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UNITED NATIONS EDUCATIONAL,
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MEETING OF EXPERTS TO ESTABLISH AN INTERNATIONAL SYSTEM
FOR THE PROTECTION OF MONUMENTS, GROUPS OF BUILDINGS
AND SITES OF UNIVERSAL INTEREST

Unesco House, Paris, 21-25 July 1969

FINAL REPORT

SUMMARY

The present document contains the report of a meeting of experts which was convened from 21 to 25 July 1969 to discuss practical ways of establishing an international system for the protection of monuments, groups of buildings and sites of universal interest. It follows on from the report of a meeting of experts held in February - March 1968 (document SHC/CS/27/8 of 31 December 1968) 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.

The conclusions of the 1968 meeting are given in Chapter VI of that document.

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INTRODUCTION

The problem

1. It is not a question of finding a new system of protection other than that which each Member State must adopt in order to safeguard those components of its immovable cultural property that are of public interest. For there is only one kind of protection to be given to relics of the past, and that is effective protection - in other words, protection skilfully designed to ward off by methods resulting from current progress in science and technology, all the dangers which threaten monuments, groups of buildings and sites.
2. Clearly, the efforts which each country should make to discharge its responsibilities in this respect must be in proportion to the wealth of the cultural heritage which it has to preserve and develop. If the international community is itself to undertake direct and energetic action to safeguard superb, unique and irreplaceable examples of the universal cultural heritage, it will only be under exceptional circumstances where a country possessing such monuments is faced with difficulties disproportionate to the means at its disposal. Such action, which includes the conducting of large-scale scientific experiments, should be taken with the participation of the international organizations concerned and of the countries that are in a position to contribute to the improvement of preservation techniques and methods.

The project in the programme for 1969-1970

3. The Work Plan under Project 33.411 of the Approved Programme and Budget for 1969-1970 states that "Unesco will study the possibility of making international arrangements for the protection of monuments and sites which are of universal interest; the study will cover the legal, scientific and practical implications of such arrangements, applied to monuments at the request of the governments concerned, the criteria such monuments should satisfy, the procedure for establishing such arrangements, and the rôle likely to devolve upon Unesco" (paragraph 1181).
4. "Following a meeting of experts in 1968 to cover the scientific, legal and technical aspects, a second meeting of experts (category VI) will be convened in 1969-1970 to consider ways and means of establishing the international arrangements in question" (paragraph 1182).

Organization of the second meeting of experts

5. This second meeting took place at Unesco Headquarters in Paris from 21 to 25 July 1969. Seventeen highly qualified experts from the following countries attended the meeting in a personal capacity: Austria, Belgium, Czechoslovakia, France, Ghana, India, Italy, the Netherlands, Peru, Poland, Spain, Tunisia, the United Kingdom and the United States of America. Also present were three observers representing the following intergovernmental organizations: the Council of Europe, the League of Arab States, and the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome), together with observers from the following international non-governmental organizations: the International Council of Monuments and Sites (ICOMOS), the International Council of Museums (ICOM), and the International Union of Architects (IUA). Finally, Unesco was represented by two members of the Department of Culture (see list of participants in Annex I).
6. A number of working papers were provided to enable the 1969 meeting to continue the work of the one held in 1968 (see Annex II).

Proceedings of the 1969 meeting

7. Mr. Roger Caillois, Acting Director of the Department of Culture, representing the Director-General, opened the session. On behalf of Unesco, he thanked those present for having agreed to come and discuss ways and means of establishing an international system of protection. He pointed to the urgency and importance of the problem which currently faced Unesco and to which the Director-General was devoting his personal attention. For instance, the Director-General had recently gone to Venice to discuss with the Italian Authorities the steps which should be taken internationally to safeguard that magnificent city from the imminent dangers threatening its existence.

In the contemporary world, with the stupendous progress of technology, people everywhere were more keenly aware than ever before of the need to protect monuments, which were irreplaceable, since they were no longer being built, or rather, were being built in quite another form, to wit, the motorways, airports and factories which, as they spread, were themselves a danger to the monuments and sites of the past.

8. The meeting of experts then proceeded to elect its officers, as follows: Mr. Gabriel Alomar (Spain), Chairman; Messrs. Robert Garvey (United States of America) and Mario Matteucci (Italy), Vice-Chairmen; and Mr. Robert Brichet (France), Rapporteur.

Ten plenary meetings, as well as two informal meetings held by the Drafting Committee (composed of Messrs. Alomar, Brichet, Garvet, Gazzola, Feiss, Lemaire and Ostrowski), were devoted to studying the following items on the agenda:

- (a) Premises of the problem raised by the project to establish an international system for the protection of monuments, groups of buildings and sites of universal value and interest, and definition of objectives.
- (b) Effective systems for the protection of monuments, groups of buildings and sites of public interest at national level.
- (c) The appropriate system for the international protection of monuments, groups of buildings and sites of universal value and interest: legal and scientific premises of the question.
- (d) Practical steps to facilitate the possible establishment of an appropriate international system.
- (e) Conclusions and suggestions.

CHAPTER I

Premises of the problem raised by the project to establish an
international system for the protection of monuments, groups
of buildings and sites of universal value and interest
and definition of objectives

A. Introductory report

9. Document SHC/CONF.43/6 of 15 July 1969, prepared by the Unesco Secretariat, served as an introduction to the experts' work.
10. The world's heritage of cultural property was a vast accumulation of wealth - monuments, groups of buildings, their sites and natural settings. This collective and common heritage of all countries needed proper protection, which it was man's present responsibility to ensure, so that it might conserve the essential features of the environment in which he moved and had his being.

Economic and technical expansion had set up a chain reaction in this environment, and effective protection measures were becoming essential in order to prevent the resulting transformations from destroying the varied nature of man's surroundings, from which he derived not only his subsistence, but also the theoretical and practical lessons offered to him by all the scientific, aesthetic, educational and recreative potentialities which those surroundings represented.

11. In that connexion, it should be pointed out that protection did not imply a negative attitude towards change; on the contrary, it consisted above all in making rational use of cultural and natural surroundings. In working with the laws of natural evolution, this use of environment should be based on the necessity for conservation, with a judicious blending of the practical and the aesthetic, the urge to create and the joy of cherishing the best creations.

It would be utopian to expect the responsibility for the protection of the universal cultural heritage to be shouldered by any single international agency. Based on co-ordinated regulations and as far as possible on common fundamental principles, it should be nationally and internationally the responsibility of agencies that had the scientific, technical, legal and financial means to carry out their tasks in common and complementary spheres.

12. The 1968 meeting to co-ordinate principles and criteria with a view to establishing effective protection recommended:
 - (a) the adoption in each country of an effective system for the protection of monuments, groups of buildings and sites at national level, and
 - (b) the establishment of an international system for the protection of monuments and sites of universal value and interest.

It was the task of the 1969 meeting to continue the work begun and the debate on both these problems.

13. Before any discussion took place, it was thought necessary to explain that Member States must cover all expenses arising from the preservation and development of their monuments, groups of buildings and sites. It was on that basic understanding that the debate should be held, the object being to define the common principles that would guide the preparation of effective national systems of protection.

In that connexion, it would be useful to hear some explanations on the following points:

- (a) the composition of each country's immovable cultural property, and how to protect it effectively against threats of various kinds;
- (b) protective measures - scientific, technical and legal;
- (c) protective arrangements now feasible in each country.

14. Since the foundation of Unesco, hardly a day had passed without the Organization being faced with countless proposals put forward by Member States to protect this heritage. That obligation derived from the Constitution of the Organization, which undertakes to assure "the conservation and protection of the world's inheritance of . . . works of art and monuments of history and science", . . . "recommending to the nations concerned the necessary international conventions".
15. Many international instruments, conventions and recommendations had been or were being drawn up to solve the various problems involved in protecting the universal heritage. Several international intergovernmental and non-governmental organizations had been set up to work out the basic principles of such protection and study its different aspects. There were few countries which had not yet benefited by Unesco's help, with the financial limits set for its various programmes, in the form of studies, research, meetings, missions of experts, equipment, and interventions to save monuments, groups of buildings and sites.
16. Apart from its regular efforts to protect all elements of the immovable cultural heritage of mankind, Unesco was committed, also at the request of Member States, to taking a series of urgent and energetic measures to save items of universal interest and value. These measures aroused enthusiasm and approval in all quarters and bore eloquent witness to what international co-operation could achieve in the contemporary world. In that respect, the operations to preserve the monuments of Nubia, Florence and Venice, Mohenjo-Daro, Borobudur, and the Acropolis in Athens were spectacular precedents.
17. Had the time not come to make regulations to cover emergencies - cases in which Unesco could participate permanently or as needed on behalf of the international community and for the benefit of all countries, when major enterprises were needed to protect what was the concern of all?
18. The 1968 meeting thought so. Unesco was fully entitled to institute an international, ethical system of protection, into which the question of repayment would not enter - to provide a kind of Red Cross for outstanding monuments so far as present and future circumstances allowed. The system would be brought into operation at the request of a Member State or with its consent if that State found itself in a position requiring it to raise funds altogether beyond its means in order to safeguard monuments, groups of buildings and sites of universal interest. Circumstances justifying intervention would be for instance, the outbreak of armed conflict, a natural catastrophe, large-scale public or private building enterprises, advanced deterioration of the structure or components of a monument, and so on.
19. Much thought had been devoted to the legal, scientific and practical implications of such protection: when and how the international authority should intervene, and what kind of aid it should provide.
20. The present meeting was asked to carry this reflection further, to fill in, in greater detail, the outline already proposed, and to suggest practical ways of facilitating the operation of the system.
21. Discussion should consequently bear, inter alia, on the following points:
 - (a) scientific and legal nature of the international system for the protection of monuments;
 - (b) contributions needed to finance the international agency to be responsible for such protection;
 - (c) organizational structure of the system, means of action, and policy to be adopted.

B. Discussion

Suggestions were put forward by the experts to clarify the different items in the programme. These suggestions are set out in the chapters which follow. However, the Committee of Experts made a point of showing, from the outset, its optimism and confidence in the future protection of the world's cultural heritage. The meeting took place about eight hours after the astronauts of "Apollo 11" had landed on the moon, and the participants expressed their enthusiastic admiration for that exploit, and referred to the immense possibilities which it opened up for scientific and technological research. They were convinced above all that the sudden effort whereby man had surpassed himself in the field of technology, should be sustained and directed particularly towards fostering a renewed sense of human values and extending international co-operation more and more in all spheres. It was incumbent on the States and organizations concerned to ensure the stepping up of such co-operation for the benefit of monuments, groups of buildings and sites.

Quoting the words of the Director-General of Unesco at the opening of the first session of the International Advisory Committee for Venice, reported in the press on 21 July 1969, the Chairman declared that:

"The world must be made aware of the magnitude of the danger which threatens 'the world's heritage of immovable cultural property', and we must strive against ignorance, indifference and scepticism..."

Another participant stressed the fact that the problem which the Committee of Experts had met to discuss should be considered as one of the most urgent problems facing the modern world. The preservation of the past ought to go hand in hand with the great enterprises of the present and the future, which raised questions most urgently requiring answers and solutions. For it would be impossible to imagine a world in which such problems could be dealt with separately; they were bound up with the population growth and the progress of all kinds to be made everywhere. This implied that a series of plans should be drawn up for the preservation of the cultural heritage, and implemented not only regionally or nationally but also on a world-wide scale. Such arrangements as the experts were able to make in that respect would reflect wise international understanding of how to live in harmony in a peaceful world.

CHAPTER II

Effective systems for the protection of monuments, groups of buildings and sites of public interest at national level

A. Introductory report

22. This report is based on Part I of document SHC/CONF.43/4, by Messrs. R. Lemaire and F. Sorlin, and Part I of document SHC/CONF.43/5 by Messrs. R. Brichet and M. Matteucci.
23. The problem of protecting the heritage of immovable cultural property, as it arose at the present time, should be approached from the national and international angles alike, which meant a concept of protection through co-ordinated action based on common fundamental principles.
24. The concept of immovable cultural property derived from the following basic ideas.

Monuments, groups of historical buildings and sites formed an integral whole, each element being inseparable from the other. That concept put an end to the distinction between the different categories of immovable cultural property, which were in reality complementary.

A group of historical buildings was not an assemblage of monuments, but rather a complex that derived its unity no less from its approaches, its mass and the varied quality of its architecture than from its natural surroundings. The same was true of both natural sites and mixed sites - the result of the combined work of man and nature - which must be considered integrally.

25. This heritage was irreplaceable in a consumer society in which it alone would endure. Any damage done to it was irreparable and deprived future generations of their rightful heritage.

Moreover, the value of such cultural property was in various ways, considerable to man.

Firstly, the architectural heritage, whether rural or urban, represented an enormous amount of living space, which could and should be adapted to contemporary living conditions.

Secondly, monuments, groups of historical buildings and sites were also of great aesthetic and cultural value; they were an unfailing source of information enriching the personality. They provided man with the kind of setting in which interpersonal contacts could flourish.

Lastly, the cultural heritage was an economic asset of prime importance, the basis and life-blood of tourism, in an increasingly leisured society.

26. In view of those facts, it would be desirable to lay down the main lines of an overall policy to be advocated to States for the protection in perpetuity of their monuments, groups of buildings and sites. To determine the main points of that policy involved identifying those phenomena which, whilst inherent in our civilization, nevertheless in some respects represented a very serious threat.
27. Those phenomena - the result of the work of man and of nature - were: population growth and social development, leading to the appropriation of more open country; economic development - industrial, agricultural or commercial; the increasingly rapid deterioration of immovable cultural property, due in particular to chemical causes, and to the various ill effects of land or air transport; the inadequacy of aesthetic and technical protection; shortage of staff and funds; threats resulting from armed conflict, natural disasters, etc.
28. The measures and operations involved in the active protection of immovable cultural property must become part of an overall plan at the national, regional or local level relating to the immediate or distant future. Such planning implied close and permanent liaison between those in charge of monuments, groups of buildings and sites, and all other administrators or specialists responsible for the preparation and execution of the plans.
29. Firstly, the existence of a specialized service to cover technical problems concerning the protection of immovable cultural property was of the greatest importance. But even today, in most

states, the rôle played by the protection services was too strictly passive, and this placed them in a position of inferiority in relation to the other State departments responsible for regional planning and development.

30. The distribution of responsibilities concerning the preservation of monuments, groups of buildings and sites among the central or federal bodies and the local bodies dependent on them should prevent the processes of centralization or decentralization from being carried too far. Cultural property should be protected by the mobilization of all the competent authorities and by using all the financial means made available either by the central government or by the local authorities. It was essential to avoid clashes in responsibility, which were liable to lead to inaction or negligence.

31. Taking account of the situation in each State, and of psychological, technical, administrative and other factors, it was concluded that the central or federal authorities ought to determine the basic rules governing protection, choose the monuments, groups of buildings and sites to be protected, establish the work programmes and supervise the implementation of protection principles. On the other hand, the local authorities could be made responsible for carrying out protection measures and maintenance work.

32. Regular discussions between the appropriate ministries and departments should be held, if an overall policy was to be adopted for the integration of immovable property into the social and economic life of a region. To this end, existing laws should be amended or, if necessary, new laws framed for the active protection of monuments, groups of buildings and sites, and to cover town-planning and regional development as well. In each State, right from the initial study stage, all the services and disciplines concerned in the preparation of regional development plans ought to combine their efforts. This co-operation ought to result not simply in the giving of advice, but in enforceable decisions, which would pay due regard to the interests of culture as much as to the other great national interests.

33. A special effort must be made to train specialized scientific and technical personnel (historic monument curators, architects, and various technicians) to draw up and supervise the execution of protection programmes, as well as qualified workmen. Personnel qualified in the human sciences (sociologists, economists, geographers) ought to work in constant association with the technical personnel in order to devise and carry out conservation measures.

34. Legal protective measures should be applied to a monument irrespective of owner. It was hoped that such measures (prohibition of any demolition, restoration, repairs, modification or removal of a monument) would be strictly respected by the owners and holders of the property protected (individuals and public bodies).

35. Criminal and civil penalties should be imposed on any person responsible for violations of measures for the protection or presentation of immovable cultural property. New protective measures should also be taken to counteract the effects of shocks and vibration caused by heavy vehicles and supersonic aircraft, etc., the accelerated deterioration of constituent materials, the consequences of natural disasters, calamities, etc.

36. In order to establish active social protection for monuments, groups of buildings and sites, private initiative should be encouraged in the form of participation in the work of protection and maintenance, and public initiative in the form of subventions to associations, financial assistance, other forms of encouragement, exemption from taxation, etc....

In the event of neglect by private owners, the public authorities should be empowered to take certain measures: the compulsory execution of protection work at the owner's expense, or the expropriation of the threatened cultural property for the benefit of a public community, or even of a private person.

37. In this connexion, the creation of a National Monuments Fund, to be set up as a legally established public agency, would overcome the disadvantages of the annual budget rule in carrying out works spread over several years. Finally, the contribution from individuals should not be overlooked - this might take various forms: legacies, donations, financial aid, contributions from private industrial or commercial firms, subscriptions, etc.

38. In the rehabilitation of monuments, due regard should be paid to the new rôle of historic groups of buildings. Such rehabilitation was culturally and socially to be desired, and involved scraping, restoration and possibly renovation. Care should be taken to see that these operations did not completely upset the character of the residential area. Compensatory allowances should be paid to tenants to meet increased charges.

B. Discussion

39. In order to lay down principles that might serve as a basis for the establishment of effective systems for the protection of immovable cultural property at national level, the experts studied the following points in greater detail.

Concepts

40. Man's deepest aspirations led him to create pleasant surroundings in which to live and work.

From earliest times, unremitting efforts had been made to protect this environment from destructive influences and so to arrange it as to ensure that it was of a high material, intellectual and spiritual quality.

Nowadays the future of immovable cultural property of great scientific, aesthetic and educational value was seriously threatened by a number of demographic, economic and technological pressures.

41. The traditional methods of protection adopted by most countries were proving less and less effective against the dangers threatening their monuments, groups of buildings and sites. For, until recently, the services concerned had tried to counteract the visible effects of the damage and not its fundamental causes. The problem was not only to compensate for the ageing of the fabric of ancient monuments, but also to prevent the social and economic decline of these buildings, which no longer served their original purpose and were ill-adapted to meet the demands of a changing world.

42. It was therefore necessary to depart from those methods and try to formulate principles or directives for a new policy for the protection of immovable cultural property. The aim of this policy should be to ensure that monuments, groups of buildings and sites had a permanent function, by restoring to them their full worth as human habitats and fostering the social, economic and cultural values they represented, with all the demands and obligations which that concept implied. New functions not incompatible with the old ought to be found, through ingenious solutions which would avoid creating a rift between the past and future rôles of the buildings. In this way, the monuments of the past would not appear simply as objects for contemplation, requiring costly and unjustifiable restoration and presentation. They would also form an essential setting for human activity and could play a useful rôle in the education and enrichment of present and future generations.

43. Obviously there must be links between immovable cultural property and the surrounding countryside. The natural heritage was of prime importance to the satisfaction of human needs, both as a source of life and of physical equilibrium, and as a place of recreation and leisure. That heritage must also be protected, threatened as it was by the same dangers as the monuments, groups of buildings and sites. The organizations responsible for the conservation of nature and its resources were currently devising ways and means of protecting it on an international scale. It was to be recommended that town and country planning be brought into line with all the conservation measures to be taken by these bodies.

44. In short, a fresh outlook should be implanted everywhere so that immovable cultural property was no longer regarded as a hindrance to national expansion but as a determining factor in development. This meant that, henceforth, the protection of monuments, groups of buildings and sites should be placed as a whole in the context of national planning and regional development. To bring about a harmonious and rational integration of the relics of the past with present and future achievements was the only way of ensuring that cultural property fulfilled a useful function as a setting for human activities.

45. It should be noted that the new conception of the heritage of immovable cultural property as an integral part of present and future civilization had been the outcome of several meetings of experts held in recent years at the national level and on the regional and international planes. The Council of Europe had already succeeded in making the transition from the scientific to the political

phase of that development, and a "note de synthèse" had been prepared for the Ministers of Culture of the Council's various member countries which were to meet in Brussels in November 1969 to lay down the bases of a common policy.

46. The participants then expressed their views on the terminology proposed in the working papers to designate historic monuments, historic and artistic groups and areas, and natural, scientific or archaeological sites. The following changes were made in order to standardize these terms and to give them as exact and wide a meaning as possible:

- "(a) The term 'monuments' designates architectural works of historical, archaeological or artistic interest.
- (b) The terms 'urban sites' or 'rural sites' used in the Recommendation concerning the safeguarding of the beauty and character of landscapes and sites (1962) correspond conveniently to 'historic and artistic groups and areas'. These are sets of buildings isolated or grouped together which, by virtue of their architecture, their homogeneity or their integration into the landscape, are such as to create an atmosphere that should be preserved in its entirety.
- (c) The terms 'sites' or 'landscapes' are suitable in describing environments created by nature or by man. Their extent and homogeneity, and often their artistic, aesthetic or ethnographic value, or their associations in history, literature or legend make their protection and development imperative.
- (d) With reference to the provisions of the Recommendation on International Principles Applicable to Archaeological Excavations (1956), 'archaeological sites' are areas in which traces of human civilizations have been or may be discovered.
- (e) The term 'scientific sites' may be applied to widely differing areas in which remains have been or may be discovered whose preservation might be of interest to the various sciences.
- (f) Finally, several other terms seem inappropriate and therefore should no longer be used, for example, 'natural sites' and 'mixed sites', since the former does not correspond to a concept common to all States, and the latter adds nothing to the idea of 'urban sites' or 'rural sites'."

Although "archaeological sites" might belong to specific historical periods, such as "classical antiquities", it was recommended that the latter term should not be used to distinguish sites of those periods from other categories of immovable cultural property, since the expression "classical antiquities" would not be universally understood.

It should be noted that it would be difficult to define which examples within the heritage of immovable cultural property were of prime, and which of secondary, importance. Monuments of different periods and styles, even those which seemed, on the surface of it, to be among the most humble, could be of great interest to archaeology or the history of architecture.

Institutions

47. Leaving the discussion of concepts, the debate moved towards institutional considerations. As monuments, groups and sites were integrated into present-day social and economic life, studies should be made on the planning of protection and the organization of the various procedures and methods needed for its implementation. As was suggested, the work to be carried out in that field was as much the responsibility of the traditional administrative bodies for the conservation of the cultural heritage, as of the departments and ministries in charge of town and country planning and the structural development of the environment.

48. Although the constitutional provisions, traditions and psychological and other conditions did not enable every country to adopt the same organization, it was essential to recommend, through general directives, that each State have competent bodies responsible for devising and carrying out projects for the protection of its cultural heritage. These bodies ought to be permanent organizations with highly qualified experts: architects, town-planners, archaeologists and art historians. They should also be able to call in representatives of the appropriate human sciences to study the projects - sociologists, ethnologists, anthropo-geographers, economists and natural scientists.

49. The participants resumed discussion of the problem of the responsibilities of the central, federal or local protection authorities, which had been considered at the 1968 meeting. While endorsing the conclusions of that meeting, they emphasized the need for close co-operation between the authorities and the local communities in all decisions concerning the monuments on their land.

50. In any case, the protection organizations and the ministries under which they came should not continue to be regarded as the poor relations within the government set-up. It was regrettable that they often found themselves in a position of inferiority and consequently defenceless among the ministries. The means available at present to those ministries in most countries did not allow them to stand on the same footing as the other ministries and departments in charge of economic planning and regional development. It was high time that the situation was changed and that the protection of the heritage of immovable cultural property was shown to be a determining factor in the development of the setting in which society had to live.

51. In that respect, the advisory bodies responsible for co-ordinating protection work with other activities should play an important part. It would be relevant to recall that as a result of Public Law 89-665 "An Act to Establish a Program for the Preservation of Additional Historic Properties Throughout the Nation and for other Purposes" an Advisory Council had been formed within the Office of the President of the United States of America. It comprised 17 members, of which 6 were members of the Office of the President, and 11 other specialists; it gave advice on the preservation of historic monuments, submitted draft laws and regulations, and helped to co-ordinate the activities of the Federal Government, the States and the other organizations in this field.

52. The value of this body lay in the fact that it included six responsible ministers, which lent importance to its discussions and gave weight to its decisions concerning the protection of the American cultural heritage.

Participants mentioned the existence of other interministerial advisory committees which had been set up in various countries to co-ordinate activities for the protection of immovable cultural property with those of other departments. The work of those advisory bodies was not always effective, for their decisions seldom led to practical results when the requirements of public building schemes and those of active conservation of threatened monuments were in conflict.

53. It was essential that the members of those advisory councils should belong to official services outside actual government departments, that their meetings should be informal and that they should not be limited merely to expressing their views on work which had already been carried out. Their decisions, while taking into consideration the main economic interests of the country, should equally take care of the interests of culture, which should receive substantial financial backing provided for in the national budgets.

54. The debate then switched to the right of veto, which ought to be one of the attributes of the ministers in charge of protection services, in order to prevent the implementation of any projects proposed or measures decided on by other ministries or government bodies, which might be detrimental to monuments, groups of buildings or sites. The discussion showed that through the right of veto, those ministers would have not only the power to co-ordinate projects concerning several ministries, but also a certain priority over their colleagues in charge of regional planning and development, etc.

It was true that the right of veto already existed in more than one national legislation and had proved particularly efficient. However, it must be recalled that, as a general rule, all government ministers were equal and each of them in his own sphere had the same powers as his colleagues. In the interests of concerted government action, the ministers in charge of protection services should not be able to paralyse the activities of other departments.

Consequently, if the right of veto were attributed to the minister in charge of protection services, it would be more appropriate for it to be exercised only in exceptional circumstances, which had still to be defined, and even then, it would be tempered by the possibility of recourse to arbitration before a high court, or if necessary before the President of the State, as in France.

The conflicts likely to arise from the setting up of services for the protection of the heritage of immovable cultural property could thus be settled. In any case, the said procedure ought not to appear to be a hindrance to government action.

In order to reduce the number of those conflicts, it was essential to maintain constant interaction at all levels between the protection organizations and the departments for economic development and town and country planning, so that all the projects might be governed by one and the same policy.

55. As soon as a project was set on foot, technical bureaux consisting of technicians from all the ministries and departments concerned, should work together and with the local authorities and communities, to study the possible repercussions of the project on monuments, groups and sites. The consequences of schemes to improve communications - building of roads, factories, dams, airports and railways - should be weighed up beforehand.

Ingenious and practical solutions should be worked out down to the smallest detail, in order to integrate, without overwhelming them, the old structures in the new, in accordance with social requirements.

The same bureaux should carry out studies and surveys to see whether the immovable cultural property concerned could be used for its original purpose, or should fulfil a new function. Likewise, it would be indispensable to know the physical tensions and pressures to which the cultural property would be subjected, once the projects were put into execution.

56. The development plans for towns, regions and whole territories ought to reflect all the research done, especially that concerning the maintenance and presentation of ancient buildings. Lack of planning and supervision seriously jeopardized their future protection.

A conservation programme should gradually cover all parts of the cultural heritage, according to the resources available. As a clear illustration of the form which such programmes might assume, reference could be made to the "Town Schemes" which had been applied in the United Kingdom, for the benefit of historic towns such as Bath, York, Chichester and Chester; those considerable achievements could serve as an example for other conservation programmes. Similarly, in France, more than 32 areas in Lyon, Chartres, Sarlat, Rouen, Avignon, Aix-en-Provence, Besançon, Uzès, Paris (the Marais quarter) etc., had been preserved under the law of 1962 (the "Loi Malraux"). The results showed how greatly those projects could contribute to the protection and rehabilitation of monuments, groups of buildings and sites.

Legal considerations

57. No planning could succeed without legislation based on dynamic principles applicable to the protection of the world's heritage of immovable cultural property. The 1968 meeting and the introductory report to that debate devoted special attention to new measures, in particular to the infliction of criminal and civil penalties, the encouragement of private initiative, the campaign against the negligence of owners, participation in protection work, the establishment of a "National Monuments Fund", measures for the rehabilitation of historic groups, scientific measures to protect monuments and sites, etc... The meeting accepted the conclusions with slight amendments. The new proposals were confined to the points set out below.

58. One participant expressed concern over the difficulties which might arise in assigning a new function to ancient monuments and buildings. Grave dangers might result from excessively heavy duty assignments, taking only material interests into account after restoration and leading to a collapse of the structure of the cultural property to be rehabilitated. That did not mean, however, that the idea of integrating protection of the cultural heritage into modern civilization was any the less sound, and optimism should be the order of the day, while at the same time avoiding the negative aspects of each operation and proceeding with caution.

59. With regard to the means of financing the "National Monuments Fund", it was proposed that another practice be added - that current in the United States of America and consisting of offering private owners loans at special reduced rates of interest to enable them to carry out the necessary maintenance work on the monuments which they owned. That practice might be introduced into countries where there was an urgent need to safeguard monuments. It had, moreover, been recommended by Unesco as a possible way of financing conservation work. At the request of the countries concerned, the Organization had used its influence among the regional, international and other financing agencies willing to recognize the protection of monuments as an integral part of development.

Finally, the meeting discussed a question of particular interest to the local authorities in charge of protection of cultural property in countries with a federative constitution. Suggestions were put forward to enable such local authorities, while still in time of peace, to conform to the provisions of the 1954 Hague Convention by adopting the appropriate legislative, administrative and technical measures.

Educational aspect

59. The new protection policy could never yield results until all the people in Member States had become conscious of the values for which their heritage of immovable cultural property stood. Patient, unremitting efforts had to be made to increase their awareness of the desirability of making that heritage an integral part of their civilization. Action on a grand scale was needed, and should consist in introducing appropriate courses at all levels of the educational system, using mass communication media, and publishing books, illustrated monographs, guides, etc., on the protection of the cultural heritage.

CHAPTER III

The appropriate international system for the protection of
monuments, groups of buildings and sites of universal value
and interest: legal and scientific premises of the question

A. Introductory report

60. Mr. Brichet, Mr. Lemaire, Mr. Matteucci and Mr. Sorlin presented the main relevant data, as set out in the second part of document SHC/CONF.43/4 and the second part of document SHC/CONF.43/5.

61. The international system to be developed for the safeguarding of monuments, groups of buildings and sites of universal interest and value ought firstly to encourage States to take the necessary steps themselves. Only in exceptional cases would the international authority intervene actively in this sphere, in ways and under conditions which remained to be defined.

Such intervention by the international community was based on legal precedents: the Constitution of Unesco as well as various other international instruments.

62. The need for such protection had, for instance, been recognized in Article 3 of The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), which provided for preliminary action to be taken in peace time to safeguard cultural property of great importance for the cultural heritage of all nations. But war was not the only threat to the survival of monuments, groups of buildings and sites. Other dangers of a more pernicious nature had arisen, due mainly to the unavoidable demands made by progress and the needs of development. Lastly the disintegration of monuments was hastened by natural disasters and "the very nature of things". Only international solidarity expressed in a large-scale action of exemplary value could be a determining factor in combatting the effects of all these dangers.

The action taken by Unesco to safeguard unique and irreplaceable monuments, groups of buildings and sites has been mentioned in Chapter I, with reference to the enthusiasm aroused by the campaigns to save the Monuments of Nubia, Florence and Venice, Mohenjo-Daro, Borobudur and the Acropolis of Athens. This showed the increasing tendency to attribute to Unesco, in addition to its regular activities in favour of all parts of the cultural heritage, the rôle of a "Red Cross" for monuments, groups of buildings and sites of universal value and interest.

All this, as well as the way in which the concept of protection has evolved, pointed to the need for regulations to cover cases of emergency, in which Unesco, acting on behalf of the international community, could play a regular and active part in major campaigns to safeguard immovable cultural property of exceptional importance.

63. As was clearly recognized in the studies already made on the subject, any international system for the protection of monuments, groups of buildings and sites of universal value and interest, could not lead to any form of internationalization.

Intervention by the international authority ought only to be possible on the request of a State or, in emergency cases, with its agreement. All countries without exception would be entitled to benefit from such intervention, so that all the world's outstanding cultural property might be saved for posterity.

With regard to determining which monuments, groups of buildings and sites were of universal value and interest, establishment of an international register held by Unesco would meet with a number of difficulties which could give rise to conflict between the international authority and States, whenever divergent opinions were expressed on whether to include a particular monument or site.

As each State was the best judge of the importance of its property, it seemed preferable to leave it free to request international aid whenever it considered important property seriously threatened and was itself unable to provide effective protection. In the event of the State failing in its duty, the international authority could draw its attention to any cultural property which was neglected or in danger. In this event, the State in question would share the opinion of the international

authority. For the intervention of the international authority would usually be accompanied by a proposal for assistance to save threatened property; that being so, it was difficult to see a State refusing such aid.

64. The establishment of an International Protection Authority was obviously essential. Several non-governmental organizations were working to protect cultural property - for instance ICOMOS, the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome), the International Union for the Conservation of Nature and Natural Resources, etc. Similarly, a number of intergovernmental organizations, especially the Council of Europe, had given a lead likely to help in bringing about a climate of opinion, and formulating a policy, conducive to the safeguarding and rehabilitation of the world's cultural heritage. The participation of regional organizations was all the more natural in that it generally bore on similar problems affecting all their members in practically the same way. Thus the conservation of their common heritage constituted one of the main factors in the preservation of their cultural identity.

65. Although there were links between Unesco and the international organizations in the form of exchange of information and consultations, closer co-ordination between all these institutions should be established, whenever an important cultural monument or site was in peril. It was consequently desirable that an international strategy should be devised so that the international system in question might achieve the best results and maximum efficiency through co-ordination between the existing institutions.

Unesco could be made responsible for directing operations in this vast but fundamental work.

B. Discussion

66. The problem was to establish specific machinery, similar to that set up for previous projects or projects currently under way, for continuing international co-operation to protect the most important elements in the universal cultural heritage, whenever they were in danger and the countries to which they belonged could not, with the means at their disposal, ward off the dangers threatening them. In this connexion a prior question was raised. How far and in what way could the relevant experience of the participants in their own countries be transposed to the international plane so as to contribute effectively to the project under consideration?

Most participants considered that it would be possible for the meeting with this end in view to make suggestions and indicate general trends. But in the last resort it rested with Unesco, which had been responsible for launching the project for an international system, to lay down definitely its short- and long-term objectives and give it an appropriate permanent structure, in the light of its vast experience all over the world in safeguarding the heritage of immovable cultural property.

67. The idea of the universal nature of that heritage had emerged as the concept of protection had evolved, with the consequent improvement in international co-operation. Realization of that fact was a pointer to the fundamental principles upon which the system would be based.

Scientifically and technically, the protection which the international community was called upon to give to immovable cultural property of universal value could be no different from that defined in the first part of this document. Here it should be recalled that it had several times been suggested that the cultural heritage as a whole ought to be preserved by incorporating its multifarious elements in the civilization of the present day and of the future.

68. According to a number of participants, experience had proved that it would be difficult to assess the relative value of ancient buildings of different periods and styles, of which the most humble could be of great interest to archaeology or the history of architecture. On the national level, it was to be suggested, with a view to protecting the cultural heritage of each country, that no attempt should be made to define monuments and sites of main and secondary value. On the international level the same was necessarily true. The ideal would be for the proposed international system to aim at the protection of the whole of man's cultural heritage, and Unesco should extend the basis upon which the project should be launched.

In order to do that, the main aim of the international system should be to educate and inform people, bringing about a real and lasting change in their way of thinking, making them more responsive to the need to protect our cultural heritage. No action in that field would have a future if it were not based on a change in human attitudes.

69. However, Unesco had never lost sight of that objective, ambitious though it was. All its past and present activities in that field, especially the international instruments it had drawn up or was drawing up, were designed to bring about the necessary conditions for safeguarding all parts of the cultural heritage.

To that end, the Organization's action ought now to expand and take the form of joint undertakings which, serving as examples, would at the same time enable the international community to draw on additional resources in the scientific and technical field and help to save for posterity cultural property of which the inevitable disappearance would be an irreparable loss to mankind.

70. Some participants held that the project proposed by Unesco was the most direct way of launching the idea of active intervention to protect all elements of the heritage of immovable cultural property. In present circumstances, that form of intervention could only be extended to monuments, groups of buildings and sites of universal value and interest. For such property existed almost everywhere, and its interest and value on the conceptual level in no way detracted from that of the other elements of the heritage of immovable cultural property which were of interest nationally or locally. And although it was obvious that our judgements could only be relative, it was up to each country in all circumstances to determine which monuments should be considered - internationally, nationally and locally - as the most precious and most representative of its genius and its history, thus deserving to be protected.

71. In short, each country should be made to see that the protection of all the monuments, groups of buildings and sites on its territory was entirely its own responsibility and that it could in no way reject that responsibility. Only in specific circumstances could it receive effective and practical aid from the international community to carry out necessary work to safeguard, preserve and open up a limited number of important elements of its cultural heritage, such as were of universal interest.

72. The intervention of the international authority should follow a specific request by a Member State in difficulties over protecting immovable cultural property of exceptional interest. The international authority might consider intervening, however, to take charge of monuments and groups of buildings of outstanding value which for political or religious reasons were being neglected by the authorities of the country in which they stood. Specific cases were quoted. But further discussion revealed that for a long time past no monuments had been deliberately disfigured. If countries with a particular category of important monuments were sometimes slow in protecting and providing access to them it was because the cost of maintaining all the elements of their cultural heritage was too heavy for their budget, and for reasons of sentiment they preferred to reserve their attention for other monuments.

In such cases it would be necessary to recommend that all countries give, without discrimination, the same care and attention to all categories of monuments, groups of buildings and sites of interest to the history of civilization. The international authority in charge of the protection system could draw the attention of the countries concerned to the importance of such monuments and offer voluntary aid, which must not lead to any kind of interference in the domestic affairs of the State or to any form of internationalization.

73. The international system ought first and foremost to meet immediate dangers threatening immovable cultural property of major importance, and that implied that international assistance must be given urgently. The regulations governing the system and its means of action should be such that it could meet that requirement.

In order to give immediate and effective response to requests from Member States, priority would have to be given to the most urgent cases. Priority cases would have to be rigorously scrutinized by a highly qualified personnel, taking into account the importance of the monuments or sites to be saved, the extent to which they had deteriorated and the kind of danger threatening them, as well as the possibilities of all kinds which would be available to the international authority.

In tackling that highly important and delicate task, recourse should be had to the most ingenious solutions, so as to ensure that no important monument, group of buildings or site for which aid had been requested was neglected.

74. It was not considered useful to establish an "international register" of monuments, groups of buildings and sites of universal value and interest in all countries, based on their respective importance. However, with a view to planning and implementing a programme of action for the international system, several participants proposed that a limited list be drawn up to inform the international community what immovable cultural property was in danger and had been placed under protection. For the experience of many countries had shown that a campaign designed to preserve some important monument or spectacular group of buildings aroused far more enthusiasm than proposals to save a monument or site of more modest appearance. It was necessary to exploit this enthusiasm on the international level. Establishment of the list would alert world opinion and would thus help to achieve the aims of the international protection system.

Likewise, a list of the immovable cultural property saved by the action of the international protection system could be of considerable help by showing the efforts that had been made, and giving examples which could serve as precedents for future action.

75. The problem which international authority should be in charge of the protection system was raised at the end of the debate. Although the non-governmental organizations concerned were doing noble work in the protection of the cultural heritage, and were perfectly capable of so doing, they would not be able to take on the responsibility for such a system. Their statutes did not allow them to negotiate with governments, nor to enter into obligations which would go beyond the limits of their functions and resources. Nor were the intergovernmental organizations which were working on single aspects of conservation in a position to undertake more activities than those for which they were already responsible.

Of all the international organizations, it was Unesco which could shoulder all the work involved in establishing an international system of protection. It had already taken up the task and the meeting congratulated it for having done what was expected of it by taking such an initiative.

76. However, establishment of the international system should be considered as a joint undertaking involving world-wide action on a very large scale, in which it was essential that all international organizations engaged in safeguarding and providing better access to cultural property should participate. In order to begin carrying out, on the basis of an appropriate overall plan, projects of great importance to the international community, and publishing information on what they had done, those responsible for the undertaking would need to have at their disposal all the necessary specialized knowledge and experience.

77. The Rome Centre and the ICOMOS were particularly active at present in the organization of international co-operation in regard to the scientific and technical problems in conservation, and it was natural that Unesco would wish them to participate in the future work, all the more so since their establishment had been due to the initiative of Unesco and had been regarded as one possible means of helping to bring into being an international fund for monuments and sites.

It was recalled in this connexion that following a proposal by the Swiss Delegation, the sixth General Conference of Unesco in 1951 adopted a resolution authorizing Unesco to set up an institute for research in the protection of the world's cultural heritage. Since 1959, the Rome Centre had carried out that work most efficiently. Its programme gave priority to the training of experts. A special course for architects, engineers, archaeologists and art historians (in association with the Faculty of Architecture of Rome University) gave these experts the extra training they needed. Furthermore, the Centre had participated in the international campaign for Florence and Venice, organized by Unesco, during which it had formed a small committee to carry on the work.

At its 8th session in October 1961, the International Committee on Monuments, Artistic and Historical Sites and Archaeological Excavations had recommended setting up a non-governmental organization which would act as a link between the experts and the bodies engaged in conservation work. ICOMOS had been set up in 1965 to carry out that task. It was active at present in some thirty countries, in which it had set up national committees, through which it could ensure co-operation between experts in all disciplines relating to monuments and sites. It thus formed a meeting point for multidisciplinary exchange, and would be able to carry out a wide variety of work for the international protection system when that was established.

78. The international system could also approach architects and town planners through their professional associations, interest them in its work and make them aware of its problems. The International Union of Architects and the International Federation of Landscape Architects should help Unesco to recruit experts and train the technicians needed to restore monuments and improve their setting.

Lastly, this Unesco-sponsored undertaking would stand to gain from participation by the International Union for Conservation of Nature and Natural Resources, which could bring to the system its vast experience in the rational use of biological resources and in the conservation of nature, taking into account the historical and cultural characteristics of each nation.

The Council of Europe, the Organization of American States, the League of Arab States and the other regional intergovernmental organizations concerned with the preservation of cultural property could also co-operate with Unesco under the international system as appropriate in each case by taking action which would correspond to the needs and interests of people in different parts of the world and passing on to the regional groups the results of the international action.

There should be continuous co-ordination between all those organizations with a view to protecting the universal cultural heritage, and the basic structures of the international protection system should be planned accordingly.

CHAPTER IV

Practical steps to facilitate the possible establishment of an appropriate system

A. Introductory report

The same rapporteurs presented, on the basis of the above-mentioned documents, the main points round which the discussion centred.

80. An efficient procedure was essential in order to achieve international co-operation in the protection of monuments, groups of buildings and sites of universal value and interest. For this purpose the following machinery should be set up.

81. The organizations mentioned in the preceding chapter ought to establish a permanent bureau with its headquarters at Unesco, composed of two or three persons. The bureau would be responsible for examining the requests from States, preparing half-yearly meetings of specialists in all fields and representatives of the organizations in question and co-ordinating all scientific activities.

In order to carry out that work, the experts and representatives of the organizations would form two committees: the Committee for Scientific Co-ordination and the Programme Committee.

The former would be responsible for scientific exploitation of the work carried out and for co-ordination of research. It would remain in contact with the laboratories or specialized workshops dealing with the restoration of monuments.

The Programme Committee would be mainly responsible for establishing priorities between the requests received and laying down the manner of intervention by the international authority, by giving the authority its opinion on the nature and extent of the assistance to be granted and the conditions to which such assistance could be made subject.

In that connexion, the State seeking aid from the international authority ought to indicate why, in its view, the cultural property in question was of universal value.

82. The State ought also to provide evidence that it had developed and applied on its territory an efficient system for the protection of its cultural heritage, inspired by the principles studied early on in the meeting. Finally it must indicate the exceptional nature of the situation which jeopardized the property in question: the outbreak of armed conflict, an advanced state of deterioration in the structure or fabric of the monuments or groups of buildings, natural causes and acts of God, the carrying out of major public or private building enterprises, etc.

It would be useful if the State seeking aid defined the facilities which it could offer to missions of architects, archaeologists and various technicians who responded to its appeal.

In order that the international authority might act rapidly and effectively whenever its intervention was necessary, the Permanent Bureau should be able to convene an extraordinary meeting of the Programme Committee.

83. What might be the legal basis for the bodies which it had been proposed to set up: Permanent Bureau and Committees?

Several solutions would be possible:

(a) the Permanent Bureau might be conceived as an advisory body of Unesco, which would directly involve the responsibility of that international institution;

(b) an autonomous rôle could be attributed to the Permanent Bureau but in that case it would be necessary to solve a number of delicate institutional problems, arising from the fact that certain bodies which should form part of the Bureau did not have international legal status, which made it difficult to foresee a form of association between such heterogeneous elements;

- (c) a third solution would consist in conferring the responsibility for international protection on one of the existing bodies, which would entail modifying the constitution of whatever body was selected;
- (d) lastly, it might be possible to set up a fiduciary body, based on the notion of the "Trust" in English law. Such a "Fund" would constitute both the international protection authority and the means of ensuring that protection. The task of the Permanent Bureau would be to control the "Fund" like a committee of trustees.

84. In more than one country, and more particularly in some developing countries, important monuments and sites were in danger of disappearing, not so much through lack of financial means to pay for their preservation and development, as because the necessary preparatory surveys had not been carried out by experts, there was a shortage of qualified workmen capable of carrying out conservation and restoration work, as well as of the necessary equipment, and, lastly, the protection of the cultural heritage was not yet regarded as sufficiently important to rank among the main preoccupations of the State.

85. The international authority would be able to act in different ways in order to help States at their request, either by carrying out surveys and research, or by granting them technical assistance, or by obtaining for them financial aid, or by arousing public interest in protecting the heritage of immovable cultural property.

(a) Surveys and research

On the international level it would be necessary for Unesco to continually strengthen the existing international legal protection. At present it was important to take steps to secure the revision of international rules so as to preserve sea coasts, to establish international regulations concerning supersonic flights, in order to reduce their harmful effects, to promote research on the deterioration of building materials, etc.

On the national level, it would also be essential that research should be carried out for the solution of particular problems which States were not able to solve themselves - for example, enacting laws and regulations on the protection of cultural property, determining the cause of the trouble affecting a particular monument or group of buildings, making surveys of cultural property, drawing up plans for restoring or opening up monuments, groups of buildings or sites, calculating the cost of the work, etc.

86. By financing the necessary scientific, technical and economic research, the international authority would be making an effective contribution to safeguarding the threatened monuments, groups of buildings and sites.

(b) Technical assistance

Provided such assistance were on a sufficient scale, it should encourage the beneficiary State to take action which in many cases would be adequate for safeguarding the cultural heritage. It might take various forms: the provision of highly qualified experts and skilled workmen, the supply of scientific and technical equipment, the supervision and execution of architectural work, archaeological excavations, the work of preserving or maintaining and opening up a monument or group of buildings, etc.

The technical assistance to be provided to States in response to justified requests for help in safeguarding their cultural heritage could pool the efforts of Unesco, of organizations specializing in the protection of cultural property, of regional organizations and of the States themselves whether they were recipients of such assistance or not.

The large number of different situations and co-operating bodies involved made it necessary to devise flexible formulae leading towards the desired goal - the protection of monuments, groups of buildings and sites of universal interest and value, without the whole technical or financial responsibility necessarily falling on Unesco.

87. In that respect, Unesco could take positive action in the sphere of bilateral assistance agreements between States. Those agreements were numerous, and steps could be taken to make them provide increasingly for measures to safeguard the most important monuments. Being of necessity restricted to the two States concerned, such agreements did not give other States where problems of the same kind had been encountered the benefit of like experience. Nevertheless they could be of great service in situations where the saving of monuments or groups of buildings was a matter of urgency.

Instead of going on listing the different possible forms of technical assistance, all that was judged necessary was to propose certain practical solutions to facilitate international co-operation in three cases of particular importance: the training of young technicians, the organization of teams of voluntary workers, and archaeological excavations.

88. As already mentioned, many States lacked technicians in this field. It would therefore be particularly desirable to open architectural work camps in such countries, under the supervision of highly qualified technicians, who would be paid from international funds. The beneficiary State would send out to the camp young beginners in restoration work, who would become specialists after a few years and work not only in their own country but also in a foreign country. During their training those future technicians could be paid for by the beneficiary State or by the international authority.

89. Young voluntary workers were responding with enthusiasm to proposals for work on archaeological sites, or on preserving and maintaining historic monuments or saving historic groups of buildings damaged by public catastrophes.

That readiness on the part of young people should be put to use in the programme for international co-operation. The irreplaceable experience of contact between young people of different nationalities would be most useful in strengthening the links of friendship created by their facing common difficulties.

Many States had services for carrying out archaeological excavations, not only on their territory but also abroad. It would perhaps not be impossible to devise a form of joint management of sites in foreign countries, shared between the beneficiary State and the international authority. In that case, Unesco could include young research workers in teams of professional archaeologists. Though that presented certain problems, legal and other, they would not be difficult to solve.

(c) Financial assistance: an International Monuments Fund

90. The financing of the work of protection of monuments, groups of buildings and sites of universal value must not fall wholly on the international community. The contribution of the beneficiary State ought in principle to be substantial. It would be desirable if the work of protecting and facilitating access to cultural property were regarded as falling within the scope of an investment policy for development, by virtue of the economic advantage which all countries derived from their groups of buildings and sites.

In order to facilitate financing, an "international fund" for monuments, groups of buildings and sites could be set up. The idea of setting up such a fund went back to the period immediately following the Second World War. Surveys had been carried out, moreover, to establish how it could be financed. There was reason to think that it could receive, as assistance funds, the financial contribution made by States to projects for which they had requested aid from the international authority and the sums allocated by Unesco to that end in the various budgets. The fund could also receive aid from the international financing bodies, such as the International Bank for Reconstruction and Development or the United Nations Special Fund. Finally, it should be able to draw on all kinds of extra-budgetary resources, in particular those coming from national bodies or private persons. The resources of an international fund could only be used on the basis of objective criteria. Such criteria would have to be determined by a group of highly qualified experts.

Facilities granted in return for international co-operation

91. As the protection of monuments, groups and sites of universal value and interest would involve obligations on the part of the international community, it might seem reasonable that special facilities should be granted on a voluntary basis by the beneficiary State either to the international community or to countries agreeing to undertake such a task. Such facilities might take the form of exemption from dues and taxes or privileges granted under bilateral agreements; alternatively the State might, for example, agree to donate a work or collection of works of art.

Discussion

92. Considering that the international organizations already in existence and the departments of Unesco in charge of the protection of cultural property were in a position to undertake the new tasks which could arise from the establishment of an international protection system, the participants were not in favour of setting up new bodies.

They requested detailed information on Unesco's existing services responsible for the programmes for the protection and presentation of the cultural heritage and for the development of museums. One participant drew on a blackboard a sketch showing that part of Unesco's organizational chart containing the Division of International Campaigns and Development of Cultural Tourism, attached to the Executive Office of the Director-General, and the Division for the Protection and Development of Cultural Heritage, an integral part of the Department of Culture. Questions were put concerning the attributes of the two sections forming the latter Division: the Section of Museums and Monuments and the Section for the Development of the Cultural Heritage.

93. The services of the Secretariat, having proved their value in practice, should form the nucleus of a Permanent Bureau, in which they would all be combined in order to avoid duplication and wastage of qualified staff and money. The bureau would have to be strengthened as its activities on behalf of the international protection system increased.

Further discussion centred round the structure and functions of the Permanent Bureau. It was decided to regard it as an executive organ designed to carry out the objectives of the system, and to leave it to the Director-General of Unesco to set it up in accordance with the administrative rules in force in the Organization, taking into account the scope of the work which it would be possible to accomplish in the various spheres of protection of cultural property. And although the members of the bureau should be highly qualified in the various disciplines relating to the conservation and restoration of monuments, groups of buildings and sites, it was desirable that they should never take the place of the experts, of all nationalities, who would have to be consulted all the time on projects under way or under consideration; the scientific problems were indeed so many and varied that it would be impossible to bring together in one body all the expert knowledge required.

94. The executive organ, which would be a direct link between the Director-General and the Executive Committee, should receive and comment on requests for assistance, draw up the necessary programmes, establish priorities, make suggestions on the nature and scope of intervention by the international authority, and generally co-ordinate all protection work.

It was not considered necessary to set up a "Committee for Scientific Co-ordination" and "Programme Committee", as proposed by the Rapporteurs. On the other hand it was decided, after long discussion, to establish an advisory body alongside the Permanent Bureau, for the Director-General required appropriate advice on the main lines of the action to be taken in favour of immovable cultural property of universal value and interest.

95. A question arose at that stage in the debate: Should the International Committee on Monuments, Artistic and Historical Sites and Archaeological Excavations, which had not met for five years, be revived? It was recalled that the Committee was an advisory body, whose function had been to advise the Director-General and, if necessary assist him, at his request, in preparing and implementing the programme for monuments, sites and excavations. It had been composed of eleven members - the Director of ICOM and ten other persons of various nationalities appointed by the Director-General to represent the relevant fields of specialization (architects, restorers, archaeologists, art historians, town planners, etc), the regions rich in monuments and the regions where scientific knowledge and technical methods were very highly developed. In addition, a corresponding member of the Committee had been designated from each Member State.

96. Some participants thought that the basis upon which members had been recruited for that Committee would not enable the international system to function satisfactorily. In the event of the International Committee being reorganized, or a new advisory committee set up, it would not be possible to disregard the existence of the non-governmental and intergovernmental organizations which were now playing a very important part in the protection of the cultural heritage. The International Centre in Rome and ICOMOS ought therefore to be represented within the advisory body. Several participants also stressed the need to bring in the International Union of Architects, the International Federation of Landscape Architects and the International Union for the Conservation of Nature and Natural Resources.

The interests and special requirements of certain areas ought also to be taken into account, and it was for that reason that representatives of the intergovernmental organizations ought to sit on the advisory committee. So that the system might play an important rôle in co-ordinating the ideas inspiring those organizations, it was desirable that discussions should take place with a view to reaching agreement concerning the fields in which each of them might properly intervene.

Finally, the advisory committee should have the services of specialized and non-specialized representatives, on the basis of geographical distribution. It should meet twice a year to consider all important questions, without exception, which the Director-General might lay before it. It could also make known its desires, and in the case of divergence of opinion among its members, the Director-General would have to assume responsibility and take whatever decisions were necessary.

97. Obviously sufficient contributions of all kinds, especially financial, would have to be made to the international authority to enable it to carry out the work. That naturally brought the meeting to discuss the establishment of an international fund for monuments, groups of buildings and sites of universal value and interest. Experience appeared to show that establishment of such a fund was essential. It was well known that for more than twenty years that project had been coming up periodically before Unesco.

Participants asked for information on the steps which had been taken in that field. The past history of the international fund was referred to in brief and explanations were given of the way in which its financing had been envisaged: by compulsory contributions or by voluntary contributions. The former could be either direct assessments on Member States or passed on to private individuals (for example, by the special tourist tax, part of the revenue from which would go to the conservation of monuments in the countries themselves, and part to the international fund, or an extra tax on entrance to museums, theatres, cinemas, etc.) As far as voluntary contributions were concerned, they would have to be sought by asking the public to buy international cards, issued by Unesco, entitling the holder, in return, to free entrance to excavations, monuments, museums, etc. (Unesco 13 C/PRG/15, Paris, 26 June 1964).

98. It emerged from the discussion that the establishment of such a fund raised both legal and financial problems.

The legal problem consisted in deciding whether the fund was to be administered on an extra-budgetary basis by Unesco or whether on the contrary it ought to be an autonomous body having legal status under either international law or private law (a foundation). The consequences differed, especially on the financial plane, depending on which of those solutions was adopted. In the former case, Unesco would be directly responsible for the obligations contracted by the fund vis-à-vis States, while in the second Unesco's responsibility would be limited to studying and investigating requests for assistance, and arranging for such assistance, while the financial responsibility would remain with the fund. In that case, the administration of the international fund could be entrusted to a bank, Unesco being represented on the board of directors. The statutes of the fund would have to lay down the relationship between that body and Unesco, so that international assistance might be granted rapidly and effectively.

99. If the fund were established within Unesco, it would be an intergovernmental fund. Now, experience had shown that the public objected to giving large sums to governments, and would not be in favour of financing the fund through compulsory contributions. However, if the fund took the form of a foundation, it would be likely to stimulate voluntary contributions, which should carry with them certain advantages and tax reductions which governments should be encouraged to grant.

100. The debate showed that it would be more appropriate if the fund was not an autonomous body independent of Unesco. That Organization had long experience in raising funds for cultural enterprises and it would be easier to establish the fund within Unesco, so that it could co-operate harmoniously with the other bodies which it had been suggested should play a part in the international system. Likewise, it was probable that the fund would have to finance all manner of activities decided on by Unesco, by obtaining contributions of all sorts, first and foremost among which would be the appropriations made in Unesco's Regular budget.

101. The financial problem concerned above all the search for resources to finance the fund. That was the keystone of the future international protection system. In that respect, it was proposed that Unesco approach financial experts specializing in the raising of funds on the international

level, seeking their advice on how best to set about establishing a plan for the fund and what steps it should take in this regard. Turning to account the immense prestige which it enjoyed throughout the world, to which would be added the prestige of a great cause, such as the protection of the universal cultural heritage, Unesco would not find it difficult to collect the funds required. All the more so because in the world today, those funds did not constitute exorbitant sums which were impossible to raise. One participant stated that in his country it was sometimes possible, during campaigns to raise money for public causes, to collect in one town in the space of one week a sum exceeding two or three million dollars.

102. It should be borne in mind that immovable cultural property of universal interest often consisted of large, complex structures, the protection of which was a difficult undertaking which had to be carried out with the greatest care. In accepting responsibility for such undertakings or participating in them, Unesco did not at present have the scientific and technical resources to carry out more than twenty or so at a time. Its annual participation in each project must not, save in very exceptional cases, exceed \$50,000. The sum to be raised each year was therefore \$1,000,000, which would be sufficient to finance the fund.

With that in view, it was possible to organize international campaigns or "world days", in order to appeal to the generosity of the public and to the sense of responsibility of States, foundations and individuals. In that kind of enterprise, it seemed necessary for each appeal to be formulated in such a way as to present the precise aim which international assistance was designed to attain, and for guarantees to be given that the sums of money obtained through those appeals would be used directly for the projects backed by Unesco.

103. Funds came in more readily for a specific cause than if public generosity were appealed to in a more general way. Thus a programme containing about 10-20 projects for the protection of important monuments, groups of buildings and sites, of which a list would be published periodically with all the necessary publicity, would be more likely to stimulate the interest and generosity of the public.

It would also be advisable to revert to certain ideas already put forward in regard to financing of the international fund, for example the tourist tax and the international card for entrance to monuments. Circumstances had not allowed those ideas to become concrete realities. The fear that tourism, then in its early stages, would be affected by those measures, was no longer justifiable, for tourism was increasing in a large number of countries and it would be inconceivable that the very small taxes levied for the protection of monuments could be detrimental to its expansion. Moreover, who benefited above all from the saving of important monuments - Abu Simbel, Florence and Venice - if it was not the tourists? It would therefore be appropriate to re-examine the data collected in that regard on the hypothesis that the funds raised for that purpose in a country should be used first and foremost for monuments in that country, and that a small share should go to the Unesco fund.

104. It would be desirable for Member States to adopt appropriate fiscal measures to encourage private persons, foundations and various societies to contribute to the national campaign for the protection of the cultural heritage, and also to support Unesco's campaign for the protection of monuments, groups of buildings and sites of universal value. However, the fact that in some countries the capital market was very limited must be taken into account.

One participant suggested that the funds necessary for helping States with a cultural heritage requiring protection should be obtained by arranging for such States to issue long-term bonds guaranteed by Unesco. The success of such bond issues might possibly be increased if Unesco were to defray part of the interest payable to bond-holders.

105. In accordance with the wish that had been expressed that the budget for the fund should not exceed one million dollars per annum, another participant advised that Unesco should make a great effort to raise a sum such that the annual interest on it would cover the annual budget of the fund.

The meeting then proceeded to discuss the amount of international assistance to be given to a project to save a monument or site of universal value and interest. It was agreed that the extent and nature of Unesco's participation could vary according to circumstances, and in particular according to the importance of the cultural property to be saved, the urgency of meeting the dangers which threatened it, the nature of the project, the cost of the work and the specific conditions in the beneficiary States.

Naturally the situation in developing countries where large numbers of monuments, groups of buildings and sites of world-wide interest were urgently needing to be saved should not be compared with that of developed countries, where much of the necessary work had already been done. Apart from exceptional cases - armed conflict, catastrophes and earthquakes - assistance from the international authority for the protection of immovable cultural property in developed countries should be confined to technical aid. Those countries had at their disposal very considerable financial resources which could be used to carry out the necessary work for the benefit of the community.

106. One participant drew attention to the fact that the amount of assistance to be given to a project was less important than that the available funds should be used rationally, and the expenses to be covered distributed judiciously over a period. Large countries with the heavy responsibility of a very rich cultural heritage, succeeded in carrying out considerable projects with fairly slender budgetary allocations from the government. The bodies responsible for protecting cultural property in those countries managed to safeguard a large number of monuments by stimulating the flow of private funds, at the appropriate moment, in the direction of projects of general interest.

The assistance to be given to a country by the fund ought therefore to consist of help in finding solutions to the financial problem by using national public and private sources. The most appropriate way of protecting the universal cultural heritage was not to establish an international fund capable of covering all the necessary expenses, but rather to help the countries concerned to learn how to deal with the various problems, tackle the difficulties and reach solutions broadly corresponding to what was required.

The dividing line between success and failure was fairly thin, and one had to know when to intervene so as to encourage a country to take active steps with a view to financing a project itself, so that it could become a useful element in the life of the country which had requested international assistance.

107. Experience had shown that the main effort had to go towards helping such projects to get started. Once a project had acquired sufficient momentum to reach the top of the hill, it ran down the other side of its own accord.

As was mentioned in Chapter II of this report, regarding the possible repercussions of national programmes for the conservation of the cultural heritage on the future protection of that heritage, the international programme should be based on a series of pilot projects, which would be likely to arouse the interest of all countries and encourage a sense of responsibility towards monuments, groups of buildings and sites. All necessary publicity should be given to that kind of project.

The projects should be designed with special care, for their purpose was to further adoption on the international level of the latest ideas in research and the most recent methods and techniques in conservation and restoration.

108. Projects should not only include a detailed plan setting out in advance all the scientific and technical operations to be undertaken, but also give details of the kind and number of experts and skilled workers who would participate in the scheme, as well as the kind of equipment to be used. It was natural that experts, technicians and equipment not already available in the country carrying out the project would be paid for by the international authority, just as it was fair and appropriate that the national technicians and workmen, and all the material resources to be provided on the spot, should be paid for by the beneficiary country. However, if the latter expenses went far beyond the normal budget any possibilities of those countries, which would then find themselves in a situation which greatly threatened the future existence of a monument, group of buildings or site of universal value and interest, Unesco should help the States concerned to contact low-interest loans. Following a favourable decision by the advisory organ, it could also pay the interest on such loans and possibly agree to grant a subvention.

109. An examination of the possible modes of international intervention led to the problem of the undertakings to be entered into for that purpose between Unesco and the beneficiary States, as well as the form of those undertakings. What were the responsibilities and obligations of the beneficiary State vis-à-vis the international community from the moment when the request for assistance was put forward to the moment when the danger threatening an important monument was averted and the monument declared to be saved? What guarantees were there to ensure that the operations would be carried out regularly, continuously and efficiently?

One participant explained the system of guarantees used in his country for granting financial assistance to private owners of historic monuments in a state of deterioration which called for administrative intervention. The owner of a threatened building must call in an expert to make a report on essential work to be done and its estimated cost. On receiving that report, the authorities sent a high-level inspector to evaluate the importance of the monument for which aid had been sought, and an architect to examine it for repairs, state how necessary and urgent those were and estimate the cost. Negotiations could be held with the owner with a view to subdividing the work, undertaking the most urgent operations and leaving aside those which were unjustified or which were of no interest as far as the historic nature of the monument was concerned.

110. Furthermore, the owner would have to furnish evidence that the means at his disposal were inadequate for him to meet the expenses without assistance. He would also have to explain how he had managed in the past to make the necessary repairs to his property.

Those negotiations could lead to the laying down of conditions for granting national aid. The specifications for the work to be done could be set out in a contract which the two parties would sign. That would give rise to architectural supervision by the authorities. Once the work had begun, it would be inspected from time to time by government agents. Finally special conditions could be imposed on the beneficiary so that the public could be given reasonable access to his property once the work was finished.

111. Such practices could be transposed to the international level and adopted for the international system for protection of monuments, groups of buildings and sites of universal interest and value. The beneficiary State would have to give Unesco an assurance that it was firmly resolved to continue work on the project for which it had requested assistance, and undertake to maintain the cultural property which had been saved in a good state of repair subsequently, in accordance with scientific and technological principles of conservation.

Although it was premature to speak of a special status for immovable cultural property which had been saved and made more widely accessible through international co-operation, the subsequent use of the property should be advantageous to the international community. Those advantages must be granted freely by the countries possessing the property, so that international co-operation could continue and expand.

112. At the end of the debate an important question was raised: How would Unesco follow up the conclusions and proposals of the two committees of experts which had met in 1968 and 1969 respectively to study the problems of strengthening the protection of the cultural heritage in each country and on the international level?

It had been seen clearly that a new progressive concept was needed, so as to integrate the relics of the past with the civilizations of today and tomorrow, through the adoption of an overall policy which would govern the action of the Member States and the steps to be taken by Unesco. For that purpose it was necessary to distinguish between the proposal to lay down scientific, technical and legal principles and criteria as a basis for efficient national systems of protection and the proposal to establish through Unesco an international system of protection for monuments, groups of buildings and sites of universal value and interest.

113. The problems involved in those two projects could, however, only be settled by new international instruments.

Obviously for the first problem the "Recommendation" was the most appropriate instrument. In that case, Member States should not be asked to enact the necessary provisions as they had been formulated, but to make their laws and regulations conform to certain general principles which had already been shown to be effective in the protection of cultural property.

114. As for the second problem, States would be asked to exchange various services, agree to mutual sacrifices and accept the intervention of the international authority, in specific cases and in accordance with the principles and methods that had been defined, in order to safeguard immovable cultural property of great importance. It seemed essential to draw up a convention to that end, unless it were considered that the international protection system did not require to be given an autonomous legal character, and that the consequences of establishing the system - reorganization of Unesco's Secretariat, establishment of a new advisory body, collection of contributions, etc. - were not such as to impose contractual obligations and therefore could be brought about by resolutions of the General Conference or the Executive Board.

CHAPTER V

Conclusions of the Meeting

The meeting of experts held at Unesco House between 21 and 25 July 1969, to establish an international system for the protection of monuments and sites of universal interest,

Considering,

that in a society, the rate of development of which has increased prodigiously during the last quarter of a century, man has a vital and constantly growing need to rediscover a setting on a human scale in which he is able to fulfil himself;

that for this purpose it is of fundamental importance to integrate the relics of past civilizations and achievements of our own times by an overall policy;

that, in the same spirit, the United Nations has placed the problem of man and his environment on its programme;

that monuments, groups of buildings and sites constitute an essential part of the human heritage, and contribute to the enrichment and harmonious development of civilization present and future;

that the preservation of the cultural and natural heritage of any State forms part of the preservation of the environment which is indispensable to human life;

that the preservation, study and knowledge of monuments, groups and sites in different countries of the world contribute to mutual understanding between the nations;

that monuments, groups of buildings and sites, constitute a homogenous whole, each part of which is inseparable from the others;

that in order to save this heritage it must be integrated into the social life of the nation concerned;

that this integration into social life needs to be a fundamental aspect of land use planning and national planning at all levels;

that the preservation of this property requires the co-operation of all the major public bodies and that those responsible must therefore be given power to discharge their duties fully and successfully;

that our age must strive by all means at its disposal to ensure the protection of monuments, groups of buildings and sites against the grave dangers to which they are constantly exposed;

that this protection needs to be provided both nationally and internationally, for which purpose it must be planned in accordance with co-ordinated rules, based upon common fundamental principles.

A. NATIONAL PROTECTION SYSTEM

I. NATURE OF THE HERITAGE TO BE PROTECTED AND DEVELOPED

For the purposes of this document, the world's heritage of immovable cultural property includes:

- (a) monuments: architectural works or monumental sculptures of historic, archaeological or artistic interest;
- (b) historic and artistic groups and areas or "urban sites" or "rural sites": sets of buildings, isolated or grouped together, which by their architecture, their homogeneity or their integration into the landscape are of a character to justify their protection and development;

- (c) "sites" or "landscapes": environments created by nature or man which deserve to be protected and developed for their homogeneity, for their artistic, aesthetic or ethnographic value, or for their associations in history, literature or legend;
- (d) "archaeological sites": areas in which traces of human civilizations have been or may be discovered;
- (e) "scientific sites": areas of interest to the various sciences.

N.B The terms "natural sites" and "mixed sites" have not been used, as the former does not correspond to a concept common to all States and the latter adds nothing to the idea of "urban sites or "rural sites"; no reference has been made to historical periods (e.g. classical antiquity) for archaeological sites, as these references can have no universal value.

II. THEATS TO MONUMENTS, GROUPS OF BUILDINGS AND SITES

To the traditional factors of deterioration, the development of social and economic life adds new and even more alarming causes of the damage and destruction of monuments, groups of buildings and sites. These factors occur everywhere, hence the necessity of persuading States to realize the dangers and to reduce or eliminate them by concerted action on the part of all public and private bodies, which is another way of integrating monuments, groups of buildings and sites into the life of nations.

More precisely, in order to determine what measures States shall be advised to take as part of their overall policy for ensuring the protection in perpetuity of their monuments, groups of buildings and sites, the following phenomena have been identified, which although inherent in our civilization and indeed sometimes beneficial, nevertheless, in some of their aspects represent a threat to monuments, groups and sites.

They include:

- (1) Failure to integrate this heritage:
 - (a) into the population increase and social development;
 - (b) into economic, industrial, agricultural or commercial development;
- (2) vested interests which compromise the preservation of this heritage;
- (3) among these phenomena may be mentioned: the increasingly rapid deterioration of monuments, groups of buildings and sites, due to the increasing pollution of the atmosphere or the appearance of new causes such as sonic booms.

III. PROTECTIVE MEASURES

These measures concern both the organization of services and the procedures or methods of scientific, technical, legal, administrative or financial protection.

IV. ORGANIZATION OF SERVICES FOR THE PROTECTION OF MONUMENTS, GROUPS AND SITES

It is essential that each State have competent bodies responsible for devising and implementing measures for the protection of monuments, groups and sites.

These bodies must be empowered to deal with their new tasks in co-operation with other public authorities, particularly departments concerned with town and land use planning, and with the planning of economic and social development, whose activities also contribute to the creation of the environment and to the protection of immovable cultural property which needs to be integrated into it.

These departments must be assisted by qualified consultative bodies to advise the executive authorities on matters affecting monuments, groups and sites.

V. POWERS OF CENTRAL, FEDERAL OR LOCAL BODIES

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 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 seemed essential to associate local communities and the various local authorities with the decisions to be taken, so as to make them alive to their responsibilities with regard to monuments, groups and sites that belong to them.

Lastly, in view of the fact that the preservation of monuments, groups of buildings 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 sharing the work between central or federal authorities and local authorities. A judicious and effective balance should be maintained in this distribution of responsibilities.

VI. CO-OPERATION BETWEEN BODIES RESPONSIBLE FOR PRESERVATION

The necessary measures should be taken to ensure that major public works or private projects cannot be planned or carried out unless they make due allowance for the need to fit monuments, groups of buildings and sites into the general scheme of nature. 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 authorities.

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.

This co-operation, extended to the whole of the State's economic and social activities, must occur at the stage of preparation of land use and development plans and not only at the point where the principles defined by these plans are being put into effect.

The object of preliminary consultation with the departments responsible for immovable cultural property should be to produce not merely opinions but co-ordinated decisions respecting the interests of monuments, groups and sites in the same way as other major national interests.

Furthermore, new policy orientation should be given to all the departments concerned, so that the immovable cultural heritage no longer appears as a brake upon national expansion but as a determining factor in this development.

In particular, the existence of monuments, groups of buildings and sites should be an important factor among other "draws" (major building works, communication networks, cultural institutions etc.) which stimulate the economic development of a region. The pre-eminent place thus given to monuments, groups of buildings and sites among "poles of attraction" at the same time justifies public participation, which plays its part in land use planning and local development.

In the event of conflict between the departments responsible for the immovable cultural heritage and other major public departments, government arbitration must be entrusted to a body including the most highly qualified representatives of these departments. To avoid a situation in which economic, social or other interests systematically override the interests of monuments, groups of buildings and sites, there must be a possibility to bring the dispute, at the request of the minister responsible, before the supreme political authority of the country concerned.

VII. THE IMMOVABLE CULTURAL HERITAGE - AN INDIVISIBLE WHOLE

Most of the Member States of Unesco agreed, at the time of the ratification of The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954,) to consider the immovable cultural heritage in need of protection as an indivisible whole. The committee of experts, considering that comparable protection of that heritage as a single entity was not guaranteed sufficiently in time of peace, recommended that the Director-General seek ways of improving the situation.

VIII. SCIENTIFIC OR TECHNICAL PERSONNEL

The integration of monuments, groups and sites into national life implies co-operation not only between conservation specialists, architects, town-planners, administrators and planners, but also between sociologists, ethnologists, geographers, economists, experts in biometry, agricultural engineers, etc.

States should make an effort to train and recruit scientific, technical and other personnel to take part in the drawing up and supervision of integration and protection programmes. Courses should be held to provide information for personnel not specialized in the conservation of historic monuments but taking part in the work of integrating the immovable cultural heritage into national life.

It is particularly necessary to recruit architects specializing in the conservation of historic monuments and groups. To this end, young architects might receive national or international post-university training to ensure that no one undertakes monument and site work without the necessary instruction and qualifications.

IX. PROTECTIVE MEASURES FOR MONUMENTS, GROUPS OF BUILDINGS AND SITES

An inventory of its monuments, groups of buildings 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 not only monuments and groups of buildings, but also areas and sites.

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

X. OBSERVANCE OF PROTECTIVE MEASURES

It is hoped that protective measures (prohibition of any demolition, restoration, repairs, modification or possible removal of a monument without the prior authorization of the public authorities) will be strictly observed by the owners and holders of the property protected, whether they be individuals or public, private or semi-private bodies.

XI. CRIMINAL PENALTIES

- (a) It is recommended that the penalties imposed on anyone who intentionally destroys, mutilates or injures a protected monument, group of buildings, area or site should include both fines and imprisonment.
- (b) Heavy fines should be imposed on anyone responsible for other violations of measures for the safeguarding or presentation of a protected monument, group of buildings, area or site, such as the violation of a constraint, the modification of a monument, group and area 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.

XII. CIVIL PENALTIES

It is recommended that, in order to ensure the indispensable material protection of a monument, group, area or site, the person responsible for damage to such protected property be obliged to restore the whole to its original state or to a state conforming with the instructions prescribed by the competent services. This sentence may be imposed in addition to a penal sentence or independently of such a sentence. In both cases the judge should also be entitled to impose any daily fines for non-performance that he may consider necessary.

XIII. NEW PROTECTIVE MEASURES

Existing regulations usually include certain prohibitions to protect monuments, groups and areas or sites. Certain serious dangers, however, demand new measures to counteract them, as for example: the effects of shocks and vibration caused by heavy vehicles and supersonic aircraft; the accelerated deterioration of the constituent materials of ancient monuments; and the consequences of natural disasters and calamities.

XIV. ENCOURAGEMENT OF PRIVATE INITIATIVE

Monuments, groups of buildings and sites are a precious and irreplaceable national heritage, and as such deserve active protection by society.

To this purpose, private initiative on the part of individuals or corporate bodies, aimed at better preservation or presentation of this cultural or natural heritage, ought to be encouraged. Among the activities to be promoted should be mentioned co-operation in taking legal steps - e.g. prosecution for offences under certain circumstances - and participation in maintenance or rehabilitation operations. Encouragement should also be given to private owners to maintain their monuments or sites in accordance with a prescribed plan carried out under the supervision of the competent authorities. Various incentives and tax relief should serve this purpose.

XV. NEGLIGENCE ON THE PART OF OWNERS

In the case of negligence on the part of private owners, the public authorities should be entitled to take certain protective measures. Among these may be counted: the compulsory execution of works at the owner's expense and if necessary expropriation of the threatened cultural or natural property, either for the benefit of a public community or of a public institution, which as such must submit to a certain amount of control by the State, or even for the benefit of a private person under certain prescribed conditions.

XVI. FINANCIAL PARTICIPATION BY "NATIONAL MONUMENTS FUNDS"

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

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

XVII. MEASURES FOR THE REHABILITATION OF HISTORIC GROUPS

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 of the community in which the particular group is located. Far from saving a group, badly planned rehabilitation is more likely to help ruin it.

In rehabilitation work, due regard must be paid to the new rôle of the historic group. Apart from crafts, industry will probably be excluded, but housing, university, tourist, commercial, cultural and administrative activities may be reconcilable with its historic character.

Except for any necessary refacing, care should be taken to see that the rehabilitation does not basically upset the character of the residential area.

XVIII. ALLOWANCES FOR THE INHABITANT OF REHABILITATED HISTORIC GROUPS

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

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

To avoid certain regrettable changes, compensation in some form or another, such as 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.

XIX. SCIENTIFIC MEASURES TO PROTECT MONUMENTS AND SITES

All conservation and restoration of historic monuments and groups should be preceded and accompanied by thorough scientific and technical studies. The lack of proper scientific preparation accompanied by ample documentation may lead to often irreparable damage being done.

(a) Laboratories

Each country should be able to call upon the services of specialized laboratories. In the case of 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.

If a laboratory cannot be provided, countries should at least have an excellent technical workshop.

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

(b) Conservation and restoring

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.

XX. EDUCATION

Steps should be taken to educate the public, both in school and out of it, to awaken children's interest in monuments, groups of buildings and sites and adults' respect for them, and spread greater knowledge and understanding of the regulations laid down for ensuring the integration of the heritage of immovable cultural property into the life of the nation.

B. INTERNATIONAL SYSTEM FOR THE PROTECTION OF MONUMENTS, GROUPS OF BUILDINGS AND SITES OF UNIVERSAL INTEREST

The meeting of experts unanimously congratulate Unesco on having taken the initiative in promoting and encouraging the protection of monuments, groups of buildings and sites on a world-wide scale, and in having, to this end, arranged for a study to be made of the fundamental principles of a system which would lead to effective international co-operation in a field essential to man's harmonious development in his environment.

Such a system will strengthen the measures designed to safeguard this heritage, by enabling the international community to intervene and give effective assistance whenever any part of the heritage happens to be in imminent danger.

I. SCOPE OF PROTECTION

Regarding the scope of protection, it seems that national protection should be given to all monuments, groups of buildings and sites in a given country. Experience shows that even the humblest monuments may be of great environmental, historical, artistic or archaeological value.

On the other hand, as things are at present, the main thing to be done at the international level is for the international institution to make an effective contribution, in exceptional circumstances, to the efforts of Member States to protect parts of their heritage of immovable cultural property. This contribution can only be made in order to protect monuments, groups of buildings or sites of universal interest.

II. PRINCIPLES

At international and at national level, protection should be understood in its broadest sense, i. e. covering the integration of the immovable cultural heritage within the framework of active life.

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), the Recommendation on the means of prohibiting and preventing the illicit export, import and transfer of ownership of cultural property (1964), the Recommendation concerning the preservation of cultural property endangered by public or private works (1968) - will aim at extending 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. The function of the international authority will be to stimulate the efforts of Member States, to encourage them to adopt the rules set out in the first part of this document and put into application an effective system for the protection of monuments, groups and sites. Its function will also be to give technical and in some cases financial assistance to States which are in urgent need of it. Only in exceptional cases and under strict conditions which could rarely be satisfied would its activities replace those of the State concerned.

III. NATURE OF INTERNATIONAL PROTECTION

The protection of monuments, groups, and areas and sites of universal interest does not imply the internationalization of such cultural property or any form of extra-territorial status. Protection by the international authority is disinterested, scientific, technical and practical in its nature, and is carried out by the international community for the benefit of all countries.

Any Member State may have recourse to scientific and technical aid from the international authority within the limits of the latter's terms of reference and possibilities.

IV. INTERNATIONAL PROTECTION AUTHORITY

The international protection authority is responsible for seeing that the necessary protective measures are carried out. It consists of:

- (a) a permanent executive body: it will be left to the discretion and initiative of the Director-General of Unesco to decide how this body shall be organized, how it will fit into the administrative structure and how it will operate;

- (b) an advisory committee, composed of representatives of the governmental and non-governmental organizations mainly concerned, of the regional organizations and of persons chosen for their special qualifications;
- (c) the governmental and non-governmental organizations chiefly concerned;
- (d) a Monuments Fund.

The permanent executive body represents the Director-General. It co-ordinates protection activities, prepares the necessary programmes, establishes the priorities and the nature and scale of action by the international authority.

The advisory committee gives opinions of all kinds on questions submitted to it by the permanent executive body. It meets periodically, at least twice a year. All important matters must be referred to it by the executive body and it may take the initiative of making recommendations to the latter.

Actual technical activities will be the responsibility of the governmental and non-governmental organizations within the limits of their special fields of work. They should be provided with the means necessary for the execution of their mission.

A Monuments Fund should be established within Unesco for collecting and distributing the sums necessary for action by the international authority.

V. INCOME OF THE MONUMENTS FUND

The Monuments Fund must have an income if it is to be able to finance action regarded as necessary.

In addition to the amount which could be allocated to it from Unesco's budget, through voluntary contributions from States, gifts, bequests and other moneys customarily received by corporate bodies, the Fund could also receive payments from foundations and the proceeds of international campaigns on behalf of monuments. Furthermore, it could guarantee State bonds issued for the financing of big projects.

(a) Resources obtained through foundations

The Meeting of Experts was gratified to see that Unesco was considering the possibility of setting up such a fund, under its Regular programme for 1969-1970, with the help of business firms, international institutions and other bodies interested in cultural tourism.

Furthermore, the Committee suggested that Unesco also examine the possibility of taking the following measures to swell the fund.

It would be highly desirable for foundations, private organizations, to be set up by States, in order to spur the generosity of individual patrons and groups desirous of making a financial contribution to the safeguarding of the immovable cultural heritage of mankind.

States should adopt appropriate fiscal measures to encourage donations from private persons, corporate bodies, particularly commercial firms, on behalf of monuments, groups, areas and sites. These national foundations could participate in the financing of work projects on monuments, groups and sites in the country concerned or contribute to the Monuments Fund, and thus participate in action taken by the international authority for monuments, groups and sites of universal interest.

(b) Resources obtained through international campaigns on behalf of monuments, groups and sites

Both national and international campaigns are organized on behalf of causes of great social or cultural importance.

It would thus be suitable to organize a World Day for monuments, groups and sites. This would make international public opinion alive to the serious problems as yet unsolved, to the impoverishment of many monuments and groups of monuments, to the effectiveness of action made possible by science and modern technology and to the solutions which could be found by modest contributions from the general public.

Resources obtained through the World Monuments Day (gifts of services, subscriptions, etc.) would be paid over by the organizers to the Monuments Fund.

(c) Guarantee given to the issue of State bonds

States should participate financially in projects for which they request aid from the international authority. If their budgets do not allow of such participation, they could issue bonds which would readily find buyers on the national and international markets if subscribers were given guarantees.

To this end the Monuments Fund could give a guarantee to the operation concerned, an assurance that the issue was of general interest, that the resources would be used to safeguard a monument, a group of monuments or a site by means of a carefully studied project. The Fund could also give bond-holders a financial guarantee as to the payment of interest and the amortization of the loan.

In any case the Meeting of Experts believes that, in order to ensure that the Fund shall have the income which is indispensable, international fund-raising experts should be consulted as to the best methods to employ.

VI. CO-OPERATION WITH REGIONAL ORGANIZATIONS

Co-operation by the international authority with regional organizations is essential. To ensure that this co-operation is satisfactory, the latter organizations should be represented on the Advisory Committee; the interests and needs of certain regions of the world would thus be given their full importance. Moreover, consultations should be held between the international authority and the regional organizations concerned in order to decide, by common consent, on the fields of action proper to each of those organizations. In this way Unesco would be able to play an exceptionally important part in co-ordinating the ideas inspiring the major regional group and in helping to publicize the results of the projects which they have undertaken.

VII. CASES WHERE INTERNATIONAL INTERVENTION IS POSSIBLE

In order to enable the international protection authority to intervene effectively, Member States must define the nature of the threat to their monuments, groups and areas and sites and specify whether the danger is the result:

of an advanced state of deterioration of the structure or of the fabric of these monuments or groups;

of natural causes;

of the carrying out of major public or private works made necessary by economic development and the extension of modern technology;

of an armed conflict which has just broken out or seems liable to do so, etc.

It is desirable that the international authority should be in a position to act rapidly and effectively whenever a monument, group of buildings or site is seriously endangered.

VIII. POSSIBLE FORMS OF INTERVENTION BY THE INTERNATIONAL AUTHORITY

This may be intervention by the permanent executive body, the Monuments Fund, or by the governmental or non-governmental organizations associated with the work of international protection, depending on the nature of the work to be done.

Among the possible forms of action, the following should be particularly mentioned, although this is not an exhaustive list:

(a) Financing of protection work

When action on a large scale is necessary, a problem of financing arises. Protection should be given to monuments, groups of buildings and sites of universal interest by the international authority if it can be proven that the State concerned is obviously incapable of bearing the expense itself.

These resources should be provided by the "Fund for Monuments, Groups of Buildings and Sites". The use of the Fund's resources should be guided by objective criteria. The granting of assistance should be subject to proof that the State seeking assistance has made a valid effort to protect its cultural heritage. It should also be subject to a report by highly qualified experts and to a favourable opinion being expressed by the advisory committee. Aid could take the form of a low-interest or interest-free loan and should certainly not cover the whole of the expenditure. In any case, the beneficiary State should make a substantial financial contribution to the work.

The size of this contribution could vary according to the circumstances, especially according to the kind of work to be undertaken, the general conditions in the beneficiary country, the interest presented by the monuments, etc. In any case, the State seeking assistance should give the international authority assurance that it will follow up the project for which it has requested assistance.

(b) Research

This involves systematizing work already done by Unesco and the NGOs in their own fields. Activities need to be developed in the technical, legal, administrative and other fields in support of those projects which are to be undertaken with international assistance.

It would be advisable to establish an order of priority for monuments, groups of buildings and sites for which Member States request assistance from Unesco. To ensure optimum conditions for the scientific and technical operations to be carried out under the patronage of the Organization and for the research which these operations imply, not more than about ten major or medium-scale projects should be carried out simultaneously in any given year.

(c) Technical assistance

Great monuments and important groups of buildings are in danger of disappearing, especially in the developing countries, largely because they are short of technicians, experts, people capable of carrying out the preparatory studies and the skilled labour necessary to do the work.

The international authority, by making the necessary men, equipment and material available to the States which require them, can contribute to effective protection whilst avoiding heavy financial obligations which it would find it difficult to meet.

(d) Training of technicians

The architectural or archaeological work camps which have been opened in some countries with the help of technical assistance could be used for on-the-spot practical training of technicians. Highly qualified technicians with teaching ability would be all that was needed for staffing these work camps. This practical training would be a useful supplement to the theoretical instruction given elsewhere, which needs to be expanded and strengthened on both the national and international scale.

(e) Education and information

Together they can help to bring about a lasting evolution favourable to the preservation of the world's cultural heritage. Any action undertaken by a State or by an international organization remains doomed to ultimate failure unless based upon a modification of human conduct, which is itself connected with education. Information on this subject should use all the modern media such as press, radio, and television, and seize on every available occasion, particularly tourist events, to sound the alarm when monuments, groups of buildings and sites are threatened.

More especially, the international authority should prepare a programme of work to be done in regard to monuments, groups of buildings and sites of universal value which are in serious danger. It should also publicize this programme widely so as to arouse world interest in such monuments, groups of buildings and sites.

(f) Organization of work camps for young voluntary workers

This would supplement education work having special reference to the young. Being interested in their environment, the young are interested in monuments and sites, they are therefore the best psychological agents for the integration of monuments and sites into the daily life of their country. Whilst they are fervent admirers of scientific achievements, they understand that present and future civilization is linked to that of the past. For this reason, they are more and more eager to participate in archaeological excavation work, in improving access to and the appearance of historic monuments and saving monuments damaged by public catastrophes.

It is recommended that international co-operation should make use of this willingness on the part of young people. For this purpose the international authority will look for work camps to open under the permanent supervision of architects or qualified technicians and collect the material resources necessary for carrying out these activities, whilst encouraging the beneficiary States to make such financial contributions, contributions in kind, etc., as they are able to provide.

IX. FACILITIES GRANTED IN RETURN FOR INTERNATIONAL CO-OPERATION

The international community having contributed to the protection of monuments, groups of buildings and sites of universal value and interest, it might seem reasonable that special facilities should be granted on a voluntary basis by the beneficiary State either to the international community and its agencies or to a State having made a substantial contribution. Such facilities might take the form of exemption from dues and taxes, or privileges granted under bilateral agreements. Although these advantages may often be temporary, they may also take on a definitive character.

C. CONCLUSION

The Meeting of Experts suggests that the Director-General:

- (a) prepare an International Recommendation based on the scientific, technical and legal principles and criteria contained in the present document which could be used in setting up or improving national systems for the protection of monuments, groups of buildings and sites; and
- (b) prepare an International Convention or have recourse to any other appropriate means favouring the establishment of an international system for the protection of monuments, groups of buildings and sites of universal interest, in accordance with the principles and conditions laid down in the present document.

If a convention is concluded, it should be drafted in a way that would facilitate the work of any regional bodies which might be led to draw up similar instruments.

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ANNEX II

LIST OF WORKING PAPERS

- (a) Document SHC/CS/27/8 of 31 December 1968, on the conclusions and proposals of the 1968 meeting.
- (b) Document SHC/CONF.43/6 of 15 July 1969, "International Protection of Monuments, Groups of Buildings and Sites of Universal Value and Interest: Background and Purposes", by the Unesco Secretariat.
- (c) Document SHC/CONF.43/4 of 30 June 1969, "The Appropriate System for the International Protection of Monuments, Groups of Buildings and Sites of Universal Value and Interest: Basic Premises of the Question", by Mr. R. Lemaire (Belgium) and Mr. François Sorlin (France).
- (d) Document SHC/CONF.43/5 of 13 June 1969, "Practical Steps to Facilitate the Possible Establishment of an Appropriate International System", by Mr. Robert Brichet (France) and Mr. Mario Matteucci (Italy).