

Maya Site of Copán

Proposal for a Buffer Zone

The boundary of the World Heritage Property has been approved by the World Heritage Committee in its 41st session (Krakow, 2017): Decision 41 COM 8D (Paragraph 5) and Annex of Document WHC/17/41.COM/8D.

A proposal for the buffer zone was submitted in February 2019. The comments of ICOMOS state that: The proposed buffer zone seems adequate and includes the “immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection as required by the Operational Guidelines. Especially, the protection of the site from urban pressure exerted by the Copan Ruinas village, located to the west of the site, seems to be well considered.”

However the proposal has been referred back to the State Party in order to allow it to:

- Complete the map showing the proposed buffer zone with a comprehensive legend and the localization of the area of influence and the eleven protective enclaves,
- Provide more detailed information on the legislation regulating the property, the buffer zone and the area of influence,
- Specify how the regulation of the buffer zone will be enforced and how and when an agreement with all the landowners will be reached;

This revision of the Buffer Zone therefore will keep the same limits and address the issues raised by ICOMOS.

Introduction

A buffer zone had been proposed in the Management Plan 2014-2020. However it failed to be approved by the IHAH and the stakeholders for several reasons: (1) it was too extended on the northeast side to effectively implement legal restrictions, (2) it had led to land speculations by landowners as the State had expressed its willingness to buy land included in the buffer zone, (3) it did not need to be so extended on the northeast side to comply with the Operational Guidelines for the Implementation of the World Heritage Convention (Paragraph 104).

It was then decided to curtail the northeast limit of the buffer zone and its southeast side on the other side of the river. The result is a buffer zone that is manageable and yet protects the OUV of the World Heritage Property as well as attributes functionally related to it.

The Management Plan considered an Area of Influence as another layer of protection around the buffer zone and eleven (11) Protected Enclaves for the protection of archaeological remains dispersed in the Copan Pocket. These arrangements actually were confusing for the managers of the site and for the community at large: the necessity for such areas was objected on the basis that the Law for the Protection of Cultural Heritage and the Declaration of Copan as National Monument already provide an adequate protection of all the archaeological vestiges over the whole of the Copan Valley, therefore making superfluous any kind of special area outside the Buffer Zone. **As a result, the Area of Influence and the Protected Enclaves have been cancelled.**

Three maps are attached to this document:

Map 1: the official map of the Buffer Zone (PDF)

Map 2: the areas of the Buffer Zone (PDF)

Map 3: the area covered by the Declaration of National Monument (see paragraph 8)

1. Area of the proposed buffer zone

The buffer zone covers an area of 258.365 hectares.

2. Description of the proposed buffer zone

The rationale for the delimitation of the buffer zone is to protect the Outstanding Universal Value of the inscribed property and to protect the authenticity of the setting of the inscribed property. The buffer zone should therefore include the immediate surroundings of the inscribed property, which are the ancient residential wards of El Bosque (south and southwest), Las Sepulturas (east), Comedero (northern slopes up to the ancient quarry that provided material for sculptures and constructions), and also the two natural features of importance, which are the river and a kind of wetland seasonally inundated on the western side of El Bosque, between the archaeological park and the modern village.

2.1. Overview

The buffer zone is limited:

(1) to the north by a line of hilltops: the objective is to preserve the cultural landscape between the world heritage property and those hilltops, including the quarry that provided the stones for the monuments

(2) to the east by the area called Sepulturas where lived the elite of ancient Copan

(3) to the west by a large area of pasture between the archaeological park and the village

(4) to the south by the Copan river (flowing east-west), except for an area across the river close to the World Heritage Property to enhance its protection

2.2. Description

The boundary of the buffer zone is marked on the map by the points A, B, C, D, E, F, G,H.

1. The line A-B, western boundary from A (hilltop of Cerro Chino, figure 3) to B on the river, is the most important as it marks the geographical limit allowed for the expansion of the village. The area between the village and this line is a flood area little suitable for constructions.
2. The Copan River marks a physical boundary to the south (line B-C and D-E), except the line CD which is a northeast oriented tangent to the river. Land use south of the river is exclusively agricultural and pasture.
3. The line E-F, eastern boundary, corresponds to the limits of the area called Sepulturas from the river (E) to the road (F)
4. The line F-G follows the road over 350 meters
5. The line G-H is oriented north over 300 meters. The point H corresponds to a hilltop.
6. The line A-H corresponds to a skyline of three hilltops from A (Cerro Chino) to H.



Figure 1: Cerro chino in the foreground (point A) and the village in the background

2.3. Distances from the World Heritage Property

Line A-B: 900 meters minimum

Line A-H: 600 meters minimum

Line C-D: 300 meters minimum

Line E-F: 900 meters minimum

2.4. Ownership and land use (See map 2)

Areas 1 and 5 are State property; Areas 2, 3, 4, 6, 7 and 8 are private property

Area 1 is state property managed by the IHAH for the exclusive use of visitors. The modern buildings in the northwest part are: visitor center, parking, museum of sculptures, cafeteria souvenir shop and a tourist information center.

Area 2, called Sepulturas, is private property administrated by the IHAH through an agreement with the owner (figure 4). The state is considering the purchase of this area.

Areas 3 and 4 are private property, exclusively for agriculture of light impact like corn. The state is considering the purchase of area 3 to link the world heritage property with Sepulturas (area 2), and maybe area 4.



Figure 2: The eastern side of the buffer zone with the area of Sepulturas (areas 2, 3 and 4)

Area 5 is state property used by owner of area 2 for agricultural purpose as a compensation for the use of area 2 by the IHAH

Area 6 is private property, a flood area unsuitable for constructions and agriculture, used exclusively as pasture for livestock (figure 5). This area shields the archaeological park from the expansion of the village.

Area 7, north of the road, private property used as pasture, occasionally to grow corn (figure 6).

Area 8, southeast of the river, limited by the river and a tangent to the river, is a private property with exclusive use for agriculture.



Figure 3: The western side of the buffer zone, seen from the northern slopes (area 6)



Figure 4: The quarry on the northern slopes (area 7)

3. Justification for the buffer zone

The need to create an area with appropriate regulations of land use that isolates the World Heritage property from the development of the nearby village and abusive agricultural practices, and preserves the authenticity and integrity of the setting of the World Heritage property.

4. Contribution to the maintenance of the OUV

The buffer zone creates a protected area with specific regulations around the World Heritage property. It also includes areas with very high cultural significance that enhances the OUV of the World Heritage property

5. Implications for legal protection

5.1 The legal framework

The legal framework for the protection of the Maya Site of Copan is the Law for the Protection of the Cultural Heritage of the Nation (Ley para la Proteccion del Patrimonio Cultural de la Nacion, 1997) and the Presidential Resolution (Acuerdo Presidencial) 185 of 1982 declaring National Monument “all the archaeological vestiges of the geographical zone known as the Copan Valley ..., including the pre-Hispanic city of Copan..” (see paragraph 8).

The most important article of the Law for the Protection of Cultural Heritage (LPPCN) is article 9 that clearly states: “The application of this law is extended to all properties of the Cultural Heritage that are under threat or in danger of disappearing or being damaged, due to the execution of any public or private works. In such case, the competent authorities could dictate preventive or prohibitive measures they consider necessary for the conservation and protection of these properties. For the development of state and private projects that could affect such properties, the authorization of the IHAH is obligatory, after an assessment of physical, social and cultural impact on the protected properties.”

Other relevant articles state that:

1. The Instituto Hondureño de Antropología e Historia (IHAH) is responsible for the execution of the law (LPPCN article 28)
2. The IHAH has the exclusive power to realize or authorize excavations, open the ground, modify monuments, demolish or remodel structures of properties that are part of the cultural heritage (LPPCN article 22)

3. The IHAH has the power to regulate the use of the land and norms of construction in places declared archaeological zones, national monuments or historic centers, to preserve the cultural or natural context of the place: the IHAH can regulate advertisements, car parking, gas stations, telephone posts, electric installations, food stores and any other permanent or temporary construction that would alter the cultural and natural context.... (LPPCN article 27)
4. Article 10 of LPPCN declares that the protection of cultural heritage is of social and national interest , so the state can proceed to an expropriation when necessary without a legislative decree (article 56)
5. The declaration of National Monument (Resolution 185-82) guarantees a permanent protection of the whole area (LPPCN article 36)

In sum, the LPPCN gives the Instituto Hondureño de Antropología e Historia authority to regulate the use of a declared archaeological zone, and that includes the whole valley of Copan (Presidential Resolution 185-82) , and especially the buffer zone. The Law also gives power of expropriation as a last resort when all other options have failed.

Furthermore, it is the intention of the IHAH to enforce the limits of the Buffer Zone and its regulations by publishing them in the Official Journal “La Gaceta”, giving them even more force of law, once the proposed buffer zone has been approved by the World Heritage Committee.

5.2. The regulations

The World Heritage Property is State property administered by the IHAH: the only changes acceptable are positive changes for investigation, for heritage protection and visitors safety.

The regulations for the buffer zone consider two areas:

1. Two exclusive areas (1 and 2 on the map) where the only changes acceptable are positive changes for investigation, for heritage protection and visitors safety. However, in the northwest part of area 1 where public facilities are located, changes are allowed when they are necessary for the convenience of visitors provided these changes are limited and do not affect the integrity and the authenticity of the site.
2. Six areas of restricted activities (3, 4, 5, 6, 7 and 8 on the map) where only low impact activities (agriculture and pasture) are allowed. Other low impact changes will be allowed if they are to satisfy a social or economic necessity without alternative, in which case a strict heritage impact assessment will be undertaken and its recommendations implemented.

6. Implications for management arrangements

All the land included in the buffer zone belongs either to the state or to a same family. The private land used to belong to the same landowner who agreed that the IHAH would manage directly the area called Sepulturas (area 2) and that there would not be other use than low impact agriculture and pasture on the rest of the land. No written document was signed; that was more than 30 years ago, a time when in rural Copan a handshake meant more than a signed document. In return, the landowner was allowed to cultivate area 5 that belongs to the state. Times have changed. Now the same land has been divided between five heirs who do respect the word given by their father and who also know the prerogatives of the State over the Cultural Heritage.

The intention of the state to buy all the land included in the buffer zone has been forsaken due to the high cost of such a transaction. However, **the State still considers buying area 2 currently under the management of the IHAH, albeit nor in the foreseeable future.** The purpose is to create a pathway linking that land with the World Heritage property, so the visitors can easily walk from one area to the other. An amicable agreement is preferred rather than a forced expropriation.

Areas 3, 4 and 7 are used exclusively for low impact agriculture. Area 6 is a flood area, unsuitable for anything else than pasture, its current use; and area 8 has been reserved exclusively for agriculture in the “Land Use Management” established for the whole territory of Copan Ruinas”.

In sum, the management arrangements have been working for more than 30 years, and there is no foreseeable reason that this would change.

The revised Management Plan of the Maya Site of Copan (2021-2030) will consider 3 regulation zones:

- * Zone 0 (World Heritage property) where no changes are allowed except those that would have a positive impact on heritage conservation and visitors safety.
- * Zone 1 (Buffer zone) where no changes are allowed, except those that are of social or economic necessity for the community without alternatives. In such case, the IHAH will carry a heritage impact assessment and the recommended mitigation strictly implemented.
- * Zone 2 (National Monument of Copan) where any change must be authorized y the IHAH after a heritage impact assessment, with a particular attention to registered archaeological remains and “visual” impacts.

7. Map

Map 1: Buffer zone (see PDF document in A3 size attached)

- Topographic map
- Scale 1: 8000
- Title and legend in English
- The boundaries are marked through a clearly visible red line
- Clearly labeled coordinate grid, and coordinates of 7 points on the map
- Title and legend clearly refer to the boundary of the buffer zone; the boundary of the World Heritage property is clearly distinguished by a different color

8. Additional information

8.1.1. Ley para la Protección del Patrimonio Cultural de la Nación (Decreto Legislativo 220-97)

Artículo 9: La aplicación de esta Ley se extiende a todos aquellos bienes del Patrimonio Cultural que estuvieren amenazados o en peligro de desaparición o daño, debido a la ejecución de cualquier obra pública o privada. En este sentido, las autoridades competentes podrán dictar las medidas preventivas o prohibitivas que consideren necesarias para la conservación y protección de tales bienes. Para el desarrollo de proyectos estatales o privados, que eventualmente puedan afectar tales bienes es obligatoria la autorización del Instituto Hondureño de Antropología e Historia, previo estudio de impacto físico, social y cultural sobre bienes protegidos.

Artículo 10: La protección del Patrimonio Cultural de la Nación es de orden público, de interés social y nacional y se registrará por las disposiciones de esta Ley y demás normas legales aplicables.

Artículo 22: Solamente el Instituto Hondureño de Antropología e Historia será la institución que podrá realizar o autorizar trabajos de excavación, rotura de tierras, descuaje de bosques, modificación de monumentos, demolición o remodelación de estructuras de los bienes que formen parte del Patrimonio Cultural respetando el derecho de propiedad.

Artículo 27: En aquellos lugares declarados como zonas arqueológicas, monumentos nacionales, cascos o centros históricos, el Instituto Hondureño de Antropología e Historia reglamentará lo relacionado con anuncios, avisos, carteles, estacionamientos de

automóviles, expendios de gasolina, postes de hilos telegráficos y telefónicos, transformadores y conductores e energía eléctrica e instalaciones de alumbrado, ventas de comida y cualquier otra construcción permanente o provisional que altere el contexto cultural y natural, sin perjuicio de otras leyes ni menoscabo de otra autoridad competente.

Artículo 28: Está a cargo del Instituto Hondureño de Antropología e Historia, la ejecución responsable de esta Ley y a la vez solicitaran la cooperación de las dependencias estatales que fuesen necesarios para su cumplimiento, ya sean instituciones centrales o descentralizadas del Estado.

Artículo 36: Con el objeto de asegurar una protección permanente sobre aquellos lugares o viene que lo ameriten, el Instituto Hondureño de Antropología e Historia, además de otras medidas, deberá promover su declaratoria como zona arqueológica, monumento nacional o centro histórico.

Artículo 56: En aquellos casos debidamente comprobados en que por negligencia de los particulares propietarios de bienes culturales protegidos se produzcan deteriora o degradación de los mismos, el Estado podrá expropiarlos siguiendo los procedimientos establecidos en nuestras leyes. No obstante, el Estado deberá cooperar con los propietarios de estos bienes en la reparación y restauración de los mismos, cuando por razones ajenas a su voluntad no pueden efectuarlos por sí mismo.

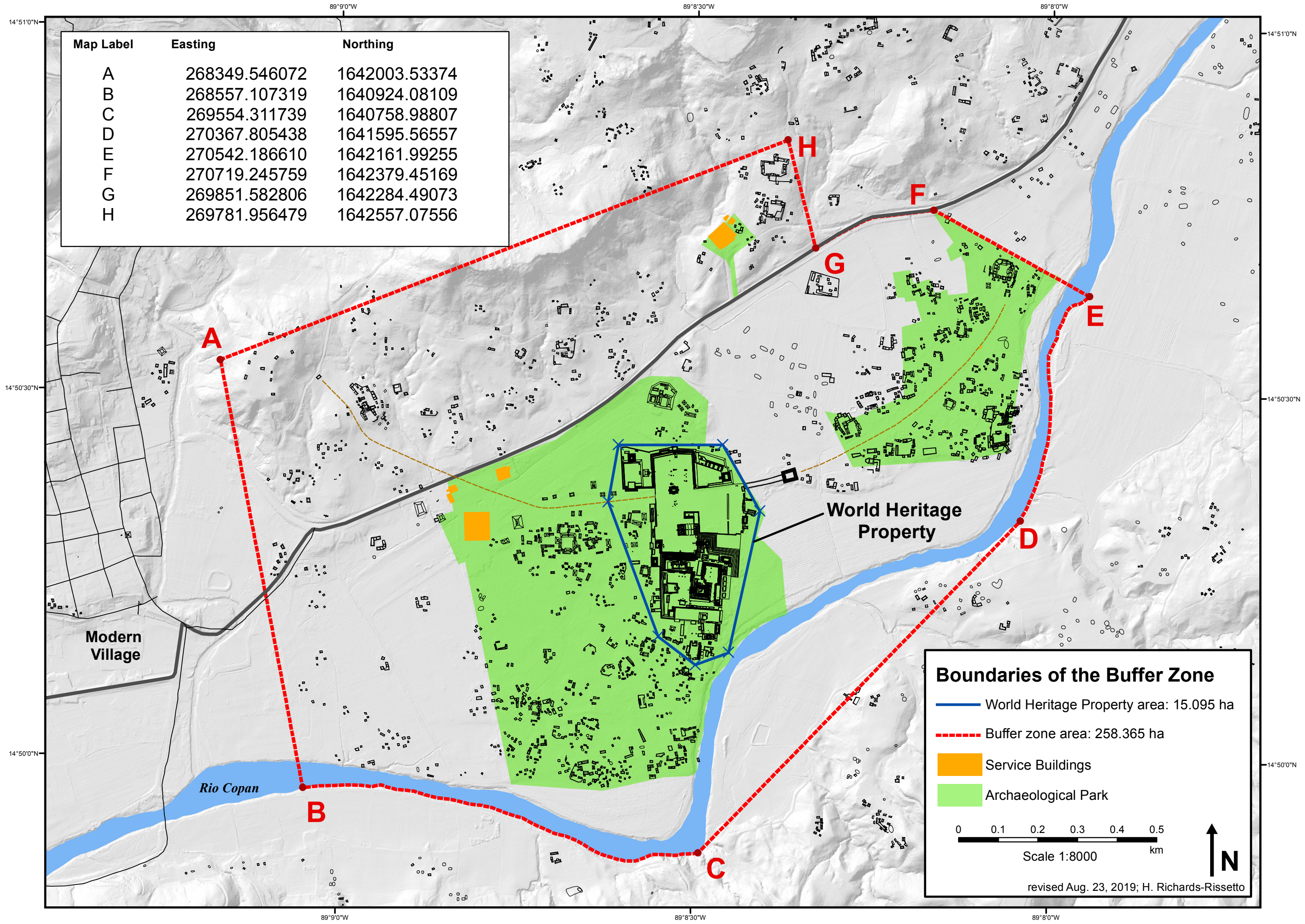
8.3.2. Acuerdo Presidencial No 185-82

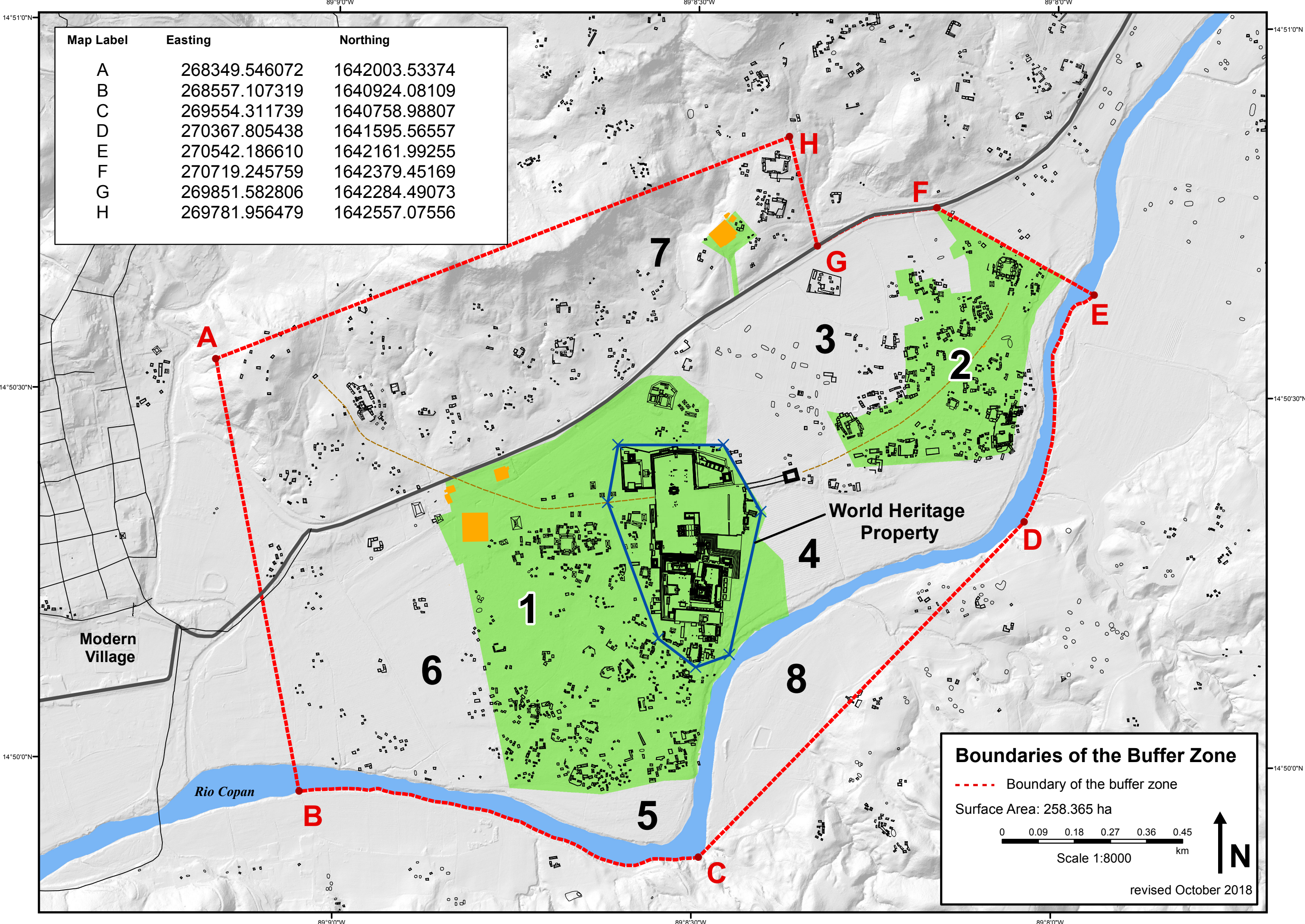
The Presidential Resolution No 185 of 24 June 1982 declares National Monument:

Todos los restos arqueológicos muebles e inmuebles del territorio que abarca la zona geográfica conocida como Valle del Río Copán y sus afluentes, desde el caserío de Los Ranchos, teniendo como punto de referencia las coordenadas 880520 de la hoja geográfica No 2460 IV Serie E752 "Dulce Nombre" de la Dirección General de Cartografía, hasta la frontera con Guatemala, comprendiendo las bolsas de Río Amarillo, El Jaral, Santa Rita de Copan. Se abarca de esta forma la ciudad prehispánica de Copan, con todos sus poblados tributarios, con os cuales forma una urbe socio-política.

According to that resolution, the National Monument of Copan includes all the drainage of the Copan river within the Honduran territory, an area of approximately 35x15 kms (52500 ha).

See map 3: the drainage of the Copan river is highlighted in soft green color; the red rectangle corresponds to map 1 (World Heritage property and Buffer Zone).





Map Label	Easting	Northing
A	268349.546072	1642003.53374
B	268557.107319	1640924.08109
C	269554.311739	1640758.98807
D	270367.805438	1641595.56557
E	270542.186610	1642161.99255
F	270719.245759	1642379.45169
G	269851.582806	1642284.49073
H	269781.956479	1642557.07556

Boundaries of the Buffer Zone

----- Boundary of the buffer zone

Surface Area: 258.365 ha

0 0.09 0.18 0.27 0.36 0.45 km

Scale 1:8000

N

revised October 2018

CUENCA DEL RIO COPAN

Copán, Honduras

