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MEETING OF EXPERTS TO CO-ORDINATE, WITH A VIEW TO
THEIR INTERNATIONAL ADOPTION, PRINCIPLES AND SCIENTIFIC,
TECHNICAL AND LEGAL CRITERIA APPLICABLE TO THE
PROTECTION OF CULTURAL PROPERTY, MONUMENTS AND SITES

Unesco House, Paris, 26 February-2 March 1968

Final Report

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INTRODUCTION

The problem

1. A major concern of any civilization is to preserve what has survived through the ages of the monuments it has created and the urban and rural groups and sites it has produced.

It is nowadays considered imperative to conserve the architecture and the natural framework that life had in the past, and many countries have been successful, more or less, with their arrangements for doing so. However, threatened by the transformation of the world as modern technology ceaselessly develops, these have proved useless or inoperative in a number of countries and incapable of coping. Mere prohibitions must give way to modern and more imaginative forms of control that will encourage, direct and co-ordinate systematic protective measures, national and international.

General Conference decision

2. Unesco General Conference resolution 14/3.342 authorized the Director-General "to co-ordinate and secure the international adoption of appropriate principles and scientific, technical and legal criteria for the protection of cultural property, monuments and sites".

3. The work plan to this resolution provides that "a meeting of experts will be convened to co-ordinate, with a view to their international adoption, principles and scientific, technical and legal criteria which would make it possible to establish an effective system for protecting and exploiting monuments and sites".

Expert meeting

4. This meeting took place at Unesco Headquarters, Paris, from 26 February to 2 March 1968 and was attended by fourteen experts and consultants, invited in a personal capacity, all experts of international repute in the conservation, restoration and enhancement of monuments and sites. They came from thirteen countries: Austria, France, Ghana, India, Italy, Japan, Poland, Spain, USSR, United Arab Republic, United Kingdom, United States of America, Yugoslavia. Also present were three observers from intergovernmental organizations (Council of Europe, League of Arab States, International Centre for the Study of the Preservation and Restoration of Cultural Property) and four representatives from non-governmental international organizations (International Council on Monuments and Sites (ICOMOS), International Council of Museums (ICOM), International Union of Architects (IUA), International Federation of Landscape Architects (IFLA). Unesco was represented by two officials from the Department of Culture (see Annex I, list of participants).

5. The basis for discussion was four documents (SHC/CS/27/3-6, English and French) prepared by the Secretariat in co-operation with the rapporteurs: Mr. Robert Brichet (France), Mr. De Angelis d'Ossat (Italy), and Mr. J. Zachwatowicz (Poland). A fifth document, (SHC/CS/27/7, Paris, 1 March 1968) containing the conclusions, was submitted at the closing meeting (see Annex II, list of documents).

Proceedings

6. At the inaugural meeting, the representative of the Director-General expressed Unesco's gratitude to the experts for agreeing to provide their valuable help in attempting to establish effective arrangements for protecting and making the most of monuments and sites. Referring to the manifold dangers which threaten cultural property, he said, "To forestall these dangers and face up to new developments affecting monuments and sites, the safeguarding arrangements will need constant change and readaptation. By its purposes and its Constitution, Unesco is directly concerned with these problems".

7. He recalled that the experts should also consider a project in the Programme and Budget for 1967-1968: feasibility of working out some scheme for the international protection of monuments and sites of universal value and interest (3.3411.2).

8. The meeting unanimously elected Mr. Pietro Gazzola (Italy) Chairman and Mr. Hans Foramitti (Austria) Rapporteur.

Nine meetings considered the following items:

General discussion on the various systems established in Member States for the protection and enhancement of monuments and sites;

Scientific concepts on which the protection and enhancement of monuments and sites are based;

Scientific and technical principles which should govern protection operations;

Legal provisions required to ensure protection of the heritage of monuments:

- (a) Adoption of an effective system in each country;
- (b) Feasibility of using this system with a view to studying what form a system of international protection for monuments and sites of universal value and interest might take.

CHAPTER I

General discussion on the various systems established in Member States for the protection and enhancement of monuments and sites

9. Participants outlined the relevant legislation in their respective countries, the administrative and scientific services responsible, proposed and completed projects and operations, and difficulties encountered. They suggested various reforms. An exchange of views and a discussion took place after each speech. Specific current problems were thoroughly discussed. The major points can be summarized as follows.

10. In Austria the basic legislation is Federal Law No. 533 of 25 September 1923. It applies only to isolated monuments, not to groups and sites. The Federal Historic Monuments Service (Bundesdenkmalamt) is the enforcing agency; it implements court decisions and carries out research and expert surveys. Building, planning and development, however, are matters for the federal provinces. Some of these have regulations to protect urban sites; so far there has been made no federal legislation on this issue.

11. In Spain, the 1933 law on the protection of the historic and artistic heritage is adequate and effectively protects monuments, groups, and urban and natural sites. The Directorate for Fine Arts is given full powers to carry out any operations required for their maintenance, restoration and enhancement; it uses individual or group classification as appropriate; its inventory criteria are mainly those of the Council of Europe.

The major monuments are safe. The secondary monuments are the main problem in Spain today, especially when they form a part of a group. Their maintenance and rehabilitation demands the closest co-operation with the town-planning and development services, and the widespread support of an alert public opinion.

12. The United States of America has a National Trust, State services, historical societies, hundreds of other organizations, as well as private individuals, which concern themselves with conservation. It should be mentioned that the Federal Government has no power to intervene in such matters as are reserved to the States.

After the Second World War, as major hydraulic schemes increasingly threatened prehistoric sites in the basins of the Missouri and other great rivers, a Committee for the Recovery of Archaeological Remains (CRAR) was set up to carry out a site preservation programme. It has gradually become customary to include provision to cover conservation in the budgets of dam, highway and similar projects.

The year 1966 saw a series of new laws which directly commit the Federal Government. Public Law 89-669 (An Act to establish a program for the preservation of additional historic properties throughout the nation, and for other purposes) stipulates the making of a national inventory of districts, sites, buildings, structures and objects of historical, architectural or archaeological interest or representative of American culture; the earmarking of funds to enable the States to arrange for the preservation, acquisition and development of such properties; the preparation of a programme of grants-in-aid to the States; and the establishment of an Advisory Council in the Office of the President of the United States, consisting of seventeen members, including six members of the President's Cabinet, the Chairman of the National Trust, and ten other members designated for their competence to advise the President and Congress with regard to historical preservation, to propose bills and regulations and assist in co-ordinating the activities of the Federal Government, the States and other bodies concerned.

13. France has a highly elaborate system of safeguards. The 1913 Law prescribes the classification, safeguard and conservation of isolated monuments. The Malraux Law (1962), by defining sectors safeguarded within the overall classifications, facilitates the restoration and rehabilitation of the constituent parts of groups.

Under this legislation, a permanent conservation and development scheme is implemented by State-subsidized societies or groups of owners who can obtain property loans and government subsidies. At present there are forty safeguarded sectors; in those, a great deal is being done to restore and rehabilitate dwellings.

In practice, the 1962 law has been rather timidly applied - no doubt because of the shortage of public credits, the relatively high cost of rehabilitation projects, the reluctance of local communities to contribute, and the drawbacks that living in the renovated sectors involves.

The 1966 law makes new provision to reinforce the safeguarding of individual monuments.

14. In Ghana, a monuments commission set up under the 1951 Ancient Monuments Act was mainly concerned with the fortified towns and fortresses built by the Europeans along the coast during the Seventeenth century and State property since Independence. The protection of archaeological sites and other monuments is now receiving attention; and traditional houses are the subject of a study which will be submitted to the authorities.

Ghana now has the co-operation of architects and archaeologists of various nationalities who are interested in restoring the fortified towns and the important forts and carrying out archaeological excavations; it supports the scheme to ensure the international protection of monuments and sites of universal importance, and urgently needs Unesco's assistance to protect its heritage effectively.

15. Since India became independent in 1949, the Constitution divides responsibility for its historic monuments and archaeological sites between the Central Government and the State Governments.

The power of the Central Government to protect monuments and adjoining areas was increased by the 1958 Act (which embodies the Ancient Monuments Preservation Act of 1904) and the supplementary regulations; defaulting owners can now be expropriated, subject to compensation.

The Archaeological Survey of India is responsible for monuments and sites of national importance, archaeological excavations and the administration of site and monument museums. The central administration is in New Delhi, under a Director-General; under it are ten circuits, each embracing one or more States and directed by a superintending archaeologist. Archaeological chemists do research on the chemical conservation of monuments.

16. In Italy protection is based on the 1939 law; a law of 1962 protects the Venetian villas.

For State monuments, the responsible agency is the Directorate of Antiquities and Fine Arts in Rome with provincial branches. The cost of protecting other monuments devolves upon their owners, who can obtain subsidies on the recommendation of the local superintendent.

The protection of Italy's vast heritage is fraught with difficulties. Despite increasing economic and tourist development, proper legislation is lacking as well as funds for rehabilitation and upkeep. Centralization under the Directorate in Rome has not tended to favour monuments in the provinces. Legislation is, however, in preparation which would promote development at all levels, and attend to those neglected.

17. In Japan, the essential legislation is the 1950 law, which has historical reasons for defining monuments somewhat differently from the European model. Safeguarding wooden buildings means protecting against fires (of frequent occurrence) and the effects of high temperatures and humidity. Government subsidies are granted to provide fire extinguishers, automatic fire alarms and reservoirs of non-inflammable material. The national cultural property commission provides owners with supports, fencing, roofing, and so on, and encourages local improvements that would ensure better conservation. As Japan suffers devastation every year from typhoons and floods, flood control facilities, and protective walls, banks and ramparts are also provided.

Measures have been taken to safeguard the most representative traditional houses and the first European-style buildings of the second half of the Nineteenth century when threatened by town-planning, dam construction, highway construction, or other public works.

18. The legislation in Poland is fairly comprehensive; it includes the laws of 1918 and 1933 and - of special importance - the law of 15 February 1962.

Protection rests essentially on central agencies and services in certain towns and districts, each with clearly defined terms of reference. State laboratories and workshops provide technical backing and do research. Restorations are planned jointly by historians and architects; architects and town-planners are responsible for groups. Perhaps the best guarantee is the care of the Polish people for the monuments to its past; this may be given practical form through an individual, organization, association or school specially interested in a particular monument or group.

19. The extraordinary monuments and sites of the United Arab Republic are continually exposed to damage by the moving sands of the deserts, humidity, irrigation and land improvement projects, and urbanization. The Ministry of Culture has powers under the 1951 law to protect immovable cultural property; a bill is in preparation to cover the conservation of urban groups, old towns, and archaeological sites.

Large-scale upkeep works are carried out each year; in addition to the Unesco-sponsored international campaign to save the monuments of Nubia, they aim at preserving other monuments of universal importance (e.g. restoration of the temples of Karnak, with French aid; reconstitution of the temple of Deir el Bahri, in co-operation with Poland. Large amounts are allocated each year in the budget of the Ministry of Culture for such projects. The Land Reform Ministry, and others, can subsidize emergency operations to save sites threatened by development programmes. Considerable amounts are allocated for the restoration of monuments in the State's five-year economic development plan. The recently established National Fund for Monuments and Museums can also help finance such operations.

20. Protection in the United Kingdom is governed by the Ancient Monuments Protection Act, 1900, the Ancient Monuments Consolidation and Amendment Act, 1913, and the Town and Country Planning Act, 1947, amended in 1961; however, none of these Acts contains any provisions to safeguard the general atmosphere or distinctive character of historic cities. The Ministry of Public Buildings and Works and the Ministry of Housing and Local Government are the competent authorities.

Private agencies have played a very important rôle. The oldest is the Society for the Protection of Ancient Monuments (founded 1877). The most active is the National Trust which, founded in 1895, has 170,000 members and owns ancient buildings worth £28 million, ceded to it under tax exemption arrangements.

Protection for scheduled buildings is financed from two sources: (1) subsidies from the local authority (county, district or urban) now available in respect of all scheduled buildings; (2) government subsidies under the 1953 Act for the repair of buildings scheduled as being of exceptional importance.

The Historic Monuments Board recently introduced town schemes, pilot projects under which the government and the local authorities provide agreed subsidies each year for large-scale restorations in Bath, Brighton, Cheltenham, and other famous places.

21. In the Soviet Union monuments are public property. Each Republic has its own laws for the protection of its monuments and historic towns. The basic documents containing all the provisions obtaining in the various republics are the 1948 Decree and Law of the Council of Ministers.

Protection is planned by the Ministry of Culture in collaboration with the Academy of Sciences, the Academy of Architecture and the Academy of Arts in Moscow, and the central and local services. Each Republic has inspectors to supervise the execution of projects prepared jointly by architects, engineers, historians, archaeologists, art critics and other specialists. Restoration and conservation workshops deal with studies, research and the actual operations.

The USSR was first to introduce the idea of the social protection of historic buildings into its legislation. Societies, in all the Republics, with a total membership of 2,500,000, do everything in their power to publicize and encourage the protection of historic monuments, members' subscriptions also helping to finance restorations.

22. The relevant legislation in the federal Republics of Yugoslavia is contained in the Federal Regulations of 1945, 1946, 1959 and 1960, under which a monument of public interest is defined as one of archaeological, historic, cultural, artistic, technical, family, social, national or human interest. They stipulate the mode of protection, permanent or temporary, rights and obligations, and clearly legislate for questions of expropriation, penalties and prohibitions.

The absence of any central agency, the consequences of the tourist boom, and a certain lack of cultural appreciation on the part of the public are the main practical problems in Yugoslavia.

23. In general, although the problems are not always the same, the difficulties they cause are not so very different. The background to conservation, and their scientific, technical and financial resources have allowed the advanced countries, in the main, to save their major monuments, and they are now principally concerned with the surrounds and with the secondary monuments, especially those endangered in groups needing rehabilitation; whereas the developing countries, particularly if rich in vestiges of the past, are still struggling to save individual monuments and sites that are often of universal importance and interest.

24. The experts stressed certain vital needs: arousing official and public awareness of the necessity of conservation, organizing conservation services rationally and efficiently, properly planning what has to be done, better training in the relevant scientific and technical techniques.

They likewise stressed certain grave deficiencies: ineffectual protection arrangements, excessive centralization or decentralization of services, inadequacy of government allocations or subsidies, shortages of specialists and technicians, absence of laboratories and workshops, tardy or over-hasty official intervention.

This provided a basis for lines of inquiry and for a closer examination of other matters included in the agenda.

CHAPTER II

The scientific concepts on which the protection and enhancement of monuments and sites are based

A. Introductory report

25. Mr. G. De Angelis d'Cssat (Italy) introduced the working document (SHC/CS/27/3). Enhancing the background to everyday life, monuments and sites give a sense of continuity with the past, and encourage artistic creativity, and understanding between peoples. Conservation, the duty of society as a whole, must be ensured against all the current dangers to survival, and that involved having a wide range of solutions for the difficulties that, at various levels, might have to be faced.

26. The purpose of conservation must first be defined, together with the community's right to intervene in order to safeguard monuments and its enjoyment of them.

27. Preliminary legislation defining what the community agrees must be preserved, other measures help to extend survival and ensure proper maintenance. Conservation and restoration must henceforth be scientific, and satisfy critical and aesthetic criteria. That implies recognizing monuments as works of art: physically and on aesthetic and historical grounds. Protection should extend to the immediate surrounds and neighbouring buildings, and to groups and landscapes, even though some of the constructions and constituent elements might have no inherent aesthetic or historical interest.

28. That implies intervention by the public authority and entrusting the responsibility to a single agency (province, municipality, trust) which would finance the necessary operations from such sources as regular income, subsidies, low-interest repayable loans, building development taxes, and so on.

B. Discussion

29. The inferences from the problem thus stated had next to be thoroughly analysed on the basis of ideas expressed, and an attempt made to define principles which would provide a basis for an effective system of conservation in each country.

Underlying principles

30. The approach to conservation should be optimistic, cheerfully accepting progress, present and future, and taking the fullest advantage of it to guard and enhance the aesthetic side of our civilization - including the precious relics of other centuries.

The approach should be comprehensive, and aim at protecting and enhancing all monuments, groups and sites of public interest and saving them from all that at present threatens their survival; it should judiciously blend the practical and the aesthetic, the urge to create which will always be present and the joy of cherishing and enjoying the continuity between the achievements of past civilizations and the contributions of our own and future times.

31. Protection should not be regarded as a response to the demands of an élite of artists and intellectuals, but rather as a present-day duty of society, to enable man to develop all his potentialities.

32. However, most protective measures are much as they were a quarter of a century ago - chiefly a prohibition to demolish or modify. It surely is time for a new approach, replacing the traditional by something more modern and dynamic that would take account of all aspects of a general policy, actively and consistently enforced by the authorities in each country.

This should be done quickly - but without rushed improvisation - before the threat aggravates and it becomes too late to safeguard.

33. Contemporary opinion is favourable. Never has there been so much enlightened interest in cultural property. People are everywhere realizing that any impoverishment can easily become irreparable, both culturally and economically.

Inventory of the cultural heritage; terminology

34. To understand the extent of what has to be done and go about it methodically, it is essential to know as accurately as possible of what the heritage consists. Each country must have its own methods for identifying all its monuments, sites and groups of historic and artistic interest; the responsible services must assemble the documentation on each component (historical and iconographic data, drawings, photogrammetric surveys). This demands long and untiring efforts, but could be simplified by preparing inventories, as a matter of urgency, everywhere (cf. the simplified inventory cards prepared by the Council of Europe).

Outside Europe, the United States and other countries have devised inventory methods which they find satisfactory. This would seem to rule out any standardized inventory for international use but leaves countries which do not yet have one free to adopt any features which best suit them from those already in operation.

35. In any case, the inventory should be flexible, capable of adapting to mechanized data processing, computers and other scientific and technical advances, and covering any item qualifying for conservation.

36. The terminology, on the other hand, should be standardized, both internationally (through Unesco, the Council of Europe, ICOMOS, and so on) and nationally. At present it varies according to country and item. Uniform terms to describe the material structure of each item clearly for legislative and administrative purposes would facilitate the work of conservation in all countries and make it easier for international organizations to prepare conventions, recommendations, charters and similar international instruments.

With a view to such rationalization, the committee carefully examined various terms (monuments, monument centres, sites, groups, and so on). It suggested that the term "historical monument" should be applied only to isolated items, of architectural value in their own right and in isolation, belonging to any period from the dawn of civilization to our own times. The term "groups of historic and artistic interest" recently in international use, could be assimilated to the urban sites that are referred to in the 1962 Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites as a series of monuments (sometimes of great importance) surrounded by buildings of lesser importance.

37. A special category "archaeological sites and monuments" was also considered necessary to cover traces left by human industry or civilization at any time prior to the invention of writing (including all prehistory); reference could also be made to Articles 9 and 21 of the Unesco Recommendation on International Principles Applicable to Archaeological Excavations (1956).

38. Other sites should be divided into three categories: (1) natural sites (formerly referred to as rural sites), i.e. large-scale areas forming a natural whole and interesting on aesthetic, historical, literary, legendary, picturesque or ethnographical grounds; (2) mixed sites, i.e. natural sites, but in which the dominant interest is in the monuments or historical or artistic associations; (3) scientific sites, i.e. any kind of area in which vestiges of scientific interest have been or seem likely to be discovered.

Dangers and pressures

39. As protection must be effective against all the possible dangers and pressures, these must be clearly known; they derive mainly from certain activities or features of contemporary life:

- (1) Demographic and social pressures, leading to intensive urbanization in which monuments, groups and sites, designed apart in the past for a particular purpose, get swallowed up.
- (2) Economic, industrial, agricultural and commercial development, resulting in dams, highways, airports, pipelines, overhead cables, irrigation systems, clearing operations, and so on, which destroy the harmony of sites and break up those of historical or artistic interest.

- (3) Air and water pollution which accelerate the degradation. Limestone, marble and other building materials are corroded by carbonic acid, chemical compounds, nitric and nitrous acid solutions, sulphurous and sulphuric acids, and so on. Vibrations caused by the continuous passage of supersonic aircraft and heavy motor vehicles disrupt structures and cause cracks.
- (4) Natural catastrophes, e.g. landslides, floods, earthquakes, volcanic eruptions.
- (5) Inadequate care on the aesthetic and technical side, administrative inadequacies, lack of funds.

Measures to be taken

40. Energetic measures are necessary in each country to ensure continued protection against these various threats and pressures.

CHAPTER III

Scientific and technical principles which should govern protection operations

Introductory report

41. The working document for this discussion (SHC/CS/27/4) was introduced by Mr. J. Zachwatowicz (Poland).

Scientific and technical progress have now opened up vast new conservation possibilities calling for the use, nationally and internationally, of special apparatus, and new methods based on laboratory testing. Before undertaking any conservation operations, a thorough, detailed examination of the monument must first be made. Specialists in geology, hydrography, technology, soil mechanics and other subjects supplement the data from historical and typological sources, photogrammetric surveys, archaeological analysis of the construction stages, and information about alterations and transformations, techniques employed and materials used.

A detailed conservation programme next defines the scope of the operations and indicates the methods required to ensure survival and permanence.

Materials must be hardened and consolidated. Fluorides can be used to treat the surfaces, or a binding substance electrokinetically introduced over the whole cross-section. To treat damp, soil hydrological conditions can be improved, the walls dried out, and the surrounding atmosphere purified.

As regards stabilization, new components may be introduced only to support vertical stress, neutralize internal pressures, or strengthen the roofing.

Restoration should be avoided unless either the structure or the materials are in certain danger, unless there has been damage or deterioration, or some social purpose must be served. In the latter case, adaptation must respect the nature of the monument, be flexible in approach, and take advantage of any recent technical advances.

Discussion

In view of the wide range of activities discussed, the committee decided to confine itself to three points which directly concern the policy to be followed in each country.

(a) Laboratories and training of personnel

One speaker suggested that, since architects designed monuments and supervised their building, they were also best fitted to undertake conservation. However, although fifty years ago architects seemed to be the only ones capable of doing the job on their own, there had been a complete break between traditional and present-day architecture which now made it necessary to call upon architects with specialized knowledge of historic buildings to cope with the scientific and technical problems involved.

It was agreed that architecture should take advantage of certain well-tried laboratory techniques. That could be done more easily in each country by setting up panels in the agency responsible for conservation on which architects, archaeologists specializing in conservation, town-planners and laboratory experts would work together under the direction of someone possessing several of the specializations in question.

The traditional craftsmen's skills retained of course their importance also - masons, stone-cutters, sculptors, wood-workers, carpenters; the shortage of such craftsmen is a serious obstacle to restoration or rehabilitation programmes in certain countries.

The committee urged that laboratories study all the scientific problems involved. The advanced countries had plenty of laboratories and there was no point in establishing more, but many developing countries had few or none. No standard solution could be proposed. Ideally, every country should have at least one laboratory, and there should be co-operation between the laboratories and the agencies responsible for conservation.

There could also be regional collaboration, one laboratory being set up to meet the needs of several countries. Internationally, the Rome Centre, which arranged training courses for architects in collaboration with the Faculty of Architecture in Rome University, had a new project, in co-operation with Unesco, for 1969; an international laboratory where experts could study the research methods and analyses which underlie modern conservation techniques.

(b) Maintenance, restoration and reconstitution

Conditions - scientifically indispensable - that should govern the above operations are stipulated in Articles 2 to 13 of the Venice Charter; their purpose is to safeguard the genuine historical and aesthetic flavour of the original.

As already indicated, the conserving agency must use both traditional and modern techniques in the permanent task of conserving the traditional setting and preventing new construction or realignments that might alter the monument's volume and colour relationships with its surroundings. Monuments are inseparable from the history to which they stand witness and from their material environment. All operations must respect this authenticity, and stop at the point where conjecture begins, objectively displaying the positive contributions, for example, of the successive stages or periods through which a monument may have passed. Again, replacements should integrate harmoniously, but at the same time be distinguishable as such. And the bonds which time and man establish between a monument and its surroundings being of capital importance, they must not be touched, allowed to atrophy, or be destroyed. The monument must not be isolated by the removal of local stratifications. Transfer should not be contemplated except in the most exceptional conditions, imposed by scientific or emergency considerations, e.g. peril from major public works, archaeological excavations on sites containing stratigraphic layers; the protecting agency should in any case tolerate transfer only if satisfied that the future of the monument is guaranteed, and is absolutely convinced that no other solution is possible.

The committee evoked examples in support of their recommendations against restoring monuments when scientific data was not available to ensure with certainty that they were being re-established in their original form - and particularly if the monument dated from mediaeval times or antiquity. Of course large-scale restorations had sometimes to be contemplated on famous archaeological sites containing much material of universal importance. Such cases demanded study, probably at international level, by many specialists, and nothing should be undertaken until there was absolute certainty regarding the justification for it.

The necessary distinction between restoration and reconstitution is viewed differently from one country to another. After destructive wars or natural disasters, certain countries, for patriotic or emotional reasons, construct models or copies of monuments partially or totally destroyed, to preserve their image and setting for future generations, possibly together with some objects from them also. But this is obviously a question that concerns only such countries as view their monuments, and the memories attaching to them, in this light.

In brief, it can be said of restoration that if it is impossible to reconstruct a painter's masterpiece solely from a photograph, it is doubtful if a monument, which no longer exists, can be reconstructed unless all the elements for an exact and faithful reconstitution are available.

(c) Rehabilitation

The committee reverted to this topic - touched upon in Chapter II - in order to investigate the general principles.

Groups and areas restored, or proposed for restoration, are frequently used for purposes other than those for which they were originally intended. In the light of what is already being done in several countries, could recommendations be made regarding these changed uses?

The commonest solution (using as museum, exhibition centre, study centre, hotel, motel inn, tourist centre) was often the easy way out, and should not be adopted unless the number of buildings so converted did not exceed a town's limited needs for such installations.

In the interests of rehabilitation, and without in any way demeaning them, it has been suggested that they be used to serve some purpose connected with the everyday life of the community (artisanal,

commercial, residential, university), but without going deeply enough into the differences between those various purposes or the cases in which one rather than another should be advocated.

The idea should be to see what alternative uses are feasible without radically altering the original purpose, and then allow adaptations to be made so that, with as little fuss as possible, those likely to be interested will not be put off by too much red tape and regulations.

The choice of purpose will depend upon the nature of the group, its general atmosphere and surroundings, and what its inhabitants are and do - never forgetting that the scope for adaptation is limited and can not be physically extended.

If it is agreed that certain activities are incompatible with a renewed residential purpose, activities and industries requiring equipment, workshops, factories, and so on (which sooner or later would menace or shatter the fragile artistic harmony) should be forbidden; they could be installed elsewhere.

The committee endorsed various views on the subject and suggestions recently expressed by the Council of Europe and by ICOMOS. For instance, without lighting, heating, sanitation and modern conveniences, few occupants would be inclined to stay, so that interior remodelling must be permitted. Drainage, cleansing, demolitions of decrepit buildings of no historic interest, gardens, squares, passages from one building to another, had already proved to be essentials in many such rehabilitated quarters. In some cases, rehabilitation is achieved by the careful placing of new buildings on vacant land and sites freed by the demolition of old and unimportant buildings. Here considerable flexibility must be allowed. Pastiche is out of the question in our day, and architects must be left free to choose volumes and colours that will harmonize with the existing ones.

The committee endorsed the view expressed at several other international meetings that traffic should be restricted or prohibited, that detours should be provided, and car parks opened outside.

It also agreed with the now widely-held view that monuments, groups and sites should receive their due attention in wider territorial improvement projects and that measures should be taken accordingly by the services concerned. In all planning - national, regional or local, short-term or long-term - that involved the cultural heritage, there should be close and permanent liaison between those responsible for monuments and sites, and the architects, town-planners and others responsible for planning.

CHAPTER IV

Legal provisions required to ensure protection of the heritage of monuments: Adoption of an effective system in each country

42. Mr. Robert Brichet (France) introduced the working paper (Chapter I, SHC/CS/27/5).

43. The legal provisions necessary to ensure an effective system of protection are, firstly, those which are already incorporated in various international agreements and can thus be regarded as established. Secondly, certain ideas in some recent European laws revolutionize a number of traditional views regarding the right to property, relations between the State and the individual, and the purpose of works surviving from the past; these place questions of protection in quite a new light. Two sets of legal provisions are necessary (paragraphs 44 and 45 below).

44. Reinforced protection of individual monuments

- (a) Scheduling of individual monuments, legal restrictions to be strictly observed; compulsory scheduling if necessary, compensation only if there is direct prejudice to the owner's interests.
- (b) Compulsory execution of work, preceded where appropriate by formal notice served on the owner to have the work carried out by a fixed date.
- (c) Expropriation should the owner default in effecting repairs; possible cession of the expropriated property to third parties, to avoid the excessive accumulation of State-owned immovable property.

45. Protection of groups and sites

- (a) In the case of a group formed by a monument and its surroundings, or by several monuments in a given setting, measures to prevent the disappearance of the architectural background. Restrictive conditions could be made to apply only to buildings visible from, and seen together with, the protected monument.
- (b) Groups of buildings with a historical or aesthetic value should be scheduled as protected areas, with a plan for the protection and development of the whole. The plan should take into consideration the use to which old buildings are put. They could be a part of town and country planning at either the national or the regional level.

46. Measures should also be taken to protect monuments from dangers against which no protection has hitherto been provided: anti-noise (vibration of heavy traffic, supersonic aircraft), impairment of components (e.g. stone decay, wood rot), natural catastrophes (e.g. earthquakes, floods; c.f. means and methods used by the Japanese National Commission for the Protection of Cultural Property).

47. If such measures are to be effective, the community must encourage the owners of monuments and old houses by paying a reasonable share of the maintenance and repairs, and by tax exemptions. Reaccommodation, reimbursement of removal expenses - and possibly reinstallation - would also provide a stimulus.

A national monuments and sites fund should be set up with powers to grant loans and subsidies, financed from various budgetary and extra-budgetary resources.

48. A discussion took place on the suggestions made in the paper regarding ways of ensuring the reinforced legal protection of the cultural heritage.

Powers of central or federal and local authorities

49. This is primarily a matter of internal legislation - which varies greatly from State to State. The committee had already noted (Chapter I) the drawbacks of excessive centralization or decentralization - even though the purpose is to save monuments and sites at no matter what cost by mobilizing all scientific and technical skills and all moneys that can be obtained from the government or local authorities.

50. The respective terms of reference of the central and the local authorities must therefore be complementary, and be clearly defined and unambiguous, as to avoid any clashes of competence, or developments that might result in breakdown and neglect; in any case, efficient co-ordination would mean a more rational use of funds and expert services.

51. The allocation of responsibilities as between the capital and other towns and localities must similarly be defined in greater detail. The meeting, in view of the importance of this question, recommended a certain allocation, which could be integrally adopted or modified to suit each country's domestic situation, so that the legislation and regulations of each country could have some common denominator.

The allocation should in no case depend upon the importance of the heritage involved. Each central and local authority should feel it is responsible for something of major importance to the entire country; and local authorities should not expect that they will always receive aid, and have only a very minor rôle to play in preserving monuments and sites within their own territorial bounds.

52. Accordingly, central or federal authorities should be responsible for: laying down the principles, planning conservation in general, adopting the necessary legislation, recruiting senior expert staff, preparing specific programmes, awarding subsidies, partly financing conservation, supervising its execution, substituting for a local authority which has failed in its responsibilities, and providing an impulse generally.

53. The local authorities should be responsible for: the decision to enforce protective measures, maintenance, financial participation, and building permits in respect of adjoining scheduled property.

54. There was considerable discussion on the question of leaving discretion regarding building permits to the local authorities. Emphasizing the importance of ensuring that safeguards are strictly observed, one speaker urged that the granting of permits, which afford real safeguards, should be reserved to the central or federal authorities. The other experts pointed out that, in federal States, local authorities could not renounce the privileges of the component States.

Scheduling and other measures of legal protection

55. The meeting next discussed other legal protective measures. Scheduling, the basic one, has obviously to be regulated in accordance with a country's legal traditions and its scientific, economic and social conditions.

56. It considered the degree of protection afforded and the restrictions imposed by various types of scheduling and cataloguing.

57. In France, the deciding factor in scheduling is public interest, from the point of view of history or art. Without individual priorities, all monuments on the same list are protected, and may not be destroyed or moved; they may not be restored, repaired or in any way modified without the consent of the authorities concerned. Owners receive financial aid from the State. In a lower category, buildings which do not warrant immediate scheduling but have a certain archaeological interest are entered on a supplementary list; owners must give two months' notice of intended alterations, which the Ministry can veto only by resorting to scheduling proper.

58. Arrangements in the United Kingdom are different. An inventory covering three-fourths of the country includes all protected items prior to 1700, most representative items between 1700 to 1870, and some dating from the late Nineteenth and early Twentieth centuries.

Some 102,000 items thus appear on the official schedule (Categories I and II), including 4,000 of the highest architectural importance and almost 107,000 on the supplementary list (Category III).

The restrictions scheduling imposes are limited (more like those attaching to the French supplementary list). They concern individual items only. Government aid can in principle be given for the maintenance of the 4,000 buildings of major importance, but no owner automatically receives aid because his property has been scheduled.

59. The United States now maintains a National Register of National Historic Landmarks held by the National Park Service i.e. buildings and monuments of major importance for the history and

archaeology of the United States, classified under eight main headings (the French Colonies, the British Colonies, the War of Independence, and so on).

It also includes those recommended by State Governors for inclusion by reason of their national or State or local importance. All have the same standing, with no priorities; owners can obtain repayment of up to half the cost of maintenance.

60. In Japan, the National Commission for the Protection of Cultural Property can obtain scheduling under any of five categories: (1) major cultural property, (2) major folk culture, (3) historical sites, (4) beauty spots, (5) natural monuments.

Certain national treasures in categories 1, 3, 4 and 5 are of unique importance, both to Japan and to the world - 201 of them in 1962; the State bears all expenditure on their restoration.

61. Poland classifies its cultural property in twelve categories which include: buildings, townscapes, architecture (Category 1), ethnographic sites (Category 2), battlefields and famous sites (Category 5), sites of interest for technology or material reasons e.g. old mines, foundries, workshops (Category 6), studios and studies of famous men (Category 11), other items (Category 12).

There is also provision for the inclusion of outstanding historical items in the International Register of Cultural Property under Special Protection (Hague Convention of 1954).

62. In general, accordingly, protection is afforded impartially or on a priority basis to items scheduled in a general list, and sometimes in a supplementary list also.

63. Restrictions, once imposed, must be scrupulously respected, not only by owners, but also by the public authorities; particularly in areas where care must be taken before putting up new buildings, the protecting authorities and the town and country planners should work in close co-operation.

64. On the subject of expropriation, the experts expressed interest in the idea - new in law - of ceding expropriated items subsequently to third parties so as to avoid an over-accumulation of State-owned property, and find new owners willing to devote the monuments to their appropriate use.

Criminal and civil penalties

65. Present-day vandalism should be severely punished by law, and a simple and rapid procedure adopted to prevent frauds. Fines and imprisonment proportional to the damage done should be imposed on anyone who intentionally destroys or mutilates or injures scheduled monuments, groups or sites. Not all national legislations as yet have the necessary legislation. Serious damage or injury should be made good as soon as possible, and at the expense of the offender. Though unpopular, the demolition of adjuncts prejudicial to scheduled property is effective, and should be seriously considered; better still, the need for it can be avoided altogether if there is a sufficiently alert public opinion.

66. It should be mandatory that all economic development projects in the neighbourhood of scheduled monuments, groups and sites will be submitted for approval to the protecting authorities.

Financial aid measures

67. It was suggested that each country should earmark a certain proportion of its budget, calculated in proportion to (1) the importance of its cultural heritage (2) the need for protection and (3) its appropriations for education and culture.

68. In addition to the regular State contribution, special and supplementary subsidies should be allocated under State or other public budgets for major cultural property rehabilitation programmes, or to safeguard it in the event of natural catastrophe or armed conflict.

69. Every country should have a legally established and financially independent national fund which would accept and administer extra-budgetary subsidies, grants, legacies and so on from private sources.

CHAPTER V

The legal provisions required to ensure international protection

Introductory report

70. The introductory working papers (SHC/CS/27/5 Part II, and SHC/CS/27/6) were introduced by Mr. R. Brichet.

71. If it is the duty of each State to protect its own monuments, groups and sites, surely it is the duty of the international community to protect our universal heritage? Most assuredly as several precedents attest, including the Hague Convention for the protection of cultural property in the event of armed conflict (1954), and various Recommendations adopted by the Unesco General Conference.

72. The logical inference is that States should make their own, effective, protective arrangements, while an international agency (which could be Unesco) would be empowered, in specified conditions, to take action to protect sites and monuments of universal importance.

Scope and operation of international protection

73. International protection would first be afforded by the regulations which, taken together, would constitute the system of protection recommended to the States, supplemented by various more or less individual efforts.

74. International protection implies the existence of something more than the sum of all that is nationally important i.e. the existence of certain items of universal importance.

75. An international protecting authority (possibly Unesco) should be made responsible for seeing that the principles adopted are enforced. It would have a small permanent staff, together with experts and technicians provided by Member States under technical co-operation arrangements.

It would undertake studies and research, and provide technical, financial and administrative help.

76. If the international community agrees to make sacrifices to protect cultural property of universal importance, the State or States directly benefiting might in return voluntarily grant special advantages to the international community or to a State which had been particularly helpful.

Discussion

77. The discussion centred on the basis for an international system of protection.

Grounds for international protection

78. The idea that mankind is collectively responsible for protection has gradually made progress. Unesco had taken the initiative at a time when international agreements already adopted regulate the main problems, and real support is forthcoming from various international agencies, including the Rome Centre and ICOMOS.

79. Moreover, many countries have on several occasions given outstanding proof of solidarity when major monuments were threatened e.g. the international campaign to save the monuments of Nubia, and the international campaign for Florence and Venice. International teams of technicians and experts, and considerable funds, have been generously made available, and this has dissipated much of the pessimism that formerly existed regarding the hope or possibility of collectively saving celebrated monuments that seemed doomed to disappear.

Hence the renewed confidence, the determination to save other masterpieces whose fate concerns all men.

80. International protection implies that international solidarity will be backed by reasonable resources, adequate at all times to meet any calls on it that may arise.

Qualifying for such international protection

81. Each Member State continues of course to be fully responsible for protecting its own cultural heritage. Any international aid will therefore be limited, be provided in clearly defined cases of circumstances, and be voluntary.

82. Taking the most optimistic view, such international protection could apply - for the time being at any rate - only to items of universal importance and interest. These are not limited to any specific canon or canons of aesthetics, but might include unique archaeological remains of past civilizations, the best specimens of a country's architecture, grandiose groups that represent a decisive moment or period in an art or style, and so on.

83. The idea of universal importance is already embodied in legislative texts. Article 8 of the Hague Convention establishes a Register in which "centres containing monuments and other immovable cultural property of very great importance" can be entered and given special protection in the event of armed conflict, and Polish law defines the historical monuments Poland will have thus registered; Japanese law schedules national treasures which it considers of unique importance to Japan and to the world; and so on.

84. The objection was raised in the discussion that legal precedents could be quoted, but a clear definition of what was of universal importance was not easily arrived at. The most learned art historians would hate to be asked for rules to decide what was and was not of world importance in each national heritage - since each in any case is a whole constituted by its very variety and the multiplicity of its components, and it is the total contribution of all the successive generations established on a specific soil that gives each national heritage its universal value.

85. Naturally, each country has its own problems of priority and degrees of urgency, its schedules and supplementary lists. But such entries should not imply a - necessarily relative - value judgement. Funds might dry up and official and public interest cease in any item not declared of universal importance, and they would then be abandoned - at the very time when the threats to their survival are on the increase.

86. There would also be difficulties internationally. An international register would necessarily reflect the differences in the wealth and importance of monuments and sites from one country to another. As the advanced countries already safeguard their major monuments, the international agency's concern would be almost exclusively with the developing countries. But unless major monuments are given priority over others in the register, all international initiative with a view to saving them could easily be paralysed in an emergency - which could arise at any time.

It should be noted that the special protection accorded to property registered under Article 8 of the Hague Convention relates only to immunity from military operations, with due regard to such special strategic considerations as distance from military objectives (airfields, ports, railway stations, etc.) The suggested international protection for monuments of universal importance is primarily envisaged in conditions of peace, and should be much wider in scope.

87. Consequently, it should be open to a Member State to apply in exceptional circumstances to the international authority for aid in protecting cultural property it considers of universal importance; the agency itself would decide what action is appropriate.

Nature of the protective arrangements

88. The committee then discussed the legal, financial and practical aspects of arrangements that might be made to ensure the international protection of monuments, groups and sites of universal importance.

It being universally agreed that any major cultural loss represents a spiritual and material impoverishment for all men, the arrangements should be designed to operate to the benefit of all countries.

89. The arrangements are no substitute for the responsibility of Member States to conserve the cultural heritage located within their territories, but should supplement national legislations by allowing any country that so desires to take action that its own unaided resources would not permit,

to preserve cultural property that concerns all mankind. There should be no question of any country being thereby led to dispossess itself or part of its heritage or induced to internationalize the property involved.

90. No aid granted should imply that the international authority is entirely taking over responsibility for any item of universal importance, but merely that, so far as its own resources allow, it is seconding a Member State in its efforts to safeguard such property.

91. Circumstances which would justify an appeal for international aid would include the outbreak of armed conflict, natural catastrophes devastating a country, public and private works of major importance to a country's economic development, advanced deterioration of a structure or the component materials, virtual abandon because neither the people nor the resources required are available, and so on.

92. On the moral, and voluntary, basis of a kind of Red Cross for monuments, groups and sites of universal importance, the international authority (possibly Unesco) should be empowered on behalf of the international community to take action in specific circumstances and at the request of the countries concerned.

93. The international authority should have an advisory committee of six to eight highly experienced experts to examine requests and decide what action should be taken, calling upon any experts and credits made available as a gesture of international co-operation.

Nature of aid

94. Beneficiary States could be given on a large scale the aid that Unesco provides to Member States under its technical assistance and participation programmes i.e. experts and equipment to help set up or reorganize services, revise legislation, preserve and restore monuments, groups and sites, and carry out research (particularly in archaeology).

Low-interest or interest-free loans could be allowed, repayable on a very long-term basis.

Only in very exceptional cases could aid take the form of a subsidy.

An international fund

95. For financing purposes, an international fund would have to be set up. This idea has been mooted at various bodies in Unesco - the first time twenty years ago. The persistence of the idea and the widespread interest in it indicates that it is still as topical as ever.

The background is fully set out in document UNESCO/CUA/122, which explains why the effort must be unflinchingly continued so that the Fund can become an essential instrument in safeguarding the world's cultural heritage.

96. The committee considered the establishment of such a fund the keystone to a system of international protection, the international equivalent of a national fund in individual countries. As such, it could count on interest, support and understanding not only from the States concerned, but from the general public throughout the world.

Facilities accorded in return

97. The committee finally discussed the facilities a benefiting State might accord to a State or States, or to the international community in general, in return for substantial voluntary aid.

98. Such facilities could of course encourage co-operation between the countries concerned, but several experts argued that the basis for the kind of international co-operation envisaged should be ethical, without any question of repayment, the commercial approach being entirely replaced by enthusiastic international co-operation intent on safeguarding the world's cultural heritage. The question of privileges and facilities could always be discussed later; archaeological excavation concessions, sharing of finds, entry and tourist tax exemptions, preferential sales taxes and customs duties, and so on, did not directly concern the proposed international protection arrangements, and could be dealt with in drafting bilateral cultural agreements between States.

CHAPTER VI

Conclusions

The following text was unanimously adopted:

CONCLUSIONS OF THE MEETING OF EXPERTS

The meeting of experts held at Unesco Headquarters in Paris from 26 February to 2 March 1968 to co-ordinate, with a view to their international adoption, principles and scientific, technical and legal criteria which would make it possible to establish an effective system for the protection and presentation of monuments and sites,

Considering,

that monuments, groups and areas and sites constitute an essential part of man's heritage, a source of enrichment and harmonious development for the civilization of today and tomorrow;

that the preservation, study and knowledge of monuments, groups and areas and sites in various countries encourages mutual understanding between the nations of the world;

that our age should endeavour with all the means at its disposal to ensure the protection of monuments and sites against the serious dangers to which they are or may be exposed;

that under modern conditions, monuments, groups and areas and sites should be able to receive increasing protection thanks to the latest scientific and technical achievements;

that this protection needs to be planned at both national and international level, which means that it should be devised in accordance with co-ordinated rules, based, as far as possible, upon common fundamental principles;

that monuments, groups and areas and sites are, moreover, a major factor in the economic and touristic equipment and development of nations;

Recommends the adoption at national level of an effective system for the protection of monuments, groups and areas and sites based on the following principles:

A. NATIONAL PROTECTION SYSTEM

I. Nature of the heritage to be protected and developed

1. For the purposes of this document, monuments, groups and areas and sites cover the following:

- (a) Historic and artistic groups and areas or "urban sites". These consist of groups of buildings offering an architectural character or environment which makes their protection desirable. Such areas may include monuments of the highest quality surrounded by more modest buildings which together give a particular character to the urban fabric.
- (b) Natural sites. Natural sites of aesthetic, picturesque or ethnographic value or with associations in history, literature or legend, the preservation of which is of definite interest from a general point of view. This category includes both isolated features (caves, rocks, look-out points, etc.) and extensive sites (hillsides, mountains, valleys, etc.).
- (c) Mixed sites. These are the result of the combined work of nature and man. They may consist of groups of buildings, the value of which is enhanced by their natural or artificial setting, or of landscapes of aesthetic value including human artifacts which enhance their interest.

- (d) Scientific sites. This refers to zones in which discoveries of scientific interest have been or may be made.
- (e) Archaeological, including prehistorical and protohistorical, monuments and sites. These consist of traces of human industry of civilization from the earliest times to the appearance of writing.
- (f) Historic buildings - from the beginnings of civilization until our own times.

II. Threats to sites and monuments

2. In order to determine what measures States shall be advised to take as part of their over-all policy for ensuring the protection in perpetuity of their monuments, groups and areas and sites, it has been necessary to identify those phenomena which, whilst inherent in our civilization and indeed sometimes beneficial, nevertheless, in some of their aspects, represent a threat to sites, groups and areas and monuments. Among these phenomena might be mentioned:

- (a) The population increase and social development.
- (b) Economic development - industrial, agricultural or commercial.
- (c) The increasingly rapid deterioration of monuments, groups and areas and sites.
- (d) The inadequacy of aesthetic and technical protection.
- (e) Shortage of staff and funds.

III. Protection measures

3. These include the organization of services as well as scientific, technical, legal, administrative or financial protection procedures or methods.

IV. Organization of services for the protection of groups and areas, sites and monuments

4. It is essential that each State should have a central or regional organization responsible for devising and implementing measures for the protection of groups and areas, sites and monuments.

5. This service should be empowered to deal with the new tasks devolving upon it in conjunction with the other public services, in particular those connected with town and country planning, whose activities also affect the protection of cultural property.

6. This service should have the help of qualified advisory bodies so that it can pass on to the executive its opinions on questions affecting groups and areas, sites and monuments.

V. Powers of central, federal or local bodies

7. It seemed that any formula whereby responsibility for monuments, groups and areas and sites of national importance should be entrusted to federal or central authorities and, for monuments, groups and areas and sites of less importance, to local authorities would present serious disadvantages, since in some cases it might be prejudicial to the preservation of monuments and sites of secondary importance. From another angle, it seems essential to give various powers to local communities and authorities so as to make them alive to their responsibilities with regard to monuments, groups and areas and sites that primarily belong to them.

8. Lastly, in view of the fact that the preservation of monuments, groups and areas and sites raises all manner of awkward problems, that it involves specialized knowledge and the making of sometimes difficult choices and that the supply of highly qualified people is not unlimited, it seemed desirable to recommend a sharing of powers between central or federal authorities and local authorities. The former should be able to decide on the necessary laws

and regulations to ensure the protection of monuments, groups and areas and sites, and to choose those to be protected. They should further, in agreement with local authorities, establish programmes of work and ensure the consistency of restoration work, assume over-all authority for rules relating to protection; grant building licences for monuments, and licences to demolish buildings or to clear trees in the vicinity of monuments, historic groups and areas and sites, as well as in places that may be scheduled as specially protected areas in order to preserve cultural property.

9. The implementation of protective measures, on the other hand, the upkeep of monuments and sites might be left to local authorities.

VI. Co-ordination between services

10. The necessary measures should be taken to ensure that major public works or private projects do not interfere with monuments and sites. To this end, consultations should be held regularly and at every phase between appropriate ministries and departments to ensure that known monuments and sites or suspected remains are not sacrificed before studies have been carried out in liaison with the preservation services.

11. Close co-operation between the appropriate authorities and public departments and private enterprise should result in an active policy for the preservation of monuments and sites.

12. Town and country planning should result from close co-operation between the central or federal authorities and local authorities.

13. To this end, existing laws should be amended or, if necessary, new laws should be framed for the protection of monuments and sites, and to cover town planning and regional development as well, so as to ensure effective overall co-ordination.

14. Right from the initial study stage, it is essential that all departments and disciplines concerned with the drawing up of development plans in all countries should get together in order to integrate the protection and enhancement of monuments and sites with national, regional or local planning.

15. It should be brought home to all appropriate departments that monuments and sites are productive property, both from the cultural and economic point of view.

16. One of the things that regional development must take into account is the protection and enhancement of its cultural property. It is for this reason that permanent and constant liaison must be established between preservation experts, architects and town planners, so that once the need to preserve a monument, group and area or a site has been recognized, preservation should be an essential and basic ingredient in the preparation and execution of any development plan.

VII. Specialized technical personnel

17. States should make a special effort to train and recruit specialized scientific and technical personnel, including historic monument curators, architects and technicians, to draw up and supervise protection programmes.

18. Special care should be devoted to the recruitment of architects specialized in the conservation of historic monuments and groups. To this end, young architects could receive post-university training, national or international, to ensure that no one might undertake monument and site work without the necessary training and qualifications.

VIII. Protective measures for monuments and sites (inventory, legal protection, register)

19. An inventory of its monuments and sites should be made by each State to ensure that protective measures can be taken in good time. This inventory should be accompanied by legal protective measures, to apply to the monument irrespective of owner. Specific measures could be taken on these lines to protect isolated monuments or sites, historic groups, extended sites.

20. These protective measures should be compiled in printed catalogues easy to consult and kept regularly up to date.

IX. Respect for protective measures

21. It is to be hoped that protective measures (prohibition of any demolition, restoration, repairs, modification or removal of a monument without the prior authorization of the public authorities) will be strictly respected by the owners and holders of the property protected, not only in the case of individuals but also in the case of public bodies.

X. Criminal penalties

22. (a) It is recommended that the penalties imposed on anyone who intentionally destroys, mutilates or injures a protected monument, groups and areas or site should include fines and imprisonment.

(b) Heavy fines should be imposed on anyone responsible for other violations of measures for the protection or presentation of a monument, groups and areas or protected site, such as the violation of a constraint, the modification of a monument, groups and areas or site without authorization, the construction of a building adjoining a protected monument without authorization or in defiance of the constraints imposed, and so on.

XI. Civil penalties

23. It is recommended, in order to ensure the indispensable material protection of a protected monument, groups and areas, or site that, in case of criminal sentence as indicated above, the court should be obliged to order that the whole be restored to its original state or in conformity with the instructions prescribed by the competent services.

24. The judge should also be entitled to impose any daily fines for non-performance that he may consider necessary.

XII. New protective measures

25. Existing regulations usually include certain prohibitions to protect monuments, groups and areas and sites. Certain serious dangers, however, demand new measures to counteract them - as for example:

- (a) the effects of shocks and vibration caused by heavy vehicles and supersonic aircraft;
- (b) the accelerated deterioration of the constituent materials of ancient monuments;
- (c) the consequences of natural disasters and calamities.

XIII. Default of owner

26. Because of their great importance, cultural property should be protected, in the case of default of the owner, by measures laid down by the public authorities. These should include:

compulsory execution of works at the owner's expense if necessary;

expropriation of the threatened cultural property.

27. It ought to be possible, where desirable, to cede expropriated cultural property to private parties, on the understanding that this is done against such security as: a favourable opinion expressed by a high administrative authority and the establishment of a general agreement determining the conditions under which the property in question is to be used.

XIV. Financial participation by public bodies

28. Public bodies should offer encouragement by undertaking to bear part of the cost of maintenance and repair works.

29. It is recommended that a National Monuments Fund be set up as a legally-established public agency; this would get over the disadvantages of the annual budget rule in carrying out works spread over several years in States which have no investment budget for the purpose.

30. Contributions would be made to the Fund from public authorities, including the State, in addition to extraordinary resources which might include certain taxes and charges directly or indirectly derived from monuments and sites.

XV. Tax exemptions and loans

31. Individual owners of monuments and sites should be encouraged the better to conserve their property by tax exemptions and, possibly, low-interest or interest-free loans. A special fund might be established for this purpose.

XVI. Rehabilitation of historic groups

32. The rehabilitation of historic groups is not subject to the same rules in all cases. A sociological survey should if possible be made for each type in order to find out the socio-cultural needs in the community in which the particular group is located. Far from saving a group, badly-planned rehabilitation is more likely to help ruin it.

33. The rehabilitation must pay due regard to the new rôle of the historic group. Apart from crafts, industry will probably be excluded, but housing, universities, and tourist, commercial, cultural and other activities may be reconcilable with its historic character.

34. Except for any necessary excision, care must be taken to see that the rehabilitation does not completely upset the character of the residential area.

XVII. Allowances for the inhabitants of rehabilitated historic groups

35. The rehabilitation of historic groups, culturally and socially to be desired, involves excision, restoring and, possibly, renovation that is often costly.

36. If the rents of rehabilitated buildings are higher than for the same buildings before, social upheaval may result, wealthy tenants replacing the modestly-remunerated shopkeepers, artisans, workers and clerks who previously lived there.

37. To avoid certain regrettable changes, compensatory housing allowances should be paid if possible to allow tenants to remain and be able to meet the increased charges while living on the premises. Such allowances are exceptional and should in any case be temporary, and calculated on the basis of the tenants' incomes.

XVIII. Scientific measures to protect monuments and sites

38. All historic monument conservation and restoring must be preceded and accompanied by scientific and technical studies and, for this purpose, each country should be able to call upon the services of specialized laboratories.

(a) Laboratories

39. In the case of certain fundamental problems, including the alteration and the conservation of component materials, co-ordinated studies should be carried out and encouraged through national, regional and international collaboration.

40. If a laboratory cannot be provided, countries should at least have a high-class technical workshop.

41. Specialists should be informed of experiments and research results through publications in widely-known languages.

(b) Conservation and restoring

42. It was agreed that the principles incorporated in the International Charter for the Conservation and Restoration of Monuments and Sites, known as the Venice Charter, (1964), were perfectly adequate even for groups and areas and should be strictly applied.

B. INTERNATIONAL SYSTEM OF PROTECTION

43. The meeting of experts further suggests:

XIX. The establishment of an international system for the protection of monuments, localities and sites of universal importance and interest based on the following principles:

44. This protection, which harks back to historical precedents - the Constitution of Unesco, the Convention for the protection of cultural property in the event of armed conflict (1954), the Recommendation on international principles applicable to archaeological excavations (1956), the Recommendation concerning the safeguarding of the beauty and character of landscapes and sites (1962), the International Charter for the conservation and restoration of monuments and sites (1964) - will aim to extend international co-operation, to the benefit of the cultural inheritance. International aid should not, as a general rule, replace the efforts of Member States, whose essential responsibility it is to take all possible action to protect their own monuments, groups and areas, and sites.

45. International protection must encourage Member States to make efforts to prepare and put into application an efficient system for their protection of monuments and sites within their territories, in line with the provisions of the international instruments mentioned above.

XX. Nature of international protection

46. The protection of monuments, groups and areas and sites of universal importance and interest does not imply the internationalization of such cultural property or any form of extra-territorial status. It is a moral and philanthropic enterprise, scientific, technical and practical in its nature, and will be carried out by the international community for the benefit of all countries.

47. Application of these principles would enable a Member State to have recourse in all circumstances to scientific and technical aid from the international authority within the limits of the latter's terms of reference and possibilities. A Member State could also announce that it would place under international protection one or more of such monuments, groups and areas, and sites which happened to be seriously menaced, and that it would wish to be given aid from the international authority to remedy the situation.

48. In this latter case, the applicant State should specify the nature of the international aid requested and the facilities it would be willing to grant to missions of architects, archaeologists and various experts responding to the appeal. This would enable the international authority to promote and co-ordinate close collaboration between States by enabling them to take part, through scientific teams of qualified experts from their own and all countries, in a specific example of international co-operation on behalf of cultural property of universal importance and interest.

XXI. International protection authority

49. An international protection body, or possibly Unesco, should be made responsible for seeing that the necessary protection measures are carried out. Member States and inter-governmental and non-governmental organizations concerned will supply it with experts and technicians in addition to its permanent staff.

50. The international body will only step in to protect monuments, localities and sites of universal importance and interest if an exceptional situation exists, whereby the cultural heritage is seriously threatened.

XXII. Cases where action may be taken

51. In order to enable the international protection body to take effective action, the Member States must specify the nature of the threat to their monuments, localities or sites, stating whether it results:

from an advanced state of deterioration in the structure or fabric thereof;

from natural causes and acts of God;

from the carrying out of major public or private works made necessary by economic development and modern technical expansion;

from the outbreak of armed conflict;

etc.

52. It is desirable that the international authority should be empowered to act rapidly and effectively any time that a monument, locality or site is exposed to great danger.

XXIII. Ways in which action may be taken

53. The international authority will have powers in the fields of research and financial and administrative assistance.

(a) Research

54. This will be a very broad field. The international body will, however, have to give priority to a comparative study of legislation concerning the protection of monuments, localities and sites, to the preparation of draft legislation to strengthen existing international legal protection, to action with the aim of securing revision of international rules so as to preserve sea coasts to the establishment of international rules to govern supersonic flights so as to reduce their harmful effects, to the establishment of a common terminology, and to the promotion of research on the deterioration of building materials and on new methods of conservation of old materials, etc.

(b) Technical assistance

55. Technical assistance would be essentially a matter for international co-operation. It might involve the technical study of a project relating to a monument or site of universal interest and value, the dangers that may constitute a threat to its preservation, the assistance of technicians to supervise and carry out work, or the setting up of teams from various countries to carry out archaeological excavations on sites of major historical importance.

(c) Financial assistance: an international fund for monuments

56. Under exceptional circumstances, the international body would have to participate financially in operations designed to protect and preserve monuments and sites of universal value and interest. The proportion of its participation would vary according to the project and what it involves. The beneficiary State would have to make a substantial contribution.

57. Only exceptionally would the participation of the international body take the form of a subsidy, in most cases that of a low-interest or interest-free loan. States could be given ample time to repay loans.

58. An "international monuments fund" could be set up to provide the financing. Arrangements would have to be made for the financing of the fund.

59. It would also benefit from the financial contribution of Member States to projects for which they requested the assistance of the international body, as well as from that of international financing institutions like the International Bank for Reconstruction and Development or the United Nations Special Fund.

XXIV. Facilities granted in return for international co-operation

60. As the protection of monuments, groups and areas and sites of universal value and interest would involve obligations on the part of the international community, special facilities might possibly be granted on a voluntary and provisional basis by the beneficiary State either to the international community or to a State having made a substantial contribution. Facilities might take the form of exemption from fees and taxes, or privileges granted either to experts or, more generally and within the framework of bilateral agreements, to institutions which have taken part in these salvage operations.

C. CONCLUSION

61. Lastly, the meeting of experts invites Unesco:

- (a) to continue its action aimed at establishing an effective system for the protection of monuments, groups and areas and sites at national level and at implementing an international system for the protection of monuments and sites of universal value and interest;
- (b) to communicate to the National Commissions for Unesco in Member States the conclusions and suggestions of this meeting and to consult them as to the desirability of preparing an international instrument; and, for the adoption of the following two projects:
 - (i) to plan, as part of its Regular programme, a series of activities aimed at:
 - studying the structure of bodies concerned with the protection of monuments, groups and areas and sites;
 - examining financing arrangements for projects designed to protect the cultural heritage of States;
 - arousing public interest in monuments, groups and areas and sites by holding symposia, publishing material and producing films on the subject, and organizing campaigns to safeguard monuments and sites.
 - (ii) to provide the necessary means for encouraging and supporting the scientific and technical research (relating to the deterioration of building materials and fabrics, the improvement and revival of groups and areas of historic interest, training senior and junior personnel, etc.) carried out by the Rome Centre, ICOMOS and other specialized international organizations with a view to the preservation and presentation of the cultural heritage.

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ANNEX II

LIST OF WORKING DOCUMENTS

The scientific concepts on which the protection and presentation of monuments and sites is based, by G. de Angelis d'Ossat (document SHC/CS/27/3 - Translated from the French).

Scientific and technical rules for protection operations, by J. Zachwatowicz (document SHC/CS/27/4 - Translated from the French).

Study on the legal provisions required for ensuring the protection of the monumental heritage, by R. Bricet (document SHC/CS/27/5 - Translated from the French).

Advantages offered to the international community by States in return for aid received from Unesco or from other States, for the protection of their heritage of monuments, landscapes and sites (document SHC/CS/27/6 - Translated from the French).

Conclusions (document SHC/CS/27/7 - Translated from the French).