

ICOMOS

INTERNATIONAL COUNCIL ON MONUMENTS AND SITES
CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES
CONSEJO INTERNACIONAL DE MONUMENTOS Y SITIOS
МЕЖДУНАРОДНЫЙ СОВЕТ ПО ВОПРОСАМ ПАМЯТНИКОВ И ДОСТОПРИМЕЧАТЕЛЬНЫХ МЕСТ

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Ms Nthabiseng Makuwa
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Permanent Delegation of the Republic of
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Ambassade d'Afrique du Sud
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World Heritage List 2024

Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites (South Africa) – Interim report and additional information request

Dear Ambassador,

As prescribed by the *Operational Guidelines for the Implementation of the World Heritage Convention* and its Annex 6, the Advisory Bodies are requested to submit a short interim report for each nomination by 31 January 2024. We are therefore pleased to provide you with the relevant information outlining issues related to the evaluation procedure.

The ICOMOS technical evaluation mission to the “Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites” was carried out by Mr. Charles Akibode (Cape Verde) in August 2023. The mission expert highly appreciated the availabilities and support provided by the experts in your country for the organisation and implementation of the mission.

On 4 October 2023, an additional information letter was sent by ICOMOS to request further information regarding the serial approach, the description, the comparative analysis, the name of the nominated property, the proposed attributes of Outstanding Universal Value, the boundaries and buffer zones, planned and approved development projects, legal protection, and stakeholder involvement. Please convey our thanks to all the officials and experts for the additional information you provided on 10 November 2023 and for their continued cooperation in this process.

At the end of November 2023, the ICOMOS World Heritage Panel evaluated the cultural and mixed properties nominated for inscription on the World Heritage List in 2024. The additional information provided by the State Party, together with mission and desk review reports were carefully examined by the Panel members. This process will conclude in March 2024.

We thank you and your Delegation for your availability and your participation in the meeting held on 24 November 2023 with some representatives of the ICOMOS Panel. The exchanges during this meeting were of great help for the third part of the ICOMOS Panel meeting.

While the ICOMOS Panel considered that the “Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites” might have the potential to meet the requirements for Outstanding Universal Value, this has not yet been demonstrated.

Therefore, we would be pleased if the State Party could consider the following points:

Clarification on the *Guiding Principles for the preparation of nominations concerning sites of memory associated with recent conflicts*

ICOMOS notes that this nomination was submitted during the moratorium on assessing sites of memory associated with recent conflicts, and was not therefore prepared according to the World Heritage Committee’s *Guiding Principles for the preparation of nominations concerning sites of memory associated with recent conflicts* (2023). According to the decision taken by the World Heritage Committee at its 18th extraordinary session (UNESCO, 24-25 January 2023), the nomination of the “Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites” has not been evaluated in terms of whether it complies with the *Guiding Principles*. However, ICOMOS has also found the *Guiding Principles* are useful in providing guidance in a more general way for this nomination and the others that were subject to the World Heritage Committee’s moratorium.

Overview of the South African liberation struggle

Although the nomination dossier presents an overview of the South African struggle for liberation and good summaries of the histories of the fourteen sites that are nominated, ICOMOS considers that at this stage, the relationship between the nominated sites and the larger history needs further elaboration.

ICOMOS would be grateful if the information already provided in section 2.b. of the nomination dossier could be further augmented to provide a broader overview of the history of the liberation struggle, including more information on the diversity of the organisations within the larger movement – aside from the African National Congress (ANC), which is well-explained –, the multiple leaders that helped to define the themes identified in the justification for the proposed Outstanding Universal Value – aside from Nelson Mandela, whose legacy is well-explained –, and the emergence and expressions of pan-Africanism.

Use of reconciliation in the justification of Outstanding Universal Value

While the South African experience of reconciliation in nation building has been influential, ICOMOS queries whether reconciliation is an essential element in the justification for the proposed Outstanding Universal Value of this serial nomination. In posing this question, ICOMOS notes the spirit of the World Heritage Committee’s *Guiding Principles for the preparation of nominations concerning sites of memory associated with recent conflicts* (2023), which sees reconciliation as an ongoing process.

On a practical level, the additional information received in November 2023 clarified the ways in which the three inter-related themes of human rights, liberation and reconciliation were used as a basis of selecting the component parts for the nomination. However, at this stage, the presence of all three themes does not seem evident, and this is particularly the case for the dimension of ‘reconciliation’ which seems to justify few of the component parts (eg. Table 5 in the nomination dossier). It may be that it is intended to reflect those sites that are places of active memorialisation (as a means of expressing ‘reconciliation’), but even then, quite a few component parts do not particularly act as sites of memory in this particular way (such as component parts 003, 010, 011, 012, 013, 014).

ICOMOS considers that the insistence that all component parts demonstrate the theme of ‘reconciliation’ weakens the strength of the justification for the proposed Outstanding Universal Value for this

nomination, and that this theme is not essential for the proposed Outstanding Universal Value to be demonstrated for a reduced number of component parts (outlined below).

Buffer zones

There are some mentions in the nomination dossier that make it unclear what is about the rationale behind the delineation of the buffer zones for several of the nominated component parts. On page 34, it is indicated that all the nominated component parts have buffer zones except component part 008. However, the area figures provided on pages 36-37 indicate an area for the buffer zone of all the component parts. It would be appreciated if clear indications for each of the queries below could be provided:

- Component part 004: Sharpeville Memorial Garden: it is indicated on page 34 that no buffer zone has been provided, but on pages 13-14 of the nomination dossier, maps 8 and 9 show a buffer zone on all sides of the nominated property boundary.
- Component part 007: Liliesleaf: the nomination dossier indicates that no "extended" buffer zone has been provided on the basis that it is not considered necessary (p.34). However, on pages 18-19, maps 13 and 14 show a thin buffer zone on all sides of the nominated property boundary.
- Component part 012: University of Fort Hare: ZK Matthews House: the nomination dossier indicates that no "extended" buffer zone has been provided on the basis that it is not considered necessary (p.35). However, on pages 28-29, maps 23 and 24 show a buffer zone on all sides of the nominated property boundary.

ICOMOS notes that some confusion has arisen from the distinction made, in some parts of the nomination dossier, between buffer zones (which seem to be open areas that surround the delineated component part, but which may possibly be inside the relevant land parcel along with the delineated component part) and the "extended" buffer zones (which appear to be drawn outside the boundary of the nominated component part). While the *Operational Guidelines for the Implementation of the World Heritage Convention* do not require that buffer zones are provided in all cases, this distinction between buffer zones and "extended" buffer zones is unclear to ICOMOS and does not align with the definitions in the *Operational Guidelines*. ICOMOS would appreciate if additional information clarifying these terms could be provided.

As noted above, several of the explanations given for not providing a buffer zone relate to a desire to avoid hampering or limiting the rights of private property owners, or because of a concern about limiting future development generally. While the urban revitalisation needs are understood, this does not seem to provide a sufficient reason for avoiding the use of buffer zones where they might otherwise be necessary.

Buffer zones should be areas that support the proposed Outstanding Universal Value, and they need to be designed in conjunction with a thorough identification of attributes that enables the definition of boundaries. They should be delineated in accordance with how they support the attributes conveying the proposed Outstanding Universal Value of the nominated property. Because some of the nominated component parts are located within urban districts, ICOMOS recommends that the State Party evaluate the role of the historical urban context in each of the nominated component parts and whether such context is necessary for understanding the meaning of these component parts. If considered necessary, buffer zones could include a wider urban setting that locates the nominated component parts in their historical context, as well as, if applicable, helping to protect key views from the nominated component parts to the wider setting, and from the surroundings to the nominated component parts.

The use of urban town planning mechanisms should allow the State Party and relevant local authorities to craft buffer zone protections that allow appropriate development.

Buffer zone of component part 008: 16 June 1976 – The Streets of Orlando West

ICOMOS acknowledges the advice already received on this question but has continuing concerns about the lack of a buffer zone for this component part. It is appreciated that the streets and footpaths are the primary focus of this place of memory, and that the buildings that front these streets are themselves not significant. However, ICOMOS considers that given the immense symbolic and memorial functions of these streets, some protection for their immediate setting is needed. It should be possible to find a practical means of ensuring that there is an appropriate level of control over the redevelopment of the urban spaces that line these streets in order to safeguard their importance as a place of memory and as a means of accessing and protecting the setting of the various memorials associated with the student protest. ICOMOS would be pleased if the State Party could provide additional information about whether this is possible, the specific mechanism that will be applied, and the timeframe needed to establish these arrangements to create a buffer zone that would not unduly restrict the intentions to facilitate urban revitalisation.

State of conservation

ICOMOS notes that some of the nominated component parts are in good condition and are well-presented, but others are in poor condition and require a lot of work in terms of conservation and presentation. Given that the fourteen nominated component parts are managed by a number of different authorities and arrangements, ICOMOS would be pleased if the State Party could provide additional information about what is planned for the improvement of the state of conservation and interpretation of these sites, and how conservation actions will be prioritised and resourced across the entire serial nominated property. Could information be provided as well on how the proposed management system will ensure the long-term conservation of these sites?

Interpretation strategy

ICOMOS notes that the current interpretation provided for the nominated component parts varies from very high-quality arrangements in some to none at all in others. Given that the nominated component parts have different management arrangements, capacities, and stakeholders, ICOMOS would appreciate to receive additional information about how an overarching interpretation strategy will be developed that will apply to all the nominated component parts.

Use of the name of Nelson Mandela

ICOMOS notes the explanations provided by the State Party in the additional information received in November 2023 on this question. However, ICOMOS has continued concerns about this aspect, for several reasons. Throughout the past fifty years, the implementation of the World Heritage Convention has consciously avoided the “inscription of famous people”.

ICOMOS appreciates that the intention of the State Party is to represent the legacy of Nelson Mandela rather than his life story. It is also understood that the use of the name of Nelson Mandela is a means of tapping into the knowledge of the South African liberation struggle that is widely known internationally. However, ICOMOS considers that the associations between Nelson Mandela (or his legacy) vary considerably across the nominated component parts. Some are strong and others seem tenuous; some relate to the earliest years of the formation of the ANC and the liberation movement while others occur in the periods of leadership of Nelson Mandela; and component part 014 is associated strongly with Nelson Mandela himself but has a weak justification in relation to the liberation struggle. Nelson Mandela was not present or involved in a number of the key events that the nominated component parts represent, and the other leaders that also contributed to this legacy are possibly not sufficiently

recognised because of the efforts that have been made to attach each of the nominated component parts to Nelson Mandela.

ICOMOS does not question the international importance and respect for Nelson Mandela, however using his life and/or legacy as a central organising factor seems to unnecessarily weaken the justification for this nomination. In the view of ICOMOS at this stage, the name of this nomination should be revised to remove the name of Nelson Mandela, and the proposed Statement of Outstanding Universal Value should be adjusted to place the legacy of Nelson Mandela into a broader and more complex context of leadership and legacy.

Revision of the selection of the nominated component parts

For reasons that are variously raised above, at this stage, ICOMOS considers that the nominated property does not meet the conditions of integrity, due primarily to the insufficient rationale for the selection of the nominated component parts. Nonetheless, a smaller selection of component parts could potentially demonstrate the proposed Outstanding Universal Value. A revised selection based on the following component parts seems at this stage to be more capable of meeting the requirements established in the *Operational Guidelines for the Implementation of the World Heritage Convention*: 001 (Union Buildings), 004, 005 and 006 (Sharpeville Memorial Garden and Sharpeville Grave Sites A and B), 007 (Liliesleaf), 008 (16 June 1976 – The Streets of Orlando West), and 009 (Constitution Hill).

We look forward to your responses to these points, which will be of great help in our evaluation procedure.

We would be grateful if you could provide **ICOMOS** and the **World Heritage Centre** with the above requested information by **28 February 2024 at the latest**, the deadline set out in paragraph 148 of the *Operational Guidelines for the Implementation of the World Heritage Convention* concerning additional information on nominations to be received. Please note that any information submitted after this statutory deadline will not be considered by ICOMOS in its evaluation for the World Heritage Committee. It should be noted, however, that while ICOMOS will carefully consider any additional information submitted within the statutory deadline, it will not be possible to properly evaluate a completely revised nomination or a large amount of new information submitted at the last minute. ICOMOS would therefore be grateful if the State Party could keep its response concise and respond only to the above requests.

We thank you for your support of the World Heritage Convention and the evaluation procedure.

Yours faithfully,



Gwenaëlle Bourdin
Director
ICOMOS Evaluation Unit

Copy to National Heritage Council
 South African National Commission for UNESCO
 UNESCO World Heritage Centre