previous monitoring missions

February-March 2004: World Heritage Centre/ICOMOS/ICCROM mission; from September 2005 to May 2008: 6 experts missions within the framework of the elaboration of the Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem; February-March 2007: special World Heritage Centre/ICOMOS/ICCROM mission sent by the Director-General of UNESCO for the issue of the Mughrabi ascent; August 2007, January and February 2008: missions for the application of the Reinforced Monitoring Mechanism; March and December 2009: World Heritage Centre missions.

Main threats identified in previous reports

- a) Natural risk factors;
- b) Lack of planning, governance and management processes;
- c) Alteration of the urban and social fabric;
- d) Impact of archaeological excavations;
- e) Deterioration of monuments;
- f) Urban environment and visual integrity;

g) Traffic, access and circulation.

*Illustrative material*

See page <http://whc.unesco.org/en/list/148>

*Current conservation issues*

A report was provided to the World Heritage Centre by the Jordanian Permanent Delegation to UNESCO on 31 January 2012 and by the Israeli Permanent Delegation to UNESCO on 30 March 2012.

## **I. Report from the Israeli authorities**

It is to be noted that since 1967, the Old City of Jerusalem is *de facto* administered by the Israeli authorities. Therefore, all new constructions and conservation projects are in principle subject to the administrative jurisdiction of the Municipality and usually supervised by the Israel Antiquities Authority (IAA), as are also archaeological excavations in and around the Old City.

The report of the Israeli authorities presents a wide range of activities. Most of them are similar to the ones in the 2011 report and will therefore not be repeated in the present document. Updates are summarized hereunder:

### **a) Planning**

The report indicates that besides the Town Planning Scheme of 2000 (not yet deposited) and the Interim Statutory Plan to be discussed shortly, the “Blocks Plan” was developed, with a view to facilitate the obtention of building permits, and to identify “non changeable” parts alongside areas for possible building and development. A new plan for the Jewish Quarter is also foreseen and will examine the viability of adding more living space in the quarter. In addition, a master plan for accessibility for the handicapped is being developed, with specific routes, elevators and inner transport service. A master plan for lighting is also being prepared, including functional lighting of streets and public spaces, of monuments and architectural details; its implementation is to start in 2012 notably by the lighting of the Muristan, the Hurva synagogue, Mount Zion and the Kidron Valley.

### **b) Conservation and new construction projects**

The report indicates that upgrading of façades is continuing, notably inside Jaffa Gate on the Omar Ibn el-Hatab square where infrastructure work is also foreseen. Projects are being prepared for the Armenian Patriarchate road, continuation of the Ramparts Walk, the Roman square under Damascus Gate and the Bab el-Huta neighbourhood close to Herod’s Gate. A large rehabilitation project has been tendered for the main north-south street of the Old City, from Damascus Gate to the Haram ash-Sharif, including infrastructure, façades and *sabihs* (fountains). Work has also continued on the Old City’s gates : New Gate, Lions Gate, Dung Gate and Damascus Gate. Concerning the latter, the World Heritage Centre had requested details further to receiving pictures showing the use of new stones and the reconstruction of elements, which led to consider the work as reconstruction rather than restoration. A report was provided by the Israeli authorities which is currently being examined by the Advisory Bodies.

Besides the issue of the Ascent to the Mughrabi Gate (see below, VI), the area of the Western Wall Plaza is the location of large excavations and construction projects. The report from the Israeli authorities confirms the modification of the Strauss Building, the construction of the “Liba House” above the excavations and the upgrading of the Davidson Centre. The World Heritage Centre has addressed several letters in this respect to the Israeli authorities on 1 December 2010, 13 April 2011 and 6 March 2012, recalling paragraph 172 of the *Operational Guidelines* and requesting all plans and details for the foreseen constructions.

On 12 March 2012, the Permanent Delegate of Israel to UNESCO informed the World Heritage Centre by letter that the Israeli authorities consider that “the plans [for these projects] are all compatible with the integrity and authenticity of the Old City of Jerusalem as a World Heritage site”.

On 5 April 2012, the World Heritage Centre reiterated its request to receive all relevant plans and was told that the request has been forwarded to the authorities. This letter also referred to other projects mentioned in the report, in particular:

- The Jewish Quarter parking area. This project calls for “not only new underground parking but also some commercial uses, hotels and institutes”;
- The Hezekiah pool, where “a plan is now being prepared for the rehabilitation and adaptation of the pool as an open space for residents and visitors, an urban *piazza*, including possible shop fronts from the main roads of the Christian Quarter”;
- The Tifferet Israel synagogue which “is now being considered for reconstruction”.

The latter is of particular concern as it entails the reconstruction of a large monument. Such reconstruction already occurred some years ago for the Hurva synagogue, a very important landmark in the Old City, which was rebuilt in concrete, as well as for the extension of the Ohel Yitzhak synagogue adjacent to the Hammam Al Ain in the Muslim Quarter.

The report indicates that, as part of the “Blocks Plan” (above), a conservation evaluation and a “Rehabilitation handbook for the Old City of Jerusalem” have been prepared. It is also foreseen to establish an independent conservation team for the Old City whose role will be to work on routine conservation matters.

### **c) *Archaeological excavations***

The report mentions various archaeological excavations, linked with building projects, referred to as “salvage excavations”. It notes in particular excavations east of the Ohel Yitzhak synagogue, Al Wad Street, at the Austrian Hospice, in the Jewish Quarter and in the Christian Quarter. The archaeological works in the Western Wall tunnels is also said to continue.

### **d) *Works carried out outside the Old City Walls***

The report from the Israeli authorities also mentions works undertaken outside the Old City such as the Zedekiah’s Cave, north east of Damascus Gate and various projects on Mount Zion (Tomb of King David, Cenacle, archaeological excavations, parkings).

The document also reports on work carried out by the Waqf administration within the Haram ash-Sharif “under the Israel Antiquities Authority’s inspection”. These are mentioned hereunder as part of the report received from the Jordanian authorities.

## **II. Report from the Jordanian authorities**

The report received from the Permanent Delegation of Jordan provides information based on the Jordanian Awqaf Authorities (JAA) observations on the ground. It presents activities undertaken by the JAA and information on the Israeli action in the Old City, referring to the provisions of the 1954 Hague Convention which both Jordan and Israel are parties to. Reference is also made to the 1994 Peace Treaty between Jordan and Israel.

Among the activities of the JAA presented in the report are the following:

- a) Continuing the restoration of the plastering and mosaic decoration inside the Dome of the Rock as well as the restoration of the interior marble cladding of the walls;*
- b) Continuing laying the lead sheet over the roof of the Al-Aqsa Mosque complex;*
- c) Continuing the erection of historic tiles (Qashani) on the Dome of the Chain;*



- d) *Renovating Bab Al-Qataneen and some chambers inside the Haram ash-Sharif;*
- e) *Continuing the restoration of the mortar lining of the masonry walls and ceilings of the fifth colonnade of Al-Marwani Mosque;*
- f) *Renovating the Khanatanyah School and library below the Al-Aqsa Mosque;*
- g) *Setting up an early emergency system for the Haram ash-Sharif.*

The report also mentions the cooperation with UNESCO for the rehabilitation of the Manuscript Restoration Centre and for the Islamic Museum, and the appointment of four additional staff by the Jordanian Ministry of Awqaf and Islamic Affairs for the Museum and five for the Manuscript centre. It also mentions the renovation of 20 schools in Jerusalem. The paragraphs related to the Mughrabi Gate Ascent are reflected below in part VI.

In a second chapter of the report, the Jordanian authorities express their deep concern about the archaeological excavations in the neighbourhood of Silwan; the digging of tunnels towards the Al-Aqsa Mosque linking the city and the Haram ash-Sharif compound, and the collapses of buildings above. Other excavations are reported to continue in Al-Wad street, on the Western Wall (Al-Buraq) Plaza, below the offices of the Waqf and other buildings nearby, as well as expanding from the Western Wall tunnel affecting buildings such as Al-Manjaqiah, Al-Umariyyah and Al-Jawhariah schools<sup>1</sup>. The report deplores the building of a synagogue using reinforced concrete walls and columns on Al-Wad street, for which Waqf land was reported to have been seized near Hammam Al-Ain and Hammam Al-Shifa, as well as the confiscation of the Al-Tankazieh Mamluki School for police stationing. It notes the transportation of archaeological remains from excavated sites in Silwan and from land adjacent to the Haram ash-Sharif, including a large antique stone which was moved outside the Knesset in West Jerusalem.

The report also raises the issue of the movement restrictions imposed by the Israeli authorities on the staff of the JAA, the prohibition to transport the necessary restoration materials, to execute the lighting project of the yards of Al Haram ash-Sharif, and to use the Golden Gate building.

### **III. Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem**

The last activity carried out in the framework of the Action Plan, initiated further to the request of the General Conference in 2003 and financed by the Italian Government, has been completed. It consisted in the rehabilitation of the Saha Square and the surrounding buildings in the Christian quarter, testing the Rehabilitation Manual produced during the first phase of the Action Plan. The project has been carried out in partnership with the Technical Unit of the Franciscan Custody of the Holy Land, owner of the buildings.

The preliminary phase of the conservation project of the Saint John Prodromos Church, funded by the Leventis Foundation of Cyprus, and implemented in close collaboration with the Greek-Orthodox Patriarchate, has been completed. The detailed restoration project has been finalised and works should start shortly. However, the archaeological explorations revealed structural and sanitation disorders, the solution of which will require all available funds. Additional funding would be necessary in order to undertake the overall restoration project.

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<sup>1</sup> The issue of the archaeological excavations carried out since 1967 by the Israeli authorities in the Old City of Jerusalem is also the subject of consideration by the Governing Bodies of UNESCO. These archaeological campaigns are in contradiction with article VI. 32 of the 1956 New Delhi *Recommendation on International Principles Applicable to Archaeological Excavations*, related to excavations in occupied territory.

#### **IV. Reactive Monitoring Mission**

The World Heritage Committee requested at its 34th (Brasilia, Brazil, 2010) and 35th (UNESCO, 2011) sessions respectively, “a joint World Heritage Centre/ICCROM/ICOMOS Reactive Monitoring Mission to the property as referred to in the Operational Guidelines to assess and advise on progress made in the implementation of the Action Plan and, in cooperation and consultation with the concerned parties, to identify appropriate operational and financial mechanisms and modalities to strengthen technical cooperation with all concerned parties in the framework of the Action Plan”. During the brainstorming meeting held at UNESCO Headquarters on 14 October 2010, a potential framework for the terms of reference of the mission was discussed, and agreed upon by the Israeli, Jordanian and Palestinian experts participating. The main purpose of this mission is to resume contact with the parties concerned so as to reactivate and reinvigorate the implementation of the UNESCO Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem.

On 1 February, 13 April and 27 July 2011 and on 9 February 2012, the World Heritage Centre wrote to the Permanent Delegation of Israel to UNESCO requesting to authorize the joint World Heritage Centre/ICCROM/ICOMOS Reactive Monitoring Mission. No response was received to date.

#### **V. Other projects**

The agreement for the third and final phase (USD 1,233,000 funded by Norway) of the project for the establishment of the Centre for Restoration of Islamic Manuscripts of the Haram ash-Sharif has been signed by the Director-General and the donor in December 2011. It includes the employment of additional staff members; further targeted training and the organization of field visits and practical internships in order to develop their professional skills in conservation and restoration techniques and facilitate the creation of partnerships with other institutions; as well as the procurement of conservation materials and equipment.

Following the recruitment of four permanent staff by the Jordanian authorities, the development of the project for the “Safeguarding, Refurbishment and Revitalization of the Islamic Museum of the Haram ash-Sharif and its Collection” funded by the Kingdom of Saudi Arabia (USD 1,130,000), which started in 2009, is progressing. The staff has been trained in conservation, photography of objects, inventory, English language and informatics. In addition, necessary equipment was purchased and the artefacts are being cleaned and conserved. The electronic and photographic inventory is nearly completed while the storage rooms have been reorganized. UNESCO will be shortly starting to the museology and museography components of the project.

#### **VI. The Mughrabi Ascent**

Since its 31st session (Christchurch, New Zealand, July 2007), the World Heritage Committee repeatedly requested “the World Heritage Centre to facilitate the professional encounter at the technical level between Israeli, Jordanian and Waqf experts to discuss the detailed proposals for the proposed final design of the Mughrabi ascent, prior to any final decision”. Two such meetings took place in Jerusalem on 13 January and 24 February 2008.

There is no mention of the Mughrabi ascent in the Israeli report. Therefore, the only information available is the one provided in the report of January 2011 which indicated that: “Following the decision of the National Council for Planning and Construction, an alternative plan for the Mughrabi ascent was prepared in order to maintain the authenticity and integrity of the site reflected in the recommendations of the World Heritage Committee and its Advisory Bodies. The Plan was approved by the District Planning Commission (31.10.10)

and the process of obtaining a building permit is now underway." These plans were forwarded to the World Heritage Centre which requested the translation of the legends of the plans from Hebrew to English in order to allow the World Heritage Centre and the Advisory Bodies to assess them.

The report from the Jordanian authorities reiterates several quotes from the decisions of the Executive Board of UNESCO and of the World Heritage Committee notably that "no measures, unilateral or otherwise, should be taken which will affect the authenticity and integrity of the site." The report also states that "Jordan reserves its full right to finance and carry out the design for the Magharbeh Gate Pathway".

Following the receipt by the World Heritage Centre of the revised designs from the Israeli and from the Jordanian authorities in May-June 2011, and with a view to facilitate the dialogue amongst the parties concerned as requested by the World Heritage Committee and the Executive Board, UNESCO convened a technical meeting at its Headquarters. To this end, invitation letters were addressed to the Jordanian and Israeli Permanent Delegations in March 2012, with a view to facilitate the technical dialogue for the parties to reach an agreement on the design of the Mughrabi Ascent. Only Jordan responded in writing and sent three Jordanian and Waqf experts to attend the meeting that took place at UNESCO Headquarters on 18 April 2012, with representatives of the World Heritage Centre, ICCROM and ICOMOS. The proposal from the Jordanian experts was presented and discussed during the meeting.

Israel informed the World Heritage Centre verbally that it would not participate to the meeting considering that it lies within the responsibility of the parties concerned to reach an agreement on the design of the Mughrabi Ascent.

Due to the absence of the Israeli experts, neither examination nor discussion of the Israeli proposal took place. Therefore, the situation remains unchanged as the objective of the meeting was to review both proposals in order for the parties to reach a consensus.

The "Reinforced Monitoring Mechanism", requested by the UNESCO Executive Board at its 176th session and by the World Heritage Committee is applied for Jerusalem with regard to the Mughrabi ascent since the 31st session of the World Heritage Committee (Christchurch, New Zealand, 2007). Nine reports were prepared by the World Heritage Centre in this respect and forwarded to the concerned parties and the members of the World Heritage Committee. At its 35th session (UNESCO, 2011), the World Heritage Committee decided to expand the mechanism to the entire Old City of Jerusalem and, thus, two reports were prepared respectively in December 2011 and March 2012.

## **VII. 187th and 189th sessions of the Executive Board of UNESCO**

During the 187th and 189th sessions of the Executive Board, documents 187 EX/5 and 189 EX/5 related to the Mughrabi Ascent and documents 187 EX/11 and 189 EX/8 concerning the Old City of Jerusalem were presented to the members of the Board. Following the adoption by consensus of the Decision on the Mughrabi Ascent at the 189th session, the Representative of Jordan made a statement calling for increased cooperation concerning this issue. Concerning the Old City of Jerusalem, despite considerable efforts to reach a consensus, the decisions submitted by several Member States were put to vote and adopted at a large majority.

## **VIII. Draft Decision**

### **Draft Decision: 36 COM 7A.23**

The Draft Decision will be presented to the World Heritage Committee during the session.

## 24. Historic Town of Zabid (Yemen) (C 611)

### Year of inscription on the World Heritage List

1993

### Criteria

(ii) (iv) (vi)

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

2000 to present

### Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Serious deterioration of the built heritage (a high percentage of the residential houses being replaced by concrete and multi-storey buildings);
- b) The remaining houses in the city are rapidly deteriorating, due to the prevailing low income of the inhabitants;
- c) Since the souq activities have been transferred outside the city, the ancient souq is almost empty and free from any type of activity and the shops are falling apart;
- d) The traditional economic role of the city has vanished;
- e) The city in general, is lacking any conservation and rehabilitation strategies.

### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted 2011; See page <http://whc.unesco.org/en/decisions/4357>

### Corrective measures identified

Adopted 2007; See page <http://whc.unesco.org/en/decisions/1282>

### Timeframe for the implementation of the corrective measures

Adopted 2011; See page <http://whc.unesco.org/en/decisions/4357>

### Previous Committee Decisions

See page <http://whc.unesco.org/en/list/611/documents/>

### International Assistance

Global amount granted to the property: USD 185,918

For details, see page <http://whc.unesco.org/en/list/611/assistance/>

### UNESCO Extra-budgetary funds

Total amount provided to the property: USD 10,000 from the Italian Funds-in-Trust; USD 4,000 from the France-UNESCO Co-operation Agreement.

### Previous monitoring missions

2002 and 2003: international expertise; December 2004: World Heritage Centre mission; January 2007: Joint World Heritage Centre/ICOMOS reactive monitoring mission; January 2009: World Heritage Centre mission; January 2011: Joint World Heritage Centre/ICOMOS reactive monitoring mission.

### Factors affecting the property identified in previous reports

- a) Serious degradation of the city's heritage (many houses and the ancient souq are in an alarming deterioration state);
- b) Large percentage of the city's houses replaced by inappropriate concrete buildings;
- c) Large sections of the city's open spaces have been privatized, either illegally or informally and more than 30% of these built-up;
- d) Lack of conservation measures and supportive developments.

### Illustrative material

See page <http://whc.unesco.org/en/list/611>

### Current conservation issues

The State Party submitted a succinct state of conservation report on 26 March 2012 in response to the decision made by the World Heritage Committee at its 35th session (UNESCO, 2011).

It notes that given the political situation and security issues, limited activities were implemented since the last report submitted in 2011. As of January 2012, there is new

leadership in the General Organisation for the Preservation of the Historic Cities of Yemen (GOPHCY) which has taken up again the implementation of conservation and management measures identified for the property.

In terms of the adopted corrective measures, the State Party indicates that an initiative has been currently prioritised to pass the Historic Cities Law, already passed at the cabinet, at the Parliament level. It is expected that this law will address many of the issues currently faced, including the allocation of financial resources, the mechanisms for engagement of diverse stakeholders, the regulations to prevent violations and the roles and responsibilities of different government institutions. Although it is mentioned that this passing should be done in a short period, no timeframe has been provided.

The report mentions that GOPHCY is working on finalising the conservation plan; no timeframe for completion was indicated. The State Party noted also that a meeting with the High Conservation Committee was carried out and that a Supreme Violations Removal Committee, to be headed by the Culture Minister and the Hodeidah Governor, has been formed to supervise the removal of violations that have occurred in different buildings at Zabid. It will meet on a quarterly basis to ensure close monitoring and evaluation. Government institutions have also made a commitment that no new construction will occur unless GOPHCY approves and supervises the work. Regarding the Housing Rehabilitation Programme, discussions have been held for the identification of training and capacity building needs so that a strategy is jointly defined with the German International Cooperation and the Social Fund for Development (GIZ/SFD). An area outside the buffer zone has also been identified to address the housing needs. The area is expected to initially cover 1400 units but its expansion is anticipated. In addition, the conservation plan will be distributed, in form of a booklet, to the local community as part of the awareness raising activities. The use of additional tools, including mass media, is foreseen as part of these actions. The Souq Rehabilitation Programme has continued and additional funding has been allocated to improve infrastructure at Zabid and at the new identified area outside the buffer zone. GOPHCY has also continued with the wood conservation laboratory programme to enhance technical capacities but also to generate potential job opportunities for youth.

### Conclusion

The World Heritage Centre and the Advisory Bodies note the progress made by the State Party in the implementation of the identified corrective measures notwithstanding the situation in the country. They recommend that the Committee stresses the importance of the international community continuing to support the efforts of the State Party, particularly in regard to capacity building and the allocation of technical and financial resources to ensure that the adopted Desired state of conservation is met according to the agreed timeframe.

### **Draft Decision: 36 COM 7A.24**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A Add,*
2. *Recalling Decision **35 COM 7A.23**, adopted at its 35th session (UNESCO, 2011),*
3. *Acknowledges the information provided by the State Party on the actions being taken to implement some of the corrective measures and urges the State Party to continue its work on all the corrective measures adopted at its 31st session (Christchurch, 2007);*
4. *Calls upon the international community to support financially and technically the implementation by the State Party, in co-operation with the World Heritage Centre and*

*the Advisory Bodies, of priority conservation and management measures and capacity building endeavours;*

5. Requests the State Party, in the framework of the Retrospective Inventory process, to submit a boundary clarification, no later than **1 December 2012**;
6. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013;
7. Decides to retain the **Historic Town of Zabid (Yemen) on the List of World Heritage in Danger**.

## ASIA AND PACIFIC

### 25. Minaret and Archaeological Remains of Jam (Afghanistan) (C 211 rev)

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

2002

#### Criteria

(ii) (iii) (iv)

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

2002 to present

#### Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Lack of legal protection;
- b) Lack of an effective monuments protection agency;
- c) Lack of adequate protection and conservation personnel;
- d) Lack of a comprehensive Management Plan.

#### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted, see page <http://whc.unesco.org/en/decisions/1286>

#### Corrective measures identified

Adopted, see page <http://whc.unesco.org/en/decisions/1286>

#### Timeframe for the implementation of the corrective measures

Adopted, see page <http://whc.unesco.org/en/decisions/1286>

#### Previous Committee Decisions

See page <http://whc.unesco.org/en/list/211/documents>

#### International Assistance

For details, see page: <http://whc.unesco.org/en/statesparties/af/assistance/>

#### UNESCO Extra-budgetary funds

Total amount provided to the property: USD 845,000 provided by the Government of Italy and USD 138,000 by the Government of Switzerland.

#### Previous monitoring missions

Several annual UNESCO expert missions took place between 2002 and 2006 in order to implement the operational projects for the property. After a period of three years of inactivity from 2007 to 2009 due to the security situation, UNESCO dispatched a mission in cooperation with an Afghan local NGO in 2010 to resume the on-site operations.

#### Factors affecting the property identified in previous reports

- a) Political instability;
- b) Inclination of the Minaret;
- c) Lack of Management Plan;
- d) Illicit excavations and looting.

#### Illustrative material

See page <http://whc.unesco.org/en/list/211>

#### Current conservation issues

At the time of drafting the present document, no progress report on the implementation of the corrective measures has been submitted by the State Party to the World Heritage Centre as requested by the World Heritage Committee at its 35th session (Decision **35 COM 7A.24**).

However, the State Party noted in a progress report submitted in May 2011 its concern that despite the efforts being made to the conservation of the property, it may not be able to complete the required corrective measures due to the time required for an appropriate planning and implementation. In light of the absence of a feasible long-term solution for the stabilization of the Minaret, the State Party indicated that the removal of the property from the List of World Heritage in Danger by 2011 would be unrealistic.

a) *Hydrology study based on stereoscopic imagery*

Due to the security situation in the Jam area, it was not possible to dispatch a UNESCO international expert mission to the property, as intended to follow-up the UNESCO/Italy and Switzerland Funds-In-Trust projects. Nevertheless, the following activities were carried out by the World Heritage Centre in close cooperation with the Aachen Conservation and Documentation Centre (ACDC) in line with the corrective measures identified by the World Heritage Committee.

Regarding the interpretation of satellite stereo images of the Jam area, the data obtained from the stereoscopic image in correlation with geological data allows understanding the complete geometric details, including the archaeological remains on site.

A preliminary study on the hydrology of the River Jam and Hari for the purpose of establishing a hydrological system to safeguard the property with a long-term perspective. Based on the simulation of the water flow drawn from the stereoscopic data, this study gives a better understanding on the peak water flow, flow velocity and the cross section of the River Jam and Hari. It shall allow identifying appropriate protection measures to monitor flooding and prevent further erosion.

Expert studies on the leaning of the minaret have been conducted in 2010 at the request of the World Heritage Centre and the final reports are expected to provide additional indications as to the reasons for the inclination and whether this leaning is still increasing.

b) *Replacement of wooden stairs and emergency surface restorations of the upper minaret*

The Department of Historical Monuments of the Ministry of Culture and Information envisaged commencing emergency restorations of the upper parts of the minaret in late 2011. No information as to whether these measures have started is available.

In addition, a preparatory mission focused on the elaboration of a budget and work plan for the replacement of the wooden stairs inside the Minaret of Jam was carried out by an Afghan official in October 2011. An Emergency Assistance Request, submitted to conduct this replacement, is under evaluation.

c) *Other developments*

Furthermore, the World Heritage Centre plans to organize the 3rd Expert Working Group Meeting for Jam and Herat, in Turin, Italy, tentatively in September 2012. This meeting will aim at assessing the progress made through the implementation of the various UNESCO activities, to define future strategies for the conservation of the property and to adopt recommendations for achieving the desired state of conservation.

Conclusion

The World Heritage Centre and the Advisory Bodies note the continued technical and financial support and commitment of the international community, notably through the implementation of the UNESCO/Italy and Switzerland Funds-In-Trust projects. However, they observe that no further information was made available by the State Party on the state of conservation of the property in 2012, including information on the progress made in the implementation of the corrective measures.



They further note that the previously proposed time frame for implementing the corrective measures cannot be achieved and *needs to be updated*, so as to gradually attain the Desired state of conservation for removal of the property from the List of World Heritage in Danger.

**Draft Decision:        36 COM 7A.25**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decisions **33 COM 7A.20**, **34 COM 7A.20** and **35 COM 7A.24** adopted at its 33rd (Seville, 2009), 34th (Brasillia, 2010) and 35th (UNESCO, 2011) sessions respectively,*
3. *Regrets that the State Party did not submit a state of conservation report, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011);*
4. *Takes note of the planned Third expert working group meeting for Jam and Herat to take place in tentatively September 2012 and encourages the State Party to utilise this meeting to define future strategies for achieving the Desired state of conservation;*
5. *Reiterates its request to the State Party to continue its efforts towards implementing all the corrective measures adopted at its 31st session (Christchurch, 2007) and requests the State Party to update the time frame for the implementation of the corrective measures in order to attain the Desired state of conservation for removal of the property from the List of World Heritage in Danger;*
6. *Calls upon the international community to continue its technical and financial support in co-operation with the World Heritage Centre and the Advisory Bodies with the aim of implementing all the corrective measures;*
7. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, a report on the state of conservation of the property and on the implementation of the corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;*
8. ***Decides to retain the Minaret and Archaeological Remains of Jam (Afghanistan) on the List of World Heritage in Danger.***

**26. Cultural Landscape and Archaeological Remains of the Bamiyan Valley (Afghanistan) (C 208 rev)**

Year of inscription on the World Heritage List  
2003

Criteria  
(i) (ii) (iii) (iv) (vi)

Year(s) of inscription on the List of World Heritage in Danger  
2003 to present

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Site security not ensured;
- b) Long-term stability of the Giant Buddha niches not ensured;
- c) State of conservation of archaeological remains and mural paintings not adequate;
- d) Management Plan and Cultural Master Plan (the protective zoning plan) not implemented.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted, See page <http://whc.unesco.org/en/list/208/documents>

Corrective measures identified

Adopted, See page <http://whc.unesco.org/en/list/208/documents>

Timeframe for the implementation of the corrective measures

Adopted, See page <http://whc.unesco.org/en/list/208/documents>

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/208/documents>

International Assistance

Global amount granted to the property: USD 150,000 (in 2002 and 2003) for Preparatory assistance.  
For details, see page <http://whc.unesco.org/en/list/208/assistance>

UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 4,781,737 (2003-2011) through the Japanese Funds-in-Trust.

Previous monitoring missions

No reactive monitoring mission was carried out; November 2010: World Heritage Centre/ICCROM advisory mission; April 2011: UNESCO Kabul/ICOMOS advisory mission; UNESCO expert missions in the context of the implementation of specific projects.

Factors affecting the property identified in previous reports

- a) Risk of imminent collapse of the Giant Buddha niches;
- b) Irreversible deterioration of the mural paintings;
- c) Looting, illicit traffic and illegal excavations of cultural heritage assets;
- d) Continued use of certain heritage areas for military posts;
- e) Anti-personnel mines and unexploded ordinances (i.e. munitions).

Illustrative material

See pages <http://whc.unesco.org/en/list/208> ; <http://whc.unesco.org/en/news/719> ;  
<http://whc.unesco.org/en/news/749> and <http://whc.unesco.org/en/events/808>

Current conservation issues

No state of conservation report has been submitted by the State Party as of 20 April 2012. However, information was obtained from technical reports of the UNESCO/ Japanese Funds-In-Trust for the Preservation of the World Cultural Heritage of Bamiyan, Phase III project, and presentations made at the Tenth Bamiyan Expert Working Group Meeting held in Tokyo, Japan, from 6 to 8 December 2011. With regard to the implementation of the corrective measures, the following progress has been noted:

a) *Ensure site security*

It has been suggested to the State Party to undertake public awareness-raising and education programs in order to address the illicit traffic of antiquities; and further recommended the incorporation of recent excavations into the site security plan (e.g. MO/Oriental Monastery, MR/ Royal Monastery). This public awareness-raising activity had been organised in Bamiyan in mid June 2012.

b) *Ensure long-term stability of the Giant Buddha niches and installation of a permanent monitoring system*

The World Heritage Centre and the Advisory Bodies were informed that accessibility to the lower gallery of the Eastern Buddha niche should be improved for safety purposes and that, although emergency stabilisation works on the Western Buddha had commenced since

September 2011, urgent consolidations still needed to be undertaken, in particular at the entrance of the western niche, where a crack was subject to constant seismic vibration and in danger of imminent collapse.

*c) Ensure adequate state of conservation of archaeological remains and mural paintings*

Although the National Research Institute for Cultural Properties (NRICP), Tokyo, in close collaboration with national conservation technicians had undertaken and ensured some successful conservation of mural paintings in the Bamiyan cliff, these activities should be extended. Additional measures required include the identification and execution of emergency conservation actions for mural paintings as well as the archaeological investigation, cleaning, drainage, repairing and protection of archaeological remains, which should also be extended to other sites, notably for Shar-i-Zohak, Shar-i-Gholghola, Quala-i-Kaphari, Kakrak and Foladi. It has been reported the progressing land purchases by Afghan authorities, including lands which contain archaeological remains in Bamiyan Valley, particularly the sites recently excavated by the French archaeological mission.

*d) Implement the Management Plan and the Cultural Master Plan*

Progress is noted of the production of the first Annual Progress Report (June 2010-June 2011) for the Preparation of a Management Plan for the Cultural Landscape and Archaeological Remains of the Bamiyan Valley, developed by experts of Aachen University (Germany) in close consultation with the local authorities in November 2011. They consider that a prerequisite in this process is the completion of an archaeological sites map which should be cross-read with the Cultural Master Plan in order to avoid damage to potentially embedded archaeological remains.

*e) Interventions on two main niches where statues were destroyed*

There has been no progress made in regard to the various propositions made by the different experts on potential interventions to the two main niches and their presentation.

*f) Proposed development projects, notably the Foladi road construction*

According to the information made available by UNOPS, the proposed road construction in Foladi Valley is to improve the critical road system in Bamiyan in order to increase market access and opportunities for rural households, thereby contributing to the reduction of poverty and vulnerability in Foladi Valley, Bamyan. In addition, the World Heritage Centre had brought to the attention of the State Party that any planned development should be submitted and reviewed prior to taking any decisions that might be difficult to reverse in line with Paragraph 172 of the *Operational Guidelines*.

*g) Approval of the Bamiyan phase IV project*

The UNESCO/ Japanese Funds-In-Trust for the Preservation of the World Cultural Heritage of Bamiyan, Phase IV project, totalling USD 1.5 million for the period 2012- 2014, has been approved and is operational since late March 2012. The funds are to be used to implement a programme to safeguard the setting of the 'Cultural Landscape and Archaeological Remains of the Bamiyan Valley' World Heritage property.

*Outcome of the Tenth Expert Working Group Meeting (Tokyo, 6 – 8 December 2011)*

The Tenth Expert Working Group meeting organized in Tokyo, Japan from 6 to 8 December 2011 discussed the current initiatives for the conservation and sustainable management of the property and considered these to be fully in line with the UNDAF (United Nations Assistance Development Framework) and the Afghan National Development Strategy. The conservation of the property was regarded to contribute to the promotion of peace and foster sustainable development for the Afghan people. Finally, it was proposed to redefine the timeframe for the Desired State of Conservation and the removal from the List of World Heritage in Danger over a longer period than initially anticipated (2013).

### Conclusions

The World Heritage Centre and the Advisory Bodies note that the State Party did not submit a state of conservation report, but consider, as per information received from other sources, that the progress made by the State Party to ensure site security is satisfactory; however the size of the security force could be increased.

In this context, the World Heritage Centre and the Advisory Bodies are of the view that during the finalization of the Management Plan, the Cultural Master Plan and the Annual Progress Report (June 2010-June 2011) for the preparation of a Management Plan, should be shared with all the national and international actors, and should function as a reference for the overall development strategy for the valley. They also reiterate the importance of enforcing building codes and controls on development in the property boundary and its buffer zones and other areas protected under the Afghan Law on the Protection of Historical and Cultural Properties 2004.

The World Heritage Centre and the Advisory Bodies note that no progress has been made on developing an approach on the presentation of the two Buddha niches, and stress the need for proposals to be based on factors indicated in Decision **35 COM 7A.25**.

The World Heritage Centre and the Advisory Bodies recommend that the Committee recall that it is essential that any decision on the proposed development projects should be based on a Heritage Impact Assessment (HIA), in conformity with the ICOMOS Guidelines on Heritage Impact Assessments for World Heritage cultural properties, and be considered in the framework of the on-going development of the Management Plan.

They further note that as an outcome of the above Tenth Expert Working Group meeting the previously proposed timeline of 2013 for implementing the corrective measures cannot be reached and has to be revised and postponed, so as to gradually attain the Desired State of Conservation for removal of the property from the List of World Heritage in Danger.

### **Draft Decision: 36 COM 7A.26**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.25**, adopted at its 35th session (UNESCO, 2011),*
3. *Regrets that no report was submitted by the State Party, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011);*
4. *Notes the production of the first Annual Progress Report (June 2010-June 2011) for the Preparation of a Management Plan for Cultural Landscape and Archaeological Remains of the Bamiyan Valley;*
5. *Urges the State Party to finalise the Management Plan of the Cultural Landscape and Archaeological Remains of the Bamiyan Valley with an overall strategy of managing the property as a Cultural Landscape;*
6. *Reiterates its request to the State Party, when considering options for the treatment of the Buddha niches, to ensure that proposals are based on feasibility studies which include:*
  - a) *an overall approach to conservation and presentation of the property,*

- b) *an appropriate conservation philosophy based on the Outstanding Universal Value of the property,*
  - c) *technical and financial possibilities for the implementation of the project proposals;*
7. *Also reiterates its request to the State Party to submit information on any planned development, in particular the proposed Foladi Valley Road, to the World Heritage Centre for review by the Advisory Bodies, including a Heritage Impact Assessment (HIA) in conformity with the ICOMOS Guidelines on Heritage Impact Assessments for World Heritage cultural properties;*
  8. *Also urges the State Party to ensure that the Cultural Master Plan is respected by all national and international actors intervening in the valley; and further urges the State Party to enforce building codes and regulations on development in the buffer zones of the property and other areas protected under the Afghan Law on the Protection of Historical and Cultural Properties 2004;*
  9. *Requests the State Party to continue its work on the implementation of the adopted corrective measures and to develop, in consultation with the World Heritage Centre and the Advisory Bodies, a revised timeframe for the implementation of the corrective measures, for examination by the World Heritage Committee at its 37th session in 2013;*
  10. *Calls upon the international community to continue providing technical and financial support for the protection and management of the property, in order to achieve the Desired state of conservation;*
  11. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.*
  12. ***Decides to retain the Cultural Landscape and Archaeological Remains of the Bamiyan Valley (Afghanistan) on the List of World Heritage in Danger.***

## **28. Fort and Shalamar Gardens in Lahore (Pakistan) (C 171–172)**

Year of inscription on the World Heritage List  
1981

Criteria  
(i) (ii) (iii)

Year(s) of inscription on the List of World Heritage in Danger  
2000 to present

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Damage to the external walls and demolition of hydraulic works of Shalamar Gardens;
- b) Serious state of degradation of the historic monuments and garden complex within the property.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger  
Adopted, see <http://whc.unesco.org/en/decisions/1290>

Corrective measures identified  
Adopted, see <http://whc.unesco.org/en/decisions/1076>

Timeframe for the implementation of the corrective measures

Not defined

Previous Committee Decisions

See <http://whc.unesco.org/en/list/171/documents/>

International Assistance

Global amount granted to the property: USD 137,729

For details, , <http://whc.unesco.org/en/list/171/assistance/>

UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 975,000, Norwegian Funds-in-Trust, Japanese Funds-in-Trust, Getty Foundation, United States Embassy in Pakistan

Previous monitoring missions

October 2000: World Heritage Centre/ICOMOS reactive monitoring mission; April 2001 and June 2003: UNESCO experts advisory missions; November 2005: World Heritage Centre/ICOMOS reactive monitoring mission; February 2009: UNESCO Tehran Office/ICOMOS reactive monitoring mission; April/May 2012: World Heritage Centre/ICOMOS joint reactive monitoring mission.

Main threats identified in previous reports

- a) Demolition of two of the tanks and partial demolition of a third tank of the hydraulic works of the Shalamar Gardens;
- b) Encroachments and urban pressure;
- c) Inadequate management mechanisms (including incomplete legislation, lack of financial resources);
- d) Lack of definition of boundaries of the Lahore Fort and Shalamar Gardens.

Illustrative material

See page <http://whc.unesco.org/en/list/171>

Current conservation issues

The State Party submitted a state of conservation report as requested by the World Heritage Committee at its 35th session (UNESCO, 2011). From 27 April to 1 May 2012, a reactive monitoring mission was carried out. The mission report is available online at the following Web address: <http://whc.unesco.org/en/sessions/36COM/documents/>

*a) Boundaries and buffer zones*

The buffer zones have been defined and the agencies responsible for approving new construction are aware of the restrictions imposed.

The mission reviewed the produced maps with the redefined buffer zone boundaries and reported that a proposal for a minor extension of the buffer zone will be submitted by 1 February 2013 for consideration by the World Heritage Committee at its 37th session.

*b) Encroachment and urban pressure*

The State Party reported that the adoption of the Federal Antiquity Act 1975 by the Punjab Government has strengthened the power to enforce laws and regulations. Encroachments are being effectively controlled. The removal of the rim market and bus stand is in progress, discussions are being carried out with the City Government Authorities to identify a suitable place for relocation. It also reported on the development of a Parking and Public Utility Area, on land acquired in front of Naqqar Khana at the south east corner to resolve parking and general facilities. The project is expected to commence in May 2012.

The mission assessed the categories of constructions within the buffer zone and the regulatory measures for their management. It witnessed the current processes on the relocation and/or removal of constructions and noted that their completion had been delayed because of litigations. It also reported on the acquisition of lands which should allow for a better control of the site and for the creation of improved visitor facilities.

*c) Management mechanisms*

As for the management and supervision of conservation works, a Steering Committee has been set up to monitor the implementation of development schemes and Master Plans and to develop annual work plans. In addition, the mandate of the Technical Committee was revised to supervise conservation works. The State Party reports that new personnel has been ascribed to the Directorate General of Archaeology, Punjab (DGoAP) but that lack of skilled craftsmen and conservation specialists hinder the pace of implementation of conservation activities set up under the Five Year Programme for Preservation and Restoration of Lahore Fort.

The mission reported that the management responsibility of the Lahore Fort and Shalamar Gardens was transferred from the federal government of Pakistan to the Punjab provincial government in 2004 and, that after the 18<sup>th</sup> Amendment of the Constitution, the ownership of the property was handed over to the DGoAP in 2011. These changes in management have allowed better coordination between the DGoAP and other related local government departments. The establishment of a high level Steering Committee and the continuous professional input and monitoring by the Technical Committee have contributed to an improved decision-making regime concerning the conservation and management of the property. It also noted that the Master Plans for Lahore Fort and Shalamar Gardens, adopted officially in 2009, are being updated and that more detailed conservation plans will be developed.

#### *d) Conservation interventions*

Activities focused on the preservation and restoration of the old wells, which are now functional, the Royal Hammam, the Arz Gah, the North East Burj, the perimeter wall, the Jahangir's Quadrangle, the Diwan-e-Aam and the Shish Mahal surroundings. Additional work was carried out inside the boundary wall at the southeast and south sides to improve the environment of the Fort by planting grass lawns. As for the Shalamar Gardens, major conservation works were implemented at the perimeter wall, the dividing walls between three terraces, and the walkways, the water channels of the middle terrace, the corner towers and at the Doulat Khana Khas-O-Aam (hall of special and ordinary audience). In terms of security, camera systems were installed and security staff was increased.

The mission reported that significant progress has been made in the conservation of individual structures and of the external walls and improvements in the overall state of conservation the property since the last mission in 2009 are clearly evident. It highlighted however the importance of re-establishing the training institute to ensure capacity building and bridge existing gaps in technical staff, conservators and craftsmen. The mission also noted that adequate presentation and interpretation measures should be put in place and suggested that conservation works, which have been documented, could serve to illustrate the challenges faced in the preservation of the property.

#### Conclusion

The World Heritage Centre and the Advisory Bodies recommend that the Committee commend the State Party on the efforts made to implement the identified corrective measures to achieve the Desired state of conservation for the property. They note that threats previously identified have been actively addressed and that other initiatives currently at the planning stages will further reduce issues pertaining to urban development, heavy traffic and environmental management. They also note that the significant efforts have resulted in the creation of an effective management system for the property and improved the state of conservation. The financial and political support pledged by the Government of Punjab will ensure the sustainability of the existing arrangements. Therefore, they recommend to the Committee to remove the property from the List of World Heritage in Danger.

**Draft Decision: 36 COM 7A.28**

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.27** adopted at its 35th session (UNESCO, 2011),
3. Commends the State Party for the significant efforts made to address the threats to the property and to implement the corrective measures and therefore considers that the Desired state of conservation has been met;
4. Takes note of the results of the 2012 reactive monitoring mission to the property and encourages the State Party to implement its recommendations, in particular:
  - a) Formally submit to the World Heritage Centre the new proposal of the buffer zone of the property as a request for minor boundary modification, in accordance to Paragraphs 163-165 of the Operational Guidelines, by **1 February 2013**,
  - b) Continue with the review and update of the Conservation Plan,
  - c) Allocate the necessary human and technical resources to ensure the sustainability of the management system and the adequate implementation of conservation interventions,
  - d) Reconstitute the training institute within the Lahore Fort to ensure capacity building for craftsmen and professional and technical staff,
  - e) Continue its efforts to relocate existing infrastructure and to enforce regulatory measures at the buffer zones to ensure the protection of the property,
  - f) Further develop a comprehensive presentation and interpretation strategy to incorporate conservation works implemented;
5. Requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014;
6. Decides to remove the Fort and Shalamar Gardens in Lahore (Pakistan) from the List of World Heritage in Danger.



## EUROPE AND NORTH AMERICA

### 30. Bagrati Cathedral and Gelati Monastery (Georgia) (C 710)

Year of inscription on the World Heritage List

1994

Criteria

(iv)

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

2010

Threats for which the property was inscribed on the List of World Heritage in Danger

Irreversible interventions as part of major reconstruction of the structure of Bagrati Cathedral

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted in Decision - **34COM 7B.88**

See page <http://whc.unesco.org/en/decisions/4196>

Corrective measures identified

Adopted in Decision - **34COM 7B.88**

See page <http://whc.unesco.org/en/decisions/4196>

Timeframe for the implementation of the corrective measures

Adopted in Decision - **34COM 7B.88**

See page <http://whc.unesco.org/en/decisions/4196>

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/710/documents/>

International Assistance

N/A

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

November 2003, June 2008 and March 2010: Joint World Heritage Centre / ICOMOS reactive monitoring missions

Factors affecting the property identified in previous reports

- a) General need for interior and exterior conservation work on the monuments;
- b) Insufficient coordination between the Georgian Church and the national authorities;
- c) Lack of co-ordinated management system;
- d) Major reconstruction of the structure of Bagrati Cathedral.

Illustrative material

See page <http://whc.unesco.org/en/list/710>

Current conservation issues

At its 34th session the Committee requested the State Party to halt work on a monumental, stone-clad, reinforced concrete reconstruction of Bagrati Cathedral that had been started without its approval and decided to inscribe the property on the World Heritage List in Danger. At the 35th session, the Committee noted that work on reconstructing the Cathedral according to the monumental scheme had been halted.

The Committee also took note that according to the international conservation architect appointed as a consultant for the Bagrati Cathedral that the incomplete structural condition of the Bagrati Cathedral was not sustainable, that it might not be feasible to reverse what has been recently built as the interventions are almost irreversible, and that a lightweight roof could be mounted on the existing concrete columns.

The Committee requested the State Party to produce a Rehabilitation Strategy that could allow the building to be brought back into use, while reversing the maximum amount of recent work and incorporating fragments of the original building where they form part of the walls.

The Rehabilitation Strategy was to be presented to the Committee for approval before a detailed rehabilitation project was submitted, and before any further work on the Cathedral was undertaken.

As also requested by the Committee at its 35th session, a joint World Heritage Centre/ICOMOS reactive monitoring mission visited the property from 22 to 28 April 2012 to discuss the Rehabilitation Strategy and to consider the overall state of conservation of the property.

At the time of drafting this report, only a preliminary mission report has been received. However, the report shows that a monumental re-building of the Cathedral using modern materials was well underway at the time of the mission.

The State Party submitted a State of Conservation Report on 31 January 2012. The report did not mention the fact that re-building work was well under way. The report addressed progress made with the drafting of the Rehabilitation Strategy for Bagrati Cathedral, with conservation work at Gelati monastery, and with drafting a retrospective Statement of Outstanding Universal Value. Further documents relating to the re-building of the Cathedral were submitted on 15 May 2012, after the mission had taken place. They included a revised Rehabilitation Strategy, details of the engineering work carried out, and a partial report on archaeological investigations, but no detailed plans of the re-building project.

a) *Rehabilitation Strategy for Bagrati Cathedral*

The State Party submitted a first draft of a Rehabilitation Strategy in January 2012. This was drafted following a round table discussion organised at the request of the State Party at the World Heritage Centre on 9 November 2011 and attended by representatives of the State Party, the World Heritage Centre, ICOMOS and ICCROM.

This meeting agreed that the purpose of the Rehabilitation Strategy was to set out a rationale for a project to allow the Cathedral to be brought back into use.

It was agreed that as the conservation history of Bagrati Cathedral is complex, and as recent interventions have to an extent limited certain options, the Rehabilitation Strategy needed to set out the necessary evidence to justify any rebuilding approach that was being suggested.

The meeting discussed a possible alternative approach to the monumental concrete option which could be based on a combination of reinforcement of the original parts of the fabric that had already been implemented (and agreed as being non-reversible), rebuilding using the four hundred or so stone blocks on site, where detailed evidence exists in the central and eastern part, and the insertion of modern construction in the west where evidence is lacking. The roof would be supported by lightweight steelwork and the whole construction would respect detailed archaeological research and allow for conservation of the original fabric. This approach would have the advantage of reversibility of the new construction.

The first draft of the Rehabilitation Strategy submitted by the State Party in January 2012 set out an approach based on recreating the eastern and central part of the Cathedral for which evidence exists, and completing the building with new structures at the western end where there is no evidence or little original material remains.

The draft Strategy was reviewed by ICOMOS who considered that in some places there was a need for further information and analysis in order to provide a clearer understanding as to the extent of the interventions to the fabric so far, the technical and conservation issues that these create. In general terms, ICOMOS considered that Strategy needed to be clearer on what could be reversed and what could not be reversed and how much of the existing recent work was needed from a structural point of view, what would be modified, and how new strengthening would be addressed. ICOMOS also considered that there was a certain amount of overlap between the strategy and the resulting project which needed to be resolved in the document. ICOMOS stressed that no approval had been given for the re-building project – as inferred in the draft strategy.

It was agreed that the reactive monitoring mission should discuss these comments with the State Party, so that a revised Rehabilitation Strategy could be submitted to the Committee at its forthcoming session.

This aim has however been overtaken by the resumption of work on the Cathedral which appears to have started after the last session of the Committee.

A second draft of the Rehabilitation Strategy was submitted by the State Party on 15 May 2012. However, as by this time reconstruction work was well under way, the purpose of the strategy as a document that could inform a reconstruction project is no longer relevant. The document has become a justification for work already carried out. In it the State Party concludes that the impact on the Outstanding Universal Value is negligible.

*b) Stabilisation works of the Bagrati Cathedral*

Although the State Party report states that some urgent stabilization works were undertaken to the west wall necessary for further supporting structures that might be needed for the rehabilitation strategy, as explained in a letter to the World Heritage Centre of 27 September 2011 to which the World Heritage Centre responded in the affirmative on 5 October 2011, the mission observed a very different situation.

Work on re-building the Cathedral was seen to be progressing non-stop to achieve a full reconstruction of the building, using stone-clad reinforced cement in the central and eastern parts, together with modern interventions in the western part, mostly along the lines of the original monumental project combined with the plans drawn up by the international conservation architect. A cast concrete cupola had already been partially raised up. The State Party confirmed to the mission that the inauguration of the Cathedral is being planned for September 2012.

The idea of restoring those parts of the building where evidence exists, on the basis of careful documentation and research, and conservation of the original fabric, has been abandoned.

*c) Structural additions:*

The mission was provided with information on the major structural interventions undertaken so far, and these have been confirmed in further information received from the State Party. These are:

- Completion of consolidation work on interior and exterior foundations of the load bearing walls;
- Creation of four central concrete pillars on the bases of the original ones;
- Installation of underground reinforced concrete beams, connecting the four pillars with the underground foundation of the exterior walls, which according to Georgian engineers, are placed under the archaeological level;
- Covering of the interior surface of the church walls with stone cladding, on a reinforced base – a totally irreversible process.

Although these works were stated to be necessary for the stability of the church in an earthquake zone, in reality these drastic interventions actually allowed the realisation of the first phase of the reconstruction project, in providing the necessary stability to allow for the proposed concrete cupola and the new roof.

d) *Re-construction:*

The mission observed the following work being undertaken:

- *Western part:*

In this end of the church, where inadequate original material and evidence exists for a full reconstruction, reinforced concrete beams have been installed in order to support the new stone and metal roof.

- *North-west corner:*

A metal construction has been prepared (with iron inserts into the original fabric), to support the new staircase and a lift that will lead to a first floor museum.

- *Central part:*

A reinforced concrete dome has been installed, theoretically supported by the four central concrete pillars together with concrete arches to supplement the concrete pillars, although the latter are still under construction. All the new (interior and exterior) surfaces are stone-clad. The only non-clad surface is in the area of the proposed museum. The gaps in the interior of the fabric are grouted with cement.

- *Northern and southern wings:*

Raised over the historical porticos with their famous stone reliefs, are reinforced concrete constructions, with iron supports for the metal roof covering.

- *Eastern end:*

This is being completed by continuing the reconstruction work of the 1950's. It is being roofed over in a similar way to the rest of the building.

The mission observed that the current work has not been based on conservation of the existing fabric, some of which was acknowledged as being in an extremely fragile state during the previous mission in 2010, has not respected the archaeological layers, is not reversible.

Furthermore all these interventions have completely ignored the evidence brought to light by recent archaeological research. This identified the precise place of almost 400 of the original building stones that survived on the site. Of these, only two or three have been placed in their original position as examples.

In the Mission's view the necessary stabilisation of the Cathedral could have been achieved in other less drastic ways and should have been submitted as part of the rehabilitation strategy for discussion.

The second draft of the Rehabilitation Strategy submitted by the State Party attempts to justify the reconstruction now being undertaken and states that the reconstruction will respect and rescue all the original material that existed at the time of inscription. However, the mission noted that only two of the four hundred fallen blocks were being re-used. The covering of the original fabric under a contemporary stone cladding on a reinforced concrete base will irreversibly damage the authenticity of the original structure, and also eliminate any historical evidence of the past interventions that are part of the history of the church.

In order to support the new reinforced concrete dome, excavations have been made in the central part of the church, to install additional sub-foundations for the parametric walls and large reinforced concrete beams have destroyed much of the archaeological layers, including, it appears, important discoveries of tombs inside the church, as reported in the media.

The overall approach was not considered by the mission to respect the aim to rehabilitate the church in a way that respected its fabric, archaeological layers and overall its Outstanding Universal Value, as had been envisaged by the Committee.

The second draft of the Rehabilitation Strategy states that at the time of inscription the monument was not totally in a ruined condition with parts reconstructed. This was accepted at the time of inscription but it is no justification for a monumental re-building that is being carried out without prior approval either as a strategy or in terms of detail by the Committee.

A detailed appraisal of this second draft Rehabilitation Strategy will be undertaken by ICOMOS and submitted to the State Party.

*e) Topological and Archaeological Surveys around Bagrati Cathedral*

The State Party report provides details of work undertaken to increase knowledge of the wider archaeological area around the Cathedral. In addition to topographic and cadastral surveys of the site carried out in early 2011, a non-intrusive archaeological survey of the entire Bagrati Cathedral part of the property was undertaken in November-December 2011. The results of this survey revealed a high density of archaeological layers in the survey area, including evidence of fortifications and royal residences.

The mission considered that the resulting data is highly important for understanding the significance of the context of the property. Such evidence could have been used as the basis of a Master Plan for the property and its setting to allow understanding of the way the area has evolved.

*f) Gelati Monastery conservation work*

The State Party reports that conservation works were continued within the framework of the Gelati Monastery Conservation Master Plan. The mission assessed the on-going works, which focused in 2011 on the Rehabilitation of the palace of Bishop Gabriel.

Through a cooperation agreement between the Restoration Faculty at the State Academy of Fine Arts (NACHPG) and Lugano University, and with the financial support of the Swiss National Science Foundation, international conservation specialists were involved in the stone and wall painting conservation programme during 2010-2011. Within the framework of a complex programme for the systematic conservation and restoration of the interior wall-paintings and mosaics in Gelati Monastery churches. As a result of this co-operation the following works were undertaken:

- Assessment of condition of mural paintings in the St. Marine chapel of the main church of Gelati;
- Stone condition assessment of the St. George church of Gelati and risk mapping;
- Conservation of carved stone frame around the entrance door of the St. George church of Gelati.

With the support of the NACHPG, it is planned to continue the involvement of these international specialists and with their associated students in future stone and wall painting conservation work.

The mission noted that the State Party has made significant progress in implementing the requested corrective measures regarding this component of the property.

A clear institutional coordination mechanism, ensuring that the conservation of the Gelati Monastery receives priority consideration within relevant governmental decision-making processes, has been established. A complex programme for the structural conservation and restoration of the churches in Gelati Monastery is being implemented.

The Gelati Monastery master plan presented in 2010 gives adequate answers to problems relating to the needs of the monastic community, and of the visitors to the monastic complex. The mission confirms that there is a proper organization of the functions inside the monastery grounds, taking into consideration the fact that the property is a living monument.

As already mentioned by the 2010 mission, there is also provision in case of a rising number of the monks, for them to be established in a nearby place, outside of the monastery grounds. The master plan dissociates the visitors' facilities from the monks' life, proposing that the new visitors' buildings be erected outside the monastery grounds, while the visitors would follow an organized route inside the monastic complex.

*g) Retrospective Statement of Outstanding Universal Value*

The draft retrospective statement of Outstanding Universal Value submitted by the State Party is still under review by the Advisory Bodies.

Conclusions

The World Heritage Centre and the Advisory Bodies note the observations of the mission that notwithstanding the agreement between the World Heritage Centre and the State Party in November 2011 that only emergency work might be undertaken to stabilise the building, in reality a full-blown re-construction of the Cathedral is well underway, largely according to the monumental concrete and stone clad plans rejected by the Committee at its 34<sup>th</sup> session, but with a lighter modern construction at the western end.

The mission also noted that although exemplary investigative work has been undertaken on the monument and its surroundings, no attempt has been made to undertake an archaeological reconstruction using original stones, where they exist, nor to conserve the original fabric, some of which was in a fragile state, and apparently no attempt has been made to protect the archaeological layers where reinforced concrete beams have been installed below ground, and the recently discovered tombs.

The World Heritage Centre and the Advisory Bodies note with disappointment that in spite of apparently positive meetings in 2011 between the State Party, the World Heritage Centre and the Advisory Bodies on the basis of a clear understanding that the Reconstruction Strategy should be developed and presented to the Committee for approval before any re-construction work was undertaken, and that such a strategy should acknowledge the need for a careful analysis of the existing fabric, and that some of the recent interventions should be reversed to give maximum exposure of the original stone, this strategic approach has apparently been ignored. Similarly, the Committee's explicit request made at its 35<sup>th</sup> session, that it approve such a strategy before any commitment to rebuild was not respected.

The World Heritage Centre and the Advisory Bodies also note that after almost complete implementation of the monumental project, the State Party has submitted in May 2012 a second draft of the Rehabilitation Strategy that attempts to justify the work underway without however providing an explanation as to why a solution that respects the original fabric and is reversible has not been developed.

The World Heritage Centre and the Advisory Bodies recommend that the Committee express deep regret that the opportunity to undertake a careful, reversible reconstruction of the majority of the building based on clear evidence of what previously existed, with sensitive new work introduced where evidence is lacking, which could have allowed the Cathedral to be re-used and valued as part of contemporary society has not been taken.

They consider that the decision to inaugurate a new reconstructed Cathedral of Bagrati in September 2012 has prevailed over the commitment of the State Party to implement the Committee's decisions to allow future removal of the property from the List of World Heritage in Danger, as well as over the responsibility to sustain the Outstanding Universal Value of the property.

While the State Party has made significant progress in implementing the corrective measures regarding the Gelati Monastery, they consider that the work undertaken at Bagrati Cathedral does not respect the Corrective Measures agreed by the Committee nor will it contribute towards achieving the Desired State of Conservation. The new work has overwhelmed the original masonry to such an extent that the authenticity of the Cathedral has been irreversibly

destroyed. Bagrati Cathedral can no longer be said to contribute to the criterion for which the property was inscribed on the World Heritage List.

**Draft Decision: 36 COM 7A.30**

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7A.Add,
2. Recalling Decision **35 COM 7A.29**, adopted at its 35th session (UNESCO, 2011),
3. Welcomes the progress in the implementation of the rehabilitation programme and the conservation master plan for Gelati Monastery, as well as the progress in the establishment of a clear institutional coordination mechanism within the framework of the State Programme for Cultural Heritage in Georgia, involving all stakeholders concerned;
4. Notes with extreme concern that a reconstruction of Bagrati Cathedral is already well advanced, largely in line with plans, rejected by the Committee at its 34th session, for a monumental re-building using reinforced concrete, including a cast concrete cupola, and installing stone facing that covers much of the original stonework;
5. Further notes that, notwithstanding exemplary topological and archaeological surveys of the buildings, no attempt has been made to re-use the majority of the surviving fallen stones in their original places, in spite of the precise locations for some 400 stones having been identified;
6. Deeply regrets that no conservation of the original stonework has been undertaken, prior to the new work being started and that such work will now be impossible due to the irreversible nature of the recent interventions;
7. Expresses its great concern that, notwithstanding the production of a draft Rehabilitation Strategy for Bagrati Cathedral, as requested by the Committee, the subsequent comments by the Advisory Bodies, and the appointment of an international conservation architect, a strategic approach that would have optimised the retention of original stonework and allowed new interventions to be reversible and readily understood, has not been retained, and considers that the opportunity to bring the Bagrati Cathedral back into use, while at the same time sustaining its contribution to the Outstanding Universal Value of the property has been lost;
8. Also considers that the Bagrati Cathedral has been altered to such an extent that its authenticity has been irreversibly compromised and that it no longer contributes to the justification for the criterion for which the property was inscribed;
9. Deeply regrets that the decisions of the Committee at its 34th and 35th sessions have failed to protect Bagrati Cathedral;
10. Requests the State Party to submit, by **1 February 2013**, a request for a major boundary modification for the property to allow Gelati Monastery to justify the criterion on its own;
11. Further encourages the State Party to seek the advice of the World Heritage Centre and the Advisory Bodies in developing the boundary modification;

12. **Decides to retain Bagrati Cathedral and Gelati Monastery (Georgia) on the World Heritage List in Danger.**

**31. Historical Monuments of Mtskheta (Georgia) (C 708)**

Year of inscription on the World Heritage List

1994

Criteria

(iii) (iv)

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

2009 to present

Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Lack of a management mechanism;
- b) Privatisation of surrounding land;
- c) Loss of authenticity of some components due to restoration works conducted with unacceptable methods.

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Adopted, see page <http://whc.unesco.org/en/decisions/4103>

Corrective measures identified

Adopted, see page <http://whc.unesco.org/en/decisions/4103>

Timeframe for the implementation of the corrective measures

Adopted, see page <http://whc.unesco.org/en/decisions/4103>

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/708/documents>

International Assistance

Global amount granted to the property: USD 97,660

For details, see page <http://whc.unesco.org/en/list/708/assistance/>

UNESCO extra-budgetary funds

N/A

Previous monitoring missions

November 2003, June 2008, March 2010 and April 2012: Joint World Heritage Centre / ICOMOS reactive monitoring missions.

Factors affecting the property identified in previous reports

- a) Lack of a management mechanism;
- b) Lack of definition of property and buffer zones;
- c) Privatisation of surrounding land;
- d) Natural erosion of stone;
- e) Loss of authenticity in recent works carried out by the Church;
- f) Insufficient coordination between the Georgian Church and the national authorities.

Illustrative material

See page <http://whc.unesco.org/en/list/708>

Current conservation issues

On 31 January 2012 the State Party submitted a detailed state of conservation report that addresses progress with the implementation of the corrective measures, including conservation work at Jvari Monastery, surveys of Svctitskhoveli Cathedral, clarification of boundaries and progress with the Management Plan. Details are also provided regarding a proposed visitor centre at Jvari Monastery.



A joint World Heritage Centre / ICOMOS reactive monitoring mission visited the property between 23 and 28 April 2012, as requested by the World Heritage Committee at its 35th session (UNESCO, 2011).

a) *Boundaries issues*

The State Party has submitted to the World Heritage Centre updated retrospective cartographic documentation clarifying the boundaries of the property. However, the mission reported that there has not yet been any definition of the buffer zone. This work is seen as a pre-condition for the development of the Management Plan and for possible minor boundary modification of the property.

b) *Management Plan*

The State Party reported that the drafting of the Management Plan will take place during 2012 within the framework of an approved International Assistance Request and with the support of the National Agency for Cultural Heritage Preservation. This project will also consider the management system for the property and the possibility of establishing working groups to allow for the participation of representatives of the church authorities, NGOs and the Mtskheta civil society. The mission stressed the need for the Management Plan to acknowledge that the property is an ensemble of religious monuments within a very sensitive historical environment and thus needs to be managed as a cultural landscape.

c) *Long-term consolidation, conservation and monitoring measures*

The State Party reported that during 2012, a comprehensive conservation assessment of archaeological components of the property was undertaken and recommendations set out for their management. Conservation work was carried out on the roof, walls and stone plaques of the Jvari monastery, with the participation of an ICCROM expert, and of the wall paintings in the southern part of Svetitskhoveli Cathedral. At the Cathedral, another capacity-training project headed by an international expert addressed the production of up to date measured drawings during 2010-2011. This resulted in a full set of measured drawings for the Cathedral that will form the basis for developing of a comprehensive conservation plan. At Samtavro nunnery, a project is being prepared to strengthen the southern support wall taking into account the 2010 mission recommendations.

The State Party reported that in 2011 the National Agency for Cultural Heritage Preservation had allocated a special budget for monitoring of the property. In addition, a special project was implemented for monitoring the groundwater fluctuations around Svetitskhoveli Cathedral. It is anticipated that by the end of 2012, additional monitoring mechanisms will be proposed for all elements of the property.

d) *Proposal for a Visitor Centre at Jvari Monastery*

The State Party included in its report revised plans for the visitor centre at Jvari Monastery. These are said to take into account the comments made by ICOMOS on the initial plans in 2011. These plans will now be reviewed by ICOMOS and comments sent to the State Party.

e) *Urban Land-Use Master Plan*

At the initiative of the local authorities, work has begun on a systematic data collection of the urban topology, related development and other studies. This data will form the basis for an Urban Master Plan of the town which is being prepared and is due to be completed by the end of the year.

f) *Urban development pressure*

The 2010 mission report highlighted the need for special care to be given to the sensitive area extending along the river Mtkvari bank, between the Svetitskhoveli Cathedral and Jvari church. It recommended that the area where the rivers converge should not be developed and that the historic landscape be restored. However, the 2012 mission noted that the State departments, in cooperation with the local authorities have proceeded with the construction

of new administrative buildings (Police and Courts buildings and Conference Hall) in this area. The 2012 mission was also informed that a new Museum building is to be erected on the same area, the plans of which have already been approved, as well as a hotel complex. The mission also saw a new tourist information building in front of the entrance of the Svetitskhoveli Cathedral, constructed in inappropriate style without any respect of the property's value.

The 2012 mission noted that these considerable developments have been undertaken within one of the most sensitive areas of the property, in the visual corridor between the Svetitskhoveli Cathedral and the Jvari hill, is currently being assessed independently of the directions that may be developed by the Urban Master Plan and the Management Plan that are both under preparation. The mission further noted that although all these interventions have an immediate impact on the property, they have not been notified to the World Heritage Centre, in line with Paragraph 172 of the *Operational Guidelines*.

g) *State Programme for Cultural Heritage in Georgia - towards a strategic World Heritage country programming*

The World Heritage Centre has been informed by the World Bank that a “Regional Development Program: An Integrated Approach to Urban Regeneration, Cultural and Natural Heritage for Economic Growth and Job Creation” is under implementation in Georgia. On 23 April 2012, the Minister of Finance of Georgia presented an “Innovative Approach to Regional Development” during a meeting organised by the Cultural Heritage and Sustainable Tourism Thematic Group, the Europe and Central Asia (ECA) Sustainable Development Department and the South Caucasus Regional Management Unit at the World Bank Headquarters.

The 2012 mission has been informed that the Governor of Mtskheta discussed with the World Bank representative the possibility to extend this project to Mtskheta. The mission recommended to the authorities to establish, in coordination with the World Heritage Centre and the Advisory Bodies, a global approach for all projects and activities which could be developed for the World Heritage properties in Georgia.

During the meeting with the Deputy Minister of Foreign Affairs of Georgia and the National Commission of Georgia for UNESCO, the mission underlined the urgency to develop this global approach towards a strategic World Heritage country programming in coherence and alignment with the State Programme for the protection of Georgian cultural heritage prepared by the National Agency for Cultural Heritage Preservation. It was discussed that this country-based approach could be developed using the 5C Strategic Objectives in order to achieve greater coherence, efficiency and effectiveness at country level of all activities related to the protection, management and use of the World Heritage properties, and to avoid fragmentation and duplication of projects and activities.

Conclusions

The World Heritage Centre and the Advisory Bodies note the detailed report from the State Party which includes an assessment of what has so far been achieved – identified as strengths, and its conclusion that the main weakness is the lack of a Management Plan and of a consolidated vision for the development of the property, both of which will be addressed this year.

The World Heritage Centre and the Advisory Bodies wish to highlight to the Committee their concern that despite the 2010 mission recommendation regarding the sensitive area extending along the river Mtkvari bank, between the Svetitskhoveli Cathedral and Jvari church, the State Party authorised new constructions in this area and plans new developments which will impact on the Outstanding Universal Value of the property, without any submission of these projects to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, for review and comments prior to any approval.

The World Heritage Centre and the Advisory Bodies underscore the fact that Mtskheta is an ensemble of religious monuments within a very sensitive historical environment. Taking into account that the most sensitive areas of Mtskheta's landscape are being compromised by new buildings, they recommend that the World Heritage Committee retains the Historical Monuments of Mtskheta (Georgia) on the List of World Heritage in Danger.

The World Heritage Centre and the Advisory Bodies suggest that the World Heritage Committee might recommend that the State Party develop a national law for all World Heritage properties in Georgia, as well as initiate a "5C strategic World Heritage country programme" proposal. This could serve as a consolidated basis for cooperation within the country to enhance the implementation of its commitments within the framework of the *World Heritage Convention* and take into account the need for a more sustainable longer-term approach. It could be developed on the basis of the analysis of the challenges, corrective measures and the national priorities and strategies as set out in the Periodic Report.

**Draft Decision: 36 COM 7A.31**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.30** adopted at its 35th session (UNESCO, 2011),*
3. *Acknowledges the detailed information provided by the State Party on the progress made to implement the corrective measures and urges the State Party to continue its work on all the corrective measures adopted at its 34th session (Seville, 2010);*
4. *Also urges the State Party to define the buffer zone of the property to allow a clear understanding of the archaeological and visually sensitive areas around the property and to submit this proposal as a minor boundary modification of the property;*
5. *Expresses its great concern regarding developments being undertaken by the State Party in the vicinity of the property within the area of the river Mtkvari bank, between the Svctitskhoveli Cathedral and Jvari church, and further urges the State Party to halt developments within the property and its setting until details of proposed developments, together with Heritage Impact Assessments, have been submitted to the World Heritage Centre, in conformity with Paragraph 172 of the Operational Guidelines, for review and comments by the Advisory Bodies before any irreversible decisions have been made;*
6. *Notes that the State Party intends to complete a Management Plan for the property by the end of 2012, requests the State Party to ensure that this Plan recognises that the property is an ensemble of religious monuments within a very sensitive historical environment, and also requests it to submit the draft of this plan to the World Heritage Centre for review by the Advisory Bodies;*
7. *Invites the State Party to consider the development of a national law for all World Heritage properties in Georgia;*
8. *Further requests the State Party, in coordination with the World Heritage Centre and Advisory Bodies, to develop a "5C strategic World Heritage country programme" proposal, based on the State Programme for the protection of Georgian cultural heritage, to serve as a consolidated basis for cooperation within the State Party to*

*enhance the implementation of its commitments within the framework of the World Heritage Convention;*

9. *Requests furthermore the State Party to submit to the World Heritage Centre, by 1 February 2013, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013;*
10. ***Decides to retain the Historical Monuments of Mtskheta (Georgia) on the List of World Heritage in Danger.***

## **32. Medieval Monuments in Kosovo (Serbia) (C 724 bis)**

### Year of inscription on the World Heritage List

2004, extension 2006

### Criteria

(ii) (iii) (iv)

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

2006 to present

### Threats for which the property was inscribed on the List of World Heritage in Danger

- a) Lack of legal status of the property;
- b) Lack of legislative protection of buffer zones;
- c) Lack of implementation of the Management Plan and of active management;
- d) Difficulties to monitor the property due to political instability, post-conflict situation (visits under the Kosovo Stabilisation Force / United Nations Interim Administration Mission in Kosovo (KFOR / UNMIK) escort and lack of guards and security);
- e) Unsatisfactory state of conservation and maintenance of the property.

### Desired state of conservation for the removal of the property from the List of World Heritage in Danger

- a) Full and permanent protection of the property in a secure and stable political environment;
- b) Agreed medium-term plan for the restoration of wall paintings (including preventive conservation regime) and conservation and rehabilitation of the property;
- c) Implementation of the Management Plan, and full establishment of buffer zones and boundaries including their legal protection.

### Corrective measures identified

Urgent / short-term corrective measures:

- a) Put in place appropriate guarding and security arrangements for the Church of the Virgin of Ljevisa;
- b) Prepare a conservation status report including a condition survey for the wall paintings and the status of the conservation works and take temporary measures where there is an urgent need (for example the lead roof of the west bay of the nave of the Church of Virgin of Ljevisa, that was partly removed);
- c) Prepare a risk preparedness study, in conformity with Paragraph 118 of the Operational Guidelines and Decisions **28 COM 10B.4** and **30 COM 7.2**.

Long-term corrective measures:

- d) Ensure the adequate long-term administrative, regulatory protection and management of the property, in conformity with Paragraph 97 of the Operational Guidelines;
- e) Put in place strong protective regimes for the buffer zones;
- f) Adequately delineate the boundaries (e.g. extend the boundaries of the Patriarchate of Pec to include more of its riverside-valley settings);
- g) Prepare detailed state of conservation reports as a basis for adapted monitoring, preventative conservation measures, and specific conservation projects to reverse decline;
- h) Ensure appropriate and timely implementation of the Management Plan.

Timeframe for the implementation of the corrective measures

- a) Urgent / short-term corrective measures to be taken by the State Party, in cooperation with UNESCO programmes, UNMIK and Provisional Institutions of Self Government in Kosovo\*;
- b) Regarding the long-term corrective measures to be taken by the State Party, in co-operation with UNESCO programmes, UNMIK and Provisional Institutions of Self Government in Kosovo no specific timeframe can be given at this stage due to the political situation.

Previous Committee Decisions

See page <http://whc.unesco.org/en/list/724>

International Assistance

N/A

UNESCO Extra-budgetary funds

Total amount provided to the property: USD 2,798,348 following the Donors Conference for the Protection and Preservation of Cultural Heritage in Kosovo, May 2005; USD 596,330, by the Italian Government, USD 76,335 by the Czech Government, USD 132,833 by the Greek Government, USD 2,000,000 by the Government of the Russian Federation and USD 45,000 by the Government of the Republic of Bulgaria.

Previous monitoring missions

January 2007: UNESCO intersectoral mission to Kosovo; July 2008: UNESCO Venice Office (BRESCE) mission; January 2009: UNESCO BRESCE mission; August 2009 and July 2010: UNESCO BRESCE mission.

Main threats identified in previous reports

See above

Illustrative material

See page <http://whc.unesco.org/en/list/724>

Current conservation issues

**Note:** *The Secretariat was informed by the Legal Advisor that “The UNESCO Secretariat follows the practice of the United Nations, which considers that the Security Council Resolution 1244 (1999) continues to be applicable to the territory of Kosovo until a final settlement is achieved”.*

Reports on the state of conservation of the property, providing information on conservation and restoration works in the four parts of the serial World Heritage property, were submitted by the Permanent Delegation of Serbia to UNESCO on 30 January 2009, 3 February 2010, 31 January 2011 and 30 January 2012. Additional information on specific issues related to the state of conservation has been submitted by letters or electronic communications.

a) *State of conservation*

Since the decision of the 32nd session of the World Heritage Committee (Quebec City, 2008) which debated on the state of conservation of the property and recalled that long-term protective measures should continue to be applied, the state of conservation is as follows:

As a follow up to the International Donors Conference (May 2005) and the 2007 Intersectoral mission, and further to the request of the Director-General of UNESCO, the UNESCO Venice Office (BRESCE), in cooperation with the United Nations Interim Administration Mission in

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\* References to Kosovo shall be understood to be in the context of the United Nations Security Council Resolution 1244 (1999)

Kosovo (UNMIK), organized an expert mission, from 19 to 22 January 2009. The mission visited all four components of the World Heritage property and updated the information about the situation of the property as follows:

- *Gracanica Monastery*: The mission noted changes since the previous mission at the monuments including certain construction activities in the compound of the Monastery. The technical experts noted some damages on the frescoes. In the mission's view, the restoration of the frescoes of the monastery may be proposed for financing through the contribution which the Russian Federation had announced to the Director-General of UNESCO (*the Russian Funds-in-Trust project is currently being implemented*). During a subsequent visit to *Gracanica* by UNESCO BRESCE mission in August 2009, no changes were noted since the January 2009 mission;
- *Decani Monastery*: The mission observed that special attention should be paid to the proposal of the Monastery authorities related to the re-construction of the dormitory-lodge that was burned down in 1946, as the plan proposed was not cleared by the Institute for Protection of Monuments from Belgrade;
- *Pec Patriarchate*: The mission noted that the facade of the three churches was recently repainted in dark red colour. No information on this development was received by the World Heritage Centre in compliance with Paragraph 172 of the *Operational Guidelines*;
- *Church of the Holy Virgin of Ljevisa, Prizren*: No changes had been noted since the mission in July 2008. Although the keys of the restored monument were supposed to be handed over to the Church representatives, this had not happened. UNESCO has organized activities related to the restoration of the wall paintings. The project should also include restoration of some external elements. Further works on the wall paintings could not be initiated before ensuring the appropriate architectural works and that no frescoes would be endangered by atmospheric influences.

The January 2009 mission concluded that the monitoring of the World Heritage property in Kosovo had to be reinforced and that more frequent reporting could be undertaken as an intermediate solution. In April 2009, the Director-General decided to activate the Reinforced monitoring mechanism after having carefully considered the specific circumstances of this property.

A number of the outstanding issues identified by the mission have been addressed since 2009.

- *Gracanica Monastery*: Urgent interventions have been completed on the frescoes with the worst degradations in the Holy Annunciation Church. Two types of urgent interventions measures have been proposed in order to preserve the property. The first one, funded by the Institute for the Protection of Cultural Monuments, concerns the replacement of 12 sq.m. of the damaged lead roof in 2011 and reparation of damaged areas, while the other one concerns conservation works on the frescos, including measuring dampness of the walls in the Southern parekklesion and preventive measures for the unstable fresco areas and other areas at risk. The latter measures will continue to be applied.

- *Decani Monastery*: Protective archaeological investigations have taken place in view of the reconstruction of the dormitory-lodge in the Monastery yard, in compliance with the project which was approved by the Institute for the Protection of Cultural Monuments of Serbia and the Culture Commission for Cultural Goods of Outstanding Value. These investigations were fully completed in 2010. In 2011, the reconstruction works on the dormitory-lodge continued and the first phase of rough construction was completed by December 2011. On 10 April 2012 the Permanent Delegation of Serbia to UNESCO reported to the World Heritage Centre that graffiti in red had appeared on the wall on 31 March 2012, followed by new black graffiti a few days later, on 2 April 2012. In a letter of 13 April 2012, the World Heritage Centre requested UNMIK to undertake the necessary investigations, provide further details and liaise with the respective authorities to increase security. In a letter of 19 April UNMIK provided information that it maintains contacts with all agencies engaged in providing security around the components of the property. It has therefore contacted the Kosovo Stabilisation Force (KFOR) which, as a consequence, increased patrolling and general visibility around Decani. Further to the request of the World Heritage Centre for details concerning a planned construction of a road close to Decani, UNMIK responded that, to its knowledge, this local initiative does not have any funding, due to the lack of sustainability.
  
- *Patriarchate of Pec*: Approvals for new gates and a farmhouse in the Patriarchate of Pec have been issued in 2010. Conservation and restoration works were undertaken on the frescoes of the Virgin Mary Odigitria Church. In 2011, exploratory works and experimental cleaning were done on the frescoes of St Demetrios Church, and the wall dampness was measured (up to 30 cm in depth) showing that the conditions were currently stable. During a meeting with the World Heritage Centre in August 2011 and a letter of 31 August 2011, the Permanent Delegation of Serbia to UNESCO provided information about works concerning a pumping station and a water pool in the immediate vicinity. Further to the request of the World Heritage Centre, UNMIK conducted research and consultations with the local authorities, the Serbian Orthodox Church, the contracted company and the Institute for the Protection of Monuments in Belgrade. It provided information that the pumping station is located outside the buffer zone of the World Heritage property and that the “reservoir does not appear to be visible from the Patriarchate”. Further to the report submitted by the Permanent Delegation of Serbia to UNESCO on 30 January 2012, according to an expert opinion of the Institute for the Development of Water Resources, “the position of the Patriarchate [...] and the inclination of the terrain are such that if, for any reason, water was to flow out of these structures, it would not go towards the Patriarchate [...]”.
  
- *Holy Virgin of Ljevisa Church in Prizren*: Further to an incident concerning the theft of 20 sq.m. of the roof of the *Church of the Virgin of Ljevisa* which was reported to the World Heritage Centre in April 2011, the damages were inspected by the Institute for the Protection of Cultural Monuments. Due to several months of soaking, the mortar layer in the interior of the church had deteriorated and caused considerable fissures and cracks around the frescoes and it was possible that further detachment of the painted layer, as well as flaking and bubbling would occur in the future. Urgent interventions, identified as necessary by the Institute for the Protection of Cultural Monuments, were undertaken to repair the roof, including change of mortar and placing hydro-isolation as in other sections of the vault. The replacement of the roof was funded by the UNESCO Venice Office, and the works were completed in August 2011. A first phase of conservation and restoration works was carried out in 2011 for 30 sq.m. of the frescoes, further to a UNESCO tender. On 10 April 2012, the Permanent Delegation of Serbia to UNESCO provided information that an explosive device had been found in the church yard and that the Kosovo police had been notified

immediately. The device, a signal flare according to information received by UNMIK, was promptly removed by the Kosovo Police together with KFOR. In its letter of 13 April 2012, the World Heritage Centre requested UNMIK to ensure that all respective authorities take the necessary measures to provide the highest level of security to the property, particularly drawing attention to the second phase of restoration works which international experts were scheduled to commence in the end of April 2012. UNMIK's reply of 19 April 2012 informs that the security responsibility for Ljevisa has been transferred to the Kosovo police, which maintains a fixed checkpoint. In addition, KFOR continues to patrol and to provide overall security. UNMIK has also informed the local authorities and EULEX, which monitors and advises Kosovo Police.

#### *b) International cooperation*

Since 2009, the respective Assistant Director-Generals for Culture and other officials have met with the staff concerned with Kosovo at the European Commission Offices in Brussels (EC – DG Enlargement) on different occasions, as well as with different officials of the European Union, including the Head of the Liaison Office in Pristina, and with the Special Representative of the Secretary General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) to discuss issues related to the safeguarding of the four components of the World Heritage property. In March 2010, the Assistant Director-General for Culture met high representatives of the Serbian Orthodox Church to discuss the protection of the monasteries.

The World Heritage Centre and the UNESCO Venice Office are in permanent contact with UNMIK, and all concerned stakeholders, concerning all issues related to the property, including state of conservation and security issues.

#### *c) Handover of security responsibility*

The World Heritage Centre was informed in 2010 that the so-called “unfixing” process, which represents in substance the handover of security responsibility for “Properties with Designated Special Status” from the NATO-led Kosovo Force (KFOR) to Kosovo police, started in August 2010 on the basis of a decision of the North Atlantic Council of July 2010. The process is being implemented through a mechanism of regular consultations with the key stakeholders. Further to information provided by UNMIK to the World Heritage Centre, the transfer of guarding responsibilities from KFOR to Kosovo police had been completed with respect to *Gracanica*, before end of January 2011. Kosovo Police also ensures the security for *the Virgin of Ljevisa Church*, while KFOR ensures the security for the *Patriarchate of Pec* and *Decani*.

#### *d) Conservation and Restoration projects*

The implementation of the USD 2,000,000 UNESCO/Russian Federation Funds-in-Trust (FiT) project on “Safeguarding of World Heritage Sites in Kosovo” started in 2011, with UNESCO as implementing agency. The main objective of the project is to contribute to the restoration of the monuments and to strengthen the local capacities in this field. After completion of the tender process and the preparatory works of the contracted companies, effective conservation and restoration works are scheduled in all four components of the World Heritage property, in accordance with the identified needs, as from Spring 2012.

Furthermore, UNESCO, with the contributions of Greece, the Czech Republic, Italy and the Russian Federation, continues the works on the restoration of the wall paintings of the *Holy Virgin of Ljevisa Church* in Prizren.

Altogether, since the Donor conference in 2005, conservation and restoration projects amounting to USD 2,798,348 have been implemented, or are in the process of



implementation, by UNESCO as implementing agency in all four components of the property. Donor countries include Bulgaria, the Czech Republic, Greece, Hungary, Italy and the Russian Federation.

**Draft Decision:      36 COM 7A.32**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decisions **30 COM 8B.54, 31 COM 7A.28, 32 COM 7A.27, 33 COM 7A.27, 34 COM 7A.28** and **35 COM 7A.31** adopted at its 30th (Vilnius, 2006), 31st (Christchurch, 2007), 32nd (Quebec City, 2008), 33rd (Seville, 2009), 34th (Brasilia, 2010) and 35th (UNESCO, 2011) sessions respectively,*
3. *Acknowledges the information provided by the state of conservation reports of 2009, 2010, 2011 and 2012 and the results of the mission of the UNESCO Venice Office (BRESCE) to the property in 2009;*
4. *Reiterates its request, in cooperation with UNESCO, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Institutions of Kosovo, as well as future European arrangements, to continue to take long-term corrective measures, including: ensuring adequate long-term legislative, regulatory protection and management of the property and strong protective regimes for the monuments and the buffer zones, adequately delineated boundaries and the timely implementation of the Management Plan;*
5. *Also reiterates its requests, in cooperation with UNMIK, to continue efforts in completing the short-term and long-term corrective measures to achieve the Desired state of conservation defined for the removal of the property from the List of World Heritage in Danger;*
6. *Requests the submission, in cooperation with UNMIK, to the World Heritage Centre, by **1 February 2013**, of an updated report on the state of conservation of the property, for examination by the World Heritage Committee at its 37th session in 2013;*
7. ***Decides to retain the Medieval Monuments in Kosovo on the List of World Heritage in Danger, and to continue applying the Reinforced monitoring mechanism until the 37th session of the World Heritage Committee in 2013.***

## GENERAL DECISION

### 36. World Heritage properties of the Democratic Republic of the Congo (DRC)

#### Current conservation issues

As a result of the continued severe threats to the five World Heritage properties of the Democratic Republic of the Congo (DRC), the World Heritage Committee at its 31st session (Christchurch, 2007) called upon the Director-General of UNESCO and the Chairperson of the World Heritage Committee to convene a meeting with the DRC authorities to discuss progress in addressing their deteriorating state of conservation. This high-level meeting finally took place in the capital Kinshasa on 14 January, 2011 and resulted in the signature by the Director-General and the Prime Minister of the Kinshasa Declaration, in which the Congolese Government committed to implement all the corrective measures and to create the necessary conditions to allow for the implementation of the Strategic Action Plan proposed by ICCN. The full text of the Declaration can be found on website of the World Heritage Centre (<http://whc.unesco.org/uploads/news/documents/news-702-1.pdf>).

The World Heritage Centre and IUCN note that, as shown in the individual State of Conservation reports, some progress has been made in certain properties in the implementation of the corrective measures, in particular conservation measures which have been implemented directly by the management authority ICCN and its conservation partners. However they consider that limited or no progress was made by the Government in implementing concrete specific actions necessary to create the conditions for the rehabilitation of the Outstanding Universal Value of the different properties which need political decisions or the cooperation and commitment from other Ministries and state entities. These include issues related to the attribution of mining exploration and exploitation concessions attributed by the Ministry of Mines, the issue of the illegal settlements in the corridor of Kahuzi-Biega, the night closure of the RN4 in Okapi Wildlife Reserve, the relocation of the Nyaleke army training camp in Virunga National Park. They further note the consistent reports from different properties about continued involvement of elements of the Congolese Army in illegal exploitation of their natural resources. They also note that ICCN continues to lack appropriate equipment to conduct law enforcement activities, in particular appropriate armament and ammunition and consider that this is putting at risk the lives of the ICCN field staff, who is confronting well armed and organized poachers.

The World Heritage Centre and IUCN also consider that the recent permit which has been granted to the international oil and gas company SOCO to start oil exploration activities in Virunga National Park is not in conformity with commitments made by the State Party in the January 2011 Kinshasa Declaration.

The World Heritage Centre and IUCN note that the international community continues to provide substantial resources for the conservation of the World Heritage properties in DRC, in particular the European Commission, the World Bank, Germany, Belgium and Spain. In addition, progress is also made on the development of a sustainable financing mechanism: a legal analysis looking at the option for the establishment of a trust fund was conducted together with a feasibility study, which developed a proposal for the profile of the fund and an action plan for its creation and operation according to international standards. Based on these studies, the World Bank prepared a concept note for a project to set up the fund, which will be submitted in June 2012 to the Global Environment Facility (GEF) board for funding.

So far, two donors have expressed their interest in providing funding for the trust fund: the German Development Bank (KfW) and the Belgian government.

### Conclusion

The World Heritage Centre and IUCN wish to highlight that so far, the signature of the Kinshasa Declaration unfortunately has not yet resulted in a concerted action between the different Ministries, the army and different technical agencies which is necessary to resolve some urgent conservation issues in the sites and create the conditions for their rehabilitation. They note that so far no inter-ministerial committee has been created, as was foreseen in the Strategic Action Plan. They recommend that the World Heritage Committee urge the State Party to fulfil the commitments taken on in the Kinshasa Declaration and ensure the implementation of the Strategic Action Plan. In particular they recommend that the State Party sets up urgently the inter-ministerial committee to ensure that specific actions necessary to create the conditions for the rehabilitation of the Outstanding Universal Value of the different properties and which need political decisions or the cooperation and commitment from other Ministries and state entities are implemented.

### **Draft Decision: 36 COM 7A.36**

*The World Heritage Committee,*

1. *Having examined Document WHC-12/36.COM/7A.Add,*
2. *Recalling Decision **35 COM 7A.35**, adopted at its 35th session (UNESCO, 2011),*
3. *Expresses its concern that signature of the January 2011 Kinshasa Declaration has not yet resulted in a concerted action between the different Ministries, the army and different technical agencies which is necessary to resolve some urgent conservation issues in the sites and create the conditions for their rehabilitation;*
4. *Notes with concern the consistent reports from different properties about continued involvement of elements of the Congolese Army in illegal exploitation of the natural resources;*
5. *Considers that the recent permit which has been granted to the international oil and gas company SOCO to start oil exploration activities in Virunga National Park is not in conformity with commitments made by the State Party in the Kinshasa Declaration;*
6. *Urges the State Party to ensure a full implementation of the commitments made in the Kinshasa Declaration and ensure the implementation of the Strategic Action Plan and in particular to urgently set up the inter-ministerial committee to ensure that specific activities of the action plan which need political decisions or the cooperation and commitment from other Ministries and state entities are implemented;*
7. *Welcomes the continued support from donor countries for the conservation of the five properties of the Democratic Republic of the Congo and the on going efforts to set up a sustainable financing mechanism;*
8. *Requests the State Party in close cooperation with the World Heritage Centre and IUCN to organize an evaluation of the implementation of the action plan, identify obstacles to its implementation and ways to address these with the concerned Ministries and present a report on this evaluation to the World Heritage Centre, for consideration by the World Heritage Committee at its 37th session in 2013.*

