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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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Charenton-le-Pont, 4 October 2023

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Minister, Deputy Permanent Delegate, Chargé
d'Affaires a.i.
Permanent Delegation of the Republic of South
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Ambassade d'Afrique du Sud
59 quai d'Orsay
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World Heritage List 2024 – Additional Information

Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites (South Africa)

Dear Ambassador,

ICOMOS is currently assessing the nomination of “Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites” as a World Heritage property and an ICOMOS technical evaluation mission has visited the nominated property to consider matters related to its protection, management and conservation, as well as issues related to its integrity and authenticity.

The following questions were forwarded earlier this year, but given the fact that the evaluation is conducting during the current cycle, no formal responses were received. In order to allow us to further evaluate this nominated property, we would be grateful if the State Party could provide us with additional information on these points:

Serial approach

Throughout the nomination dossier, the description of the number of component parts switches between ten and fourteen. It might result from the fact that some of the component parts occur in ‘clusters’ located close together and are related to each other historically. ICOMOS would appreciate confirmation of the number of component parts (as per p. 1 of the nomination dossier).

Given that there are some clear groups or clusters of component parts, ICOMOS would also be grateful if an explanation could be given for why these could not be joined to form single component parts (for example: component parts 003 and 004, and component parts 005 and 006) as this could aid the management effectiveness.

Related to the rationale of the serial approach in terms of component part selection, could the State Party please clarify if the selection of *events* that are considered to be illustrative of the “*legacy of the South African liberation struggle of the 20th century*” and its three strands – human rights, liberation, and reconciliation, were taken into consideration. ICOMOS considers that it would assist the evaluation procedure to better appreciate the rationale for including certain events and not others – and consequently some sites and not others – in the unfolding of this liberation and reconciliation process.

Description

The nomination dossier is concise, and ICOMOS is grateful for the efforts made to keep the document relatively short. However, further detail is needed about the specific events that have occurred at each component part and their importance in relation to and comparison with others in the development of the liberation and reconciliation process. At this stage, the descriptions in sections 2a and 2b of the nomination dossier do not provide sufficient details about the events with which each component part

is associated, the changes that occurred at each component part since the time of the relevant event, and the direct and tangible link between the event and the component parts and their elements. This limits the understanding of whether the selected component parts justify their inclusion in the proposed series and whether they meet the conditions of integrity and authenticity from a World Heritage perspective.

Comparative analysis

ICOMOS notes that the nomination dossier proposes a serial property of fourteen component parts selected from a larger number of sites that are associated with the South African liberation struggle. Accordingly, the comparative analysis is globally framed and provides brief descriptions of other places of struggle for human rights, liberation and reconciliation.

ICOMOS considers that additional information to augment what has already been provided would be helpful for the evaluation of the nominated property in two specific ways. Clearly, there is an immense literature on these questions. However, ICOMOS is seeking a concise overview to better understand and present the comparative context.

- Could the State Party please orient the material that has already been provided more specifically in relation to the several dimensions of the proposed justification for criterion (vi) (this could be presented in the form of a table)?
- Could additional text and comparative commentary specifically in relation to the context of the African region be provided?

ICOMOS understands that the fourteen component parts were selected from the list of 400 sites that were initially identified by the National Heritage Council that had been reduced to thirty-four sites, and then fourteen. It is understood that screening criteria were used to make these selections, but these are not explained in detail. ICOMOS is interested in understanding this process of selection in greater depth and would appreciate information on the method used to screen the larger set of possible sites. Finally, it is noted that at an earlier stage, some of the work of selection was conducted as part of a "*liberation heritage route initiative*" (Annex 8). To what extent has the possibility of outlining a route influenced the selection of the sites nominated for the World Heritage List?

Name of the nominated property

The international recognition of the significance of the life and achievements of Nelson Mandela are well explained in the nomination dossier, including the creation of a global 'Nelson Mandela Day', and other important forms of recognition by the United Nations. At the same time, it is also evident from the nomination dossier that the struggle for human rights, liberation and reconciliation was led by many individuals and groups within South Africa, and that not all of the nominated component parts are directly associated with events in the life of Nelson Mandela. This is clearly acknowledged in the nomination dossier itself, emphasising that the use of the name of Mandela is a device or "mirror" to illuminate dimensions of the struggle (p. 38 of the nomination dossier and Annex 8). ICOMOS therefore has questions about the rationale for including Nelson Mandela's name in the proposed name of this nominated serial property, given that the World Heritage Convention is a property-based instrument and cannot list important events, people or works of art.

Proposed attributes of Outstanding Universal Value

While "Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites" is nominated primarily as a series of sites of memory and commemoration, it is also necessary for the nominated sites to present material evidence in conformity with Article 1 of the World Heritage Convention.

While the contribution to the overall narrative of each component part has been described, in many cases, it is not yet clear to ICOMOS what are the proposed attributes of Outstanding Universal Value. These are the tangible and/or intangible heritage elements of each component part that convey their significance and will be protected and conserved.

In addition, due to the commemorative role of a number of the component parts, several have relatively recently established memorials. Are these memorials legally protected?

ICOMOS would appreciate the provision of a concise table indicating the attributes that are proposed for each of the nominated component parts.

Boundaries and buffer zones

The technical evaluation mission should assist with reviewing the boundaries of all component parts. However, the initial desk reviews of the nomination dossier have raised some questions about the component parts boundaries and buffer zones.

For component parts 005 and 006 (Sharpeville Graves Site A and B), please confirm that the extent of the Phelindaba Cemetery will be designated as a buffer zone.

For component parts 003 and 004 (Sharpeville Massacre Site: Police Station and Sharpeville Memorial Garden), a buffer zone is visible in green in the maps provided, and a buffer zone area of 6.82 ha for the Police Station and a buffer zone area of 3.16 ha for the Memorial Garden are indicated in Table 4 of the nomination dossier. However, it is stated on p. 34 of the nomination dossier that the Police Station does not have a buffer zone, except on the Western side of the building, and that the Memorial Garden does not have a buffer zone. ICOMOS would appreciate clarifications whether both component parts have a buffer zone or not. The same question applies also to component part 007 (Liliesleaf).

In relation to the Sharpeville Massacre Site: Police Station and Sharpeville Memorial Garden (component parts 003 and 004), the nomination dossier states that it is the State Party's intention to avoid hampering or limiting the individual rights of adjacent private property owners, while at the same time indicating an intention to promote development in these areas (p. 34). The intention to stimulate development in surrounding areas is also indicated for other component parts (such as Liliesleaf, component part 007). At this stage, it is not clear to ICOMOS how these intentions justify the lack of buffer zones (or tightly drawn buffer zones that in some cases do not fully surround the component part), particularly in areas that might otherwise be subject to development pressures. ICOMOS would appreciate further insight into these decisions, including what mechanisms will be employed to ensure that new development is compatible with the commemorative significance of the nominated component parts.

For component part 008 (16 June 1976 – The Streets of Orlando West, Gauteng), the nomination dossier states that there is an intention to ensure that views are retained, and that the architecture lining these streets retains its simple architectural character (p. 177). However, as the boundary equates with the road alignments only, and no buffer zone has been established for this component part, it is unclear how these qualities will be safeguarded.

Planned and approved development projects

Given the modern urban context of most of the component parts, and the likely growth in tourism interest, ICOMOS needs to be well informed about pending or approved development proposals located in the nominated property, the proposed buffer zones, or in the immediate wider setting of the nominated component parts. It would therefore be appreciated if a concise list of current and proposed development projects in these areas could be provided. An indication of whether Heritage Impact Assessment has been conducted for each of these would also be useful.

Legal protection

The nomination dossier states that all the nominated component parts are protected or in the process of being declared as National Heritage Sites, and that it was anticipated that the designation processes would be completed by 2019 (p. 176). ICOMOS would appreciate an update on the status of legal protection for each of the nominated component parts.

Stakeholder involvement

ICOMOS notes that a stakeholder report and strategy has been provided as part of the nomination dossier (Annexes 8 and 9), and also notes that such information is considered to be a key part of the Guiding Principles For The Preparation Of Nominations Concerning Sites Of Memory Associated With Recent Conflicts adopted by the World Heritage Committee at its 18th extraordinary session.

Most of the consultations occurred in 2019 (but some were conducted in the period earlier). ICOMOS notes that 'Stage 2' of the Stakeholder Involvement Plan includes stakeholder engagement in the period between the submission of the nomination dossier to UNESCO and the potential moment of inscription on the World Heritage List. ICOMOS would appreciate updates on these processes (if any).

ICOMOS notes that the Stakeholder Involvement Plan for each of the nominated sites is oriented toward government stakeholders, NGOs and community organisations. Additional information on how individuals with interests in these sites that might not be part of any of these entities are able to participate in the Stakeholder Involvement Plan would be appreciated.

Recommendation 2 in the report presented in Annex 8 suggests that once the nomination dossier was submitted, a Stakeholder Involvement Strategy and Action Plan would be developed. ICOMOS would be very pleased if additional information could be provided on whether this work has commenced and its current progress and/or outcomes.

We would be grateful if you could provide **ICOMOS** and the **UNESCO World Heritage Centre** with the above information by **Friday 10 November 2023 at the latest**.

ICOMOS appreciates that the timeframe for providing this additional information is short. Brief responses are required at this stage, and can be discussed further with the State Party if needed during the ICOMOS World Heritage Panel.

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

Please note that the State Party shall submit a copy of the additional information to the UNESCO World Heritage Centre and a copy to ICOMOS so that it can be formally registered as part of the nomination dossier.

We thank you in advance for your kind cooperation.

Yours faithfully,



Gwenaëlle Bourdin
Director
ICOMOS Evaluation Unit

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

ANNEXURE 2

STATE PARTY RESPONSE TO ADDITIONAL INFORMATION REQUESTED BY ICOMOS

**FOR THE HUMAN RIGHTS, LIBERATION AND RECONCILIATION: NELSON MANDELA LEGACY
SITE WORLD HERITAGE NOMINATION**

NOVEMBER 2023



GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

1. SERIAL APPROACH

Question:

- Throughout the nomination dossier, the description of the number of component parts switches between ten and fourteen.
- It might result from the fact that some of the component parts occur in 'clusters' located close together and are related to each other historically.
- ICOMOS would appreciate confirmation of the number of component parts (as per p. 1 of the nomination dossier)

Response:

There are 10 component parts, but some component parts have non-geographically continuous pieces, so we separate them only for ease of geographic identification. Two of them have sub-components e.g Sharpeville has (cemetery a; cemetery b, old police station and memorial garden). University of Fort Hare has ZK Matthews House. This was clarified by the State Party in a meeting held with the World Heritage Centre on 11 January 2021 following a confusion by the Centre that when they look at the satellite map images which they alleged reflected 14 Component parts.

Question:

Given that there are some clear groups or clusters of component parts,

- ICOMOS would also be grateful if an explanation could be given for why these could not be joined to form single component parts (for example: component parts 003 and 004, and component parts 005 and 006) as this could aid the management effectiveness.

Response:

As explained above, the serial site comprises of 10 Component parts. The component parts referred herein 003 – 006 are already managed by Sedibeng District Municipality – they are separated in the table for geographical identification purposes only.

Question:

- Related to the rationale of the serial approach in terms of component part selection, could the State Party please clarify if:
 - the selection of events that are considered to be illustrative of the “legacy of the South African liberation struggle of the 20th century” and
 - its three strands – human rights, liberation, and reconciliation, were taken into consideration.
 - ICOMOS considers that it would assist the evaluation procedure to better appreciate the rationale for including some events and therefore sites, and excluding others:

Response:

Yes, the above were taken into account; furthermore, details regarding the rationale for selection of site is provided in detail on page 38 of the nomination dossier suffice to indicate that the rationale for selection is based on events and sites that have:

- Tangible association with the ideas of Human Rights, Liberation and Reconciliation
- Internationally significant ideas related to the above ideas must have taken place
- Featured in internationally significant publications and literary works
- Extensive research conducted to justify the Outstanding Universal Value linked to Criteria VI

- While the selected components adequately convey the attributes and values which justify nomination of the serial property, there is no exclusion of the possibility that future research may allow for extension of the serial; through additions of other sites;

2. Description

Question:

The nomination dossier is concise, and ICOMOS is grateful for the efforts made to keep the document relatively short. However, **further detail is needed about;**

- a) the specific events that have occurred at each component part and**
- b) their importance in relation to and comparison with others in the development of the liberation and reconciliation process.**

Response: The specific events that occurred in each component part, their importance in relation to and comparison with others in the development of the liberation and reconciliation process are described below,

Event (S)	Component Part (s)	Importance of the Event	Comparison to other events related to Human Rights, Liberation and Reconciliation	How these differ
Formation of the African National Congress	Waaihoek	Pursuit of a national Liberation Struggle in an inclusive country	Formation of the National Party Formation of a National Trade Union Movement Formation of the Communist Party	Other organisations formed had a different relationship to these mentioned values, the extent of their tangible association to ideas, events and literary works was of lesser duration than the one coming from Waaihoek
Establishment of University of Fort Hare and Numerous Leadership development efforts Appointment of first African University Principal and his	University of Fort Hare and ZK Matthews House	Moulding of new leadership Harnessing of discourse of human rights, liberation and reconciliation	Africans entering other Universities	Different level of engagement with and relationship to the struggle for Human Rights, Liberation and Reconciliation Different kind of concentration of leaders and alumni vis a vis those who

Event (S)	Component Part (s)	Importance of the Event	Comparison to other events related to Human Rights, Liberation and Reconciliation	How these differ
pivotal role in the congress of the people				went into anti-colonial struggles. Social Role of University Principals.
Sharpeville Massacre & Signing of Democratic Constitution	Sharpeville	International Human Rights, Liberation Message Emphasis on Reconciliation	Other massacre sites all over South Africa;	Not harnessed in the same way that Sharpeville was – for Human Rights, Liberation and Reconciliation.
Treason Trials Tortures and detentions of Boer war soldiers; of treason trialists; of participants in congress of the people; other pursuers of human rights, liberation and reconciliation Home to the democratic Constitution	Constitution Hill	Human Rights violation and pursuit Prosecution of liberation struggle Advancement of reconciliation	Other political detentions Other treason trials Other torture places	The non-racial character of the detainees, the events for which they were imprisoned, the global resonance, the global impact of the publications that reflected on these events, the eventual use of the space as a home of the constitution to protect human rights and reconciliation set it apart.
Congress of the people Development of the freedom charter	Walter Sisulu Square	Development of the freedom charter Biggest and most inclusive, diverse gathering of its time	Many other meeting places and national conventions Most national conventions were either not inclusive or did not produce a literary work, as	Congress of the people was a different and more significant event than the other events where people were brought together to discuss the future of the country. They did not

Event (S)	Component Part (s)	Importance of the Event	Comparison to other events related to Human Rights, Liberation and Reconciliation	How these differ
		Values that impacted the ethos of the struggle and the constitution	globally inspired and impactful as the freedom charter, did not have similar impact as the freedom charter.	producing as profound a guiding document as the freedom charter.
Acquisition of the right to vote Establishment of an African led school	Ohlange	President Nelson Mandela voted at this site Apartheid colonialism excluded Africans from voting	There were more than one voting sites There were other mission education centres established by people like Charlotte Maxeke	President Mandela voting at this site brought the narrative full cycle to the time when President Dube started the ANC to among others secure the vote for Africans.
- development of leaders; dealing with traditional cases in a public (Kgotla/Pitso); is common - but they do not get the global Mandela scale impacts; many families raise other people's children all the time - BUT the Mqhekezweni impact was multigenerational; and touched on a life changing effect;	Mqhekezweni	The role of traditional African values in democratic and participatory governance. The meetings and discussions held at the Traditional Councils inspired values that influenced the leadership values aspired by people of Mandela's caliber.	The Kgotla/imbizos held at this site offered young people like Mandela insight into the democracy of these traditional governance	Meetings take place in a lot tradition setting in the past and the future but they have not been harnessed in such a way that they influence future leaders such as Mandela and would even influence the leadership values of those leaders.
Orlando west - Students March -	16 June 1976	A march like no other, a spark of an uprising	The content, the scale of the uprisings and	It differs with other demonstrations due to its organisation,

Event (S)	Component Part (s)	Importance of the Event	Comparison to other events related to Human Rights, Liberation and Reconciliation	How these differ
<p>resulting is signature shootings and unprecedented attention after a long silence since sharpeville</p> <p>many other protests took place but none had the effect of reigniting the struggle & starting a momentum that 1976 did</p> <p>1973 trade union strikes; viva frelimo rallies - were a build up to the 1976 struggle; other marches that came after like the ones in Cradock; Vaal etc were localised and were not given the global focus that this struggle did</p>		<p>after a long period of active resistance against apartheid. It was a demonstration by the youth and led by new generation of young black South African</p>	<p>the fatalities surpassed all the uprisings held in South Africa during apartheid and in the current history.</p>	<p>it was different because it drew young people together against an apartheid education system. There has been other events before and subsequently but those did not shape the country and the world the way June 16 did. Creative productions were created from this uprising. There other marches did not attract the global space like the June 16 uprising.</p>
<p>Establishment of Union of South Africa – for only White South Africans;</p> <p>Many marches against apartheid, especially the women's march against pass laws in 1956</p>	Union Buildings	<p>The Union was watershed that it was excluding other racial groups, Women march was a large scale and unprecedent demonstration against the pass was demonstration</p>	<p>The 1910 and 1994 they both opened and close the other racial. The one closed the majority of the population, the 1994 has all three values inclusive of the Human Rights</p>	<p>Theres been other inaugurations at the Union Buildings however, they have not had an impact like the 19910 and 994</p>

Event (S)	Component Part (s)	Importance of the Event	Comparison to other events related to Human Rights, Liberation and Reconciliation	How these differ
establishment of a democratic republic on the spirit of reconciliation, human rights and liberation		central power of the state; The formation of the Democratic republic of South Africa	The women march	
Arrest of the Rivonia Group Planning of ways to remove Apartheid in conditions where peaceful protest is banned Planning of ways to prevent loss of life	Liliesleaf	Mark the start of an organised armed struggle, this is a site where south Africans both black and white consciously took a decision to use armed struggle as a response to the a violent system and all doors of negotiations and engagements closed.	There have been other arrests, South African has had armed struggles before but none which drew South Africans across the racial lines and political differences as well as International organisations which spoke against the apartheid violent system. Other armed struggles such as the Anglo Boer war were fighting against domination by one group over the other and were not inspired by values like human rights and liberation for all.	Many arrests took place in South African, however, none attracted international support like the Rivonia Trial

Question:

- At this stage, the descriptions in sections 2a and 2b of the nomination dossier do not provide sufficient details about the events with which each component part is associated, the changes that occurred at each component part since the time of the relevant event, and the direct and tangible link between the event and the component parts and their elements.
- This limits the understanding of whether the selected component parts justify their inclusion in the proposed series and whether they meet the conditions of integrity and authenticity from a World Heritage perspective.

Response: Below detail the events that occurred and the changes that occurred in each component parts.

Component Parts	Specific Event	Changes that took place at the site	Direct and tangible link to the event
Union Buildings	<p>Union of Boers and English</p> <p>Women's March</p> <p>Later union of all South Africans in a reconciled republic under President Mandela</p>	<p>Addition of statues over the years</p> <p>Installation of the monument</p> <p>Security features</p>	Venue of the government departments
Walter Sisulu Square	<p>Congress of the People – that developed a “Freedom Charter.”</p> <p>With many of the globally recognised human rights and socio-economic rights.</p>	<p>Addition of offices and shops around the square; erection of symbolic towers; introduction of conic memorial tower with phrases of the charter</p>	The actual venue where the broadly representative congress of the people assembled.
Sharpeville (Massacre site; Police Station and Cemetery)	<p>The globally provocative shooting took place here</p> <p>The signing of the democratic constitution took place here by Nelson Mandela</p> <p>The massacre day is recognised as Human Rights Day.</p>	<p>The police station got used for local creative economy entrepreneurs;</p> <p>An interpretive memorial building and library was erected on the</p>	<p>Venue of the shootings and burials.</p> <p>Commemorative Venue</p> <p>Oral Testimonies</p>

Component Parts	Specific Event	Changes that took place at the site	Direct and tangible link to the event
		<p>site of the killing field</p> <p>The cemetery continues as a cemetery – it is just bigger.</p>	
Liliesleaf	<p>Farm where the Rivonia Trialists who were accused with President Mandela were accused</p> <p>Venue for leading the prosecution of the struggle</p> <p>Site of non-racial sacrifice between Black and White</p>	<p>Addition of interpretive venue and offices</p> <p>Use of the site for commemorative activities</p> <p>New additions are properly separated.</p>	<p>Recorded site of arrest; featured in the Rivonia trial extensively</p> <p>Memorial Site</p> <p>Venue for pilgrimages</p>
16 June 1976 – Roads of Orlando West	<p>The 1976 student uprising</p> <p>The march of the youth against apartheid</p> <p>Area of the first published shootings</p>	<p>The streets remain streets</p> <p>An interpretive museum was since introduced;</p> <p>Increased use of two of the streets for tourism has been evident.</p>	<p>The sites where the march and shootings took place; oral testimony; newspaper reports; artistic evidence; community commemorations. Plaques</p>
Constitution Hill	<p>Is an Old Fort – Site of political imprisonment and torture (especially women and South Africans of European descent; along with people like Nelson Mandela, Mahatma Gandhi and trade unionists)</p>	<p>Introduction of a Constitutional Court</p> <p>Strong visual art features</p>	<p>The court is still intact, voice record, news papers</p>

Component Parts	Specific Event	Changes that took place at the site	Direct and tangible link to the event
	Home of the Constitutional Court – ultimate guardian protector of human rights		
Ohlange	<p>Site where President Nelson Mandela voted – symbolizing the end of African disenfranchisement</p> <p>School started by an African who was also first president of the African National Congress.</p>	<p>The school has continued to grow</p> <p>An amphitheatre has been added</p>	The school, voting spot
University of Fort Hare	<p>First University dedicated to increasing African Participation in Higher Education;</p> <p>Numerous leadership development and strikes engagements for young Southern African leaders;</p> <p>Embracing of Western Education outlooks and adaptation to the South African realities</p>	Addition of other university buildings	The University Buildings
	<p>Appointment of the first African to head a university</p> <p>Decision to develop a “Freedom Charter.”</p>	The house where Prof ZK Matthews lived and met numerous leaders to envision a non-racial South Africa underpinned by human rights.	The ZK Mathew House
Mqhekezweni	Development of internationally impactful leaders for the “liberation era” period beyond the “resistance era” including Nelson Mandela	Addition of houses reflecting subsequent dynasties.	<p>Testimony in publications like Long Walk to Freedom</p> <p>Oral Testimony</p> <p>Archival Records</p>

Component Parts	Specific Event	Changes that took place at the site	Direct and tangible link to the event
	Support for the establishment of the African National Congress Recruitment for the global effort against Nazism		

Response: The table below describe the Direct and tangible link between event, their elements and attributes

Serial Component	Event	Element Connected to Event
Union Buildings	Union of South Africa triggering an exclusive divisive, anti-human rights, oppressive racist state Draconian laws, racist government	The Union Buildings Complex (EAST & WEST wings)
	Women's Anti-Pass March and many other marches International outcry	Government Avenue; Amphitheatre; Women's Memorial and the Gardens
	Inauguration of Democratic Republic Promotion of human rights, realisation of liberation and pursuit of reconciliation	Amphitheatre; West Wing; Gardens
Walter Sisulu Square	Venue for the Congress of the People	The Square
	Development of the "Freedom Charter"	The Pillars, the conical memorial, remains of Jada House The actual freedom charter – a memory of the world
	Resonance with international human rights; shared vision of a common future.	The pillars
Sharpeville (Massacre site; Police Station and Cemetery)	March against pass laws Police Shooting Global Outcry and UN Resolutions Banning of political activity resulting in underground activity, and greater international mobilisation	The police station The Sharpeville killing field The Cemetery

Serial Component	Event	Element Connected to Event
Liliesleaf	Establishment of an underground wing of the Liberation Struggle	Old Main Cottage
	Non-Racial Sacrifice and Collaboration	Main Cottage and the entire plot
	Rivonia Trial Arrests and international mobilisation – Save the trialists campaign and later Release Mandela Campaign.	The Servants Quarters
16 June 1976 – Roads of Orlando West	Students March Inspiration by earlier generations Shootings against students International Outcry	Vilakazi Street Moema Street Khumalo Street
Constitution Hill	Site of imprisonment and torture on racialized basis	Old Fort Women's Jail Detention and Torture Cells
	Site of protecting human rights, liberty and promoting reconciliation	Constitutional Court Offices of Human Rights related agencies
Ohlange	Establishment of a western type school by an African and Establishment of the African National Congress	President J.L. Dube Grave Old Dube House
	Return of the franchise to the Africans and every South Africa	The Chapel - Nelson Mandela's voting venue
University of Fort	Establishment of a University for African People	Stewart Hall
		Henderson and Livingstone Hall
	Development of leaders for the entire Southern and East Africa in melting pot format	Christian Union Building
		Freedom Square and Tambo Walk
	Harnessing of global values and ideas	Freedom Square and Old Dining Hall
Mqhekezweni	Decision to develop a Freedom Charter	The main house
	Numerous Leadership meetings	Old Palace
		Outdoor court – Big Tree
		Jongintaba Mtirara and Nelson Mandela Rondavel
		Jongintaba Obelisk

Serial Component	Event	Element Connected to Event
	Support for establishment of the African National Congress Recruitment for the anti-Nazi war campaign Demonstration of inclusive governance models Vision of an inclusive future	
Waaiohoek	Formation of the African National Congress – move from resistance to liberation struggle – pursuit of a single inclusive nationhood – black and white.	Waaiohoek Wesleyan Church

3. Comparative analysis

- ICOMOS notes that the nomination dossier proposes a serial property of fourteen component parts selected from a larger number of sites that are associated with the South African liberation struggle.
- Accordingly, the comparative analysis is globally framed and provides brief descriptions of other places of struggle for human rights, liberation and reconciliation.
- ICOMOS considers that additional information to augment what has already been provided would be helpful for the evaluation of the nominated property in two specific ways.
- Clearly, there is an immense literature on these questions. However, ICOMOS is seeking a concise overview to better understand and present the comparative context.

Question:

- Could the State Party please orient the material that has already been provided more specifically in relation to the several dimensions of the proposed justification for criterion (vi) (this could be presented in the form of a table)?

Response: Detailed information on the justification of the site in relation to Criterion vi is provided below

Component Parts	Ideas	Events	Literary Works
Sharpeville	Human Rights Liberation Reconciliation	Sharpeville Massacre Signing of Constitution	UN Resolutions Long Walk to Freedom
Walter Sisulu Square	Human Rights Liberation Reconciliation	Congress of the People	Freedom Charter

Component Parts	Ideas	Events	Literary Works
		Treason Trial	
Waaihoek	Human Rights Liberation Reconciliation	Formation of African National Congress	Long Walk to Freedom Various Trial Records
University Fort Hare &	Human Rights Liberation Reconciliation	Establishment of African University Development of diverse leaders for independence Southern and East Africa	University Centenary Publications Long Walk to Freedom Diverse international archives News reports
Constitution Hill	Human Rights Liberation Reconciliation	Protection of constitution Treason Trial Numerous detentions and imprisonments Torture	Court cases Long Walk to Freedom
Ohlange	Human Rights Liberation Reconciliation	Voting station for the 1994 first voting by all	Long Walk to Freedom The Founders
June 1976 Sites	Human Rights Liberation Reconciliation	Students March Inspiration by earlier generations Shootings against students International Outcry	Creative works (Sarafina, Asinamali)
Union Buildings	Human Rights Liberation Reconciliation	Union of Boers and English Women's March Later union of all South Africans in a reconciled republic under President Mandela	Long Walk to Freedom

Component Parts	Ideas	Events	Literary Works
Mqhekezweni	Human Rights Liberation Reconciliation	Development of leadership for the liberation era Support for establishment of the African National Congress Recruitment for the anti-Nazi war campaign Demonstration of inclusive governance models	Long walk to freedom
Lieliesleaf	Human Rights Liberation Reconciliation		Rivonia trial memory of the world Various biographies

Question:

Could additional text and comparative commentary specifically in relation to the context of the African region be provided?

Response:

While not properties on the African Continent exhibit the three values that are conveyed by this nomination, the following comparisons can be made:

Cuito Cuanavale – Angola

- This site is an important international site for the of Apartheid in the world; with its attendant terrorism and destabilisation in the region
- This site demonstrated the international dimension of the forces on different sides of the Apartheid divide, the devastating regional effects of Apartheid, unlocked the momentum towards negotiated settlements in Namibia and South Africa
- Although related to the pursuit of liberation and human rights, the site expresses a different method of struggle to what is expressed in the serial property;

Tarrafal Concentration Camp – Carbo Verde

- Tarrafal Concentration camp, primarily a detention and labour camp – which is tangibly associated with the denial of human rights for those who fought for freedom;
- Some of the sites in the nominated serial are not sites of captivity

- The type of colonialism in South Africa, was a settler colonialism of a special type, where the future of the liberated country was visualised

Genocide Sites: Nyamata, Murambi, Bisesero and Gisozi

- These sites relate to Genocide after independence
- The roots of the genocide are cultivated during the colonial period
- The restraint and search for reconciliation and human rights and freedom from a colonising force was not prominent

Second Chimurenga 1966 to 1979

- This the sites related to this theme are associated with the Zimbabwean Liberation Struggle
- Although Zimbabwe also had a problem of settler colonialism – the attitude of the international community was different to that of South Africa
- The intensity of the armed component of the liberation struggle in Zimbabwe was higher than in the South African case
- The negotiations process that led to democracy was facilitated internationally and the South African one was facilitated domestically

Namibia Liberation Struggle

- This struggle, its events and sites are closely related to the South African struggle
- It also dealt with a settler colonialism problem, but occupation was obtained through a United Nations mandate and continued in violation of numerous UN Resolutions
- The transition was a combination of military and negotiations transitions

Robben Island

- This site of captivity and isolation over many years, represents the triumph of the human spirit over different kinds of adversity
- The current nomination provides a broader context for where some of the Robben Island political prisoners came from and what motivated them

Apravasi Ghat, Le Morne and Goree Island

- These sites are related to enslavement of human beings in different ways
- Although South Africa has a history of human enslavement, the current nomination is not related to enslavement

Kunta Kinte Island:

- This site relates to early arrival of colonialism and introduction of enslavement
- This historical epoch and subject matter of the beginning of the slave trade and its abolition. It also documents early access to the interior of Africa.

Question:

ICOMOS understands that the fourteen component parts were selected from the list of 400 sites that were initially identified by the National Heritage Council that had been reduced to thirty-four sites, and then fourteen.

It is understood that **screening criteria were used to make these selections, but these are not explained in detail.**

- ICOMOS is interested in understanding this process of selection in greater depth and would appreciate information on the method used to screen the larger set of possible sites.

Response: As explained on page 39 of the Nomination Dossier, the main method used is the component parts relevance to Human Rights, Liberation and Reconciliation; Associational links with

Mandela Legacy and the Justification for Inscription/Unique Contribution to the component parts to the site as a whole.

Question: Finally, it is noted that at an earlier stage, some of the work of selection was conducted as part of a “liberation heritage route initiative” (Annex 8). To what extent has the possibility of outlining a route influenced the selection of the sites nominated for the World Heritage List?

Response:

The route approach is framed in such a way that it can accommodate local, provincial, national and international significance. Working on the Liberation Heritage Route project revealed that, not all the sites that testify to the resistance and liberation struggle have outstanding universal value.

- Not all the sites that are relevant to the Liberation Heritage Route convey with similar vigour and rigour the values of human rights, liberation and reconciliation
- The route can be constituted much later and connect individual and serial properties that convey different sets of values
- Reading extensively on the sites; assessing the state of conservation; assessing the attributes of the different sites; and interacting with various stakeholders assisted the selection.

4. Name of the nominated property

Question

- The international recognition of the significance of the life and achievements of Nelson Mandela are well explained in the nomination dossier, including the creation of a global ‘Nelson Mandela Day’, and other important forms of recognition by the United Nations.
- At the same time, it is also evident from the nomination dossier that the struggle for human rights, liberation and reconciliation was led by many individuals and groups within South Africa, and that not all of the nominated component parts are directly associated with events in the life of Nelson Mandela.
- This is clearly acknowledged in the nomination dossier itself, emphasising that the use of the name of Mandela is a device or “mirror” to illuminate dimensions of the struggle (p. 38 of the nomination dossier and Annex 8).
- ICOMOS therefore has questions about the rationale for including Nelson Mandela’s name in the proposed name of this nominated serial property, given that the World Heritage Convention is a property-based instrument and cannot list important events, people or works of art.

Response:

It is true that the South African liberation struggle involved many individuals and groups all over the world and in the country.

- The selected component parts are not selected on biographic considerations, hence there are sites not related to the life of President Nelson Mandela which are not included; there are sites whose relationship to President Mandela is based on the values and ideas advanced.
- All the component parts are linked to the values of the nomination, which are values for which Nelson Mandela is recognised as the most prominent champion of;
- This is the name given to the serial property as a whole.

5. Proposed attributes of Outstanding Universal Value

Question:

- While “Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites” is nominated primarily as a series of sites of memory and commemoration, it is also necessary for the nominated sites to present material evidence in conformity with Article 1 of the World Heritage Convention.
- While the contribution to the overall narrative of each component part has been described, in many cases, it is not yet clear to ICOMOS what are the proposed attributes of Outstanding Universal Value. These are the tangible and/or intangible heritage elements of each component part that convey their significance and will be protected and conserved

Response: The proposed attributes that contributes to the OUV of the site are clearly indicated in page 139 to 142 of the Nomination Dossier. Can ICOMOS please clarify if the information provided is not sufficient. Furthermore, the elements associated with the proposed sites and the elements are provided in detail above.

Question:

In addition, due to the commemorative role of a number of the component parts, several have relatively recently established memorials. Are these memorials legally protected?

Response: Yes, they are all legally protected. Gazette notices were part of the annexures submitted with the Nomination Dossier

Question:

ICOMOS would appreciate the provision of a concise table indicating the attributes that are proposed for each of the nominated component parts.

Response:

This information on the attributes found in each component parts that make up the OUV of the site are provided in detail on page 139 – 142 of the Nomination Dossier.

6. Boundaries and buffer zones

Question:

- The technical evaluation mission should assist with reviewing the boundaries of all component parts.
- However, the initial desk reviews of the nomination dossier have raised some questions about the component parts boundaries and buffer zones.
- For component parts 005 and 006 (Sharpeville Graves Site A and B), please confirm that the extent of the Phelindaba Cemetery will be designated as a buffer zone.

Response:

- Yes it will be. This information is provided in detail on pg. 204 of the Nomination Dossier.

Question:

For component parts 003 and 004 (Sharpeville Massacre Site: Police Station and Sharpeville Memorial Garden), a buffer zone is visible in green in the maps provided, and a buffer zone area of 6.82 ha for the Police Station and a buffer zone area of 3.16 ha for the Memorial Garden are indicated in Table 4 of the nomination dossier. However, it is stated on p. 34 of the nomination dossier that the Police Station does not have a buffer zone, except on the Western side of the building, and that the Memorial Garden does not have a buffer zone. ICOMOS would appreciate clarifications whether both component parts have a buffer zone or not.

Response:

The rational for Buffer Zone or no Buffer zone is captured on page 203 – 204 of the Nomination Dossier

Question:

The same question applies also to component part 007 (Liliesleaf).

Response:

The rational for Buffer Zone or no Buffer zone is captured on page 204 – 205 of the Nomination Dossier

Question:

- In relation to the Sharpeville Massacre Site: Police Station and Sharpeville Memorial Garden (component parts 003 and 004), the nomination dossier states that it is the State Party's intention to avoid hampering or limiting the individual rights of adjacent private property owners, while at the same time indicating an intention to promote development in these areas (p. 34).
- The intention to stimulate development in surrounding areas is also indicated for other component parts (such as Liliesleaf, component part 007).

At this stage, it is not clear to ICOMOS how these intentions justify the lack of buffer zones (or tightly drawn buffer zones that in some cases do not fully surround the component part), particularly in areas that might otherwise be subject to development pressures.

Response:

As explained in the Nomination Dossier there are no Buffer Zone designated for some component parts but the state party has made provisions for buffering mechanisms. South Africa is currently in a process of developing a buffering mechanisms policy that will advise on different buffering mechanisms for the protection of the World Heritage Site from threats emanating from both adjacent and non-adjacent areas.

Question:

- ICOMOS would appreciate further insight into these decisions, including what mechanisms will be employed to ensure that new development is compatible with the commemorative significance of the nominated component parts.

Response:

As indicated in the Nomination Dossier, the State Party has legislative tools that guides the development within its protected Areas i.e whether they are compatible or not through the Environmental Impact Assessment (EIA) and Heritage Impact Assessment (HIA) processes.

Question:

- For component part 008 (16 June 1976 – The Streets of Orlando West, Gauteng), the nomination dossier states that there is an intention to ensure that views are retained, and that the architecture lining these streets retains its simple architectural character (p. 177).
- However, as the boundary equates with the road alignments only, and no buffer zone has been established for this component part, it is unclear how these qualities will be safeguarded.

Response: The views that are sought to be retained in the main are the road views. The architecture of the buildings along the roads do not have relationship with the criteria under which the current property is being proposed. No Buffer Zone is included for 16 June 1976, as the property is a collection of three streets and there is no prospect of changing them from not being roads. Additionally, a Buffer Zone would hamper the development around the streets, which is something to be encouraged to uplift the area. All developments in and around world heritage sites in South Africa are managed in accordance with the National Environmental Management Act. Developers would have to conduct Environmental Impact Assessment and Heritage impact Assessment before any development associated with road architecture can be authorised in the area.

7. Planned and approved development projects

Question:

Given the modern urban context of most of the component parts, and the likely growth in tourism interest, ICOMOS needs to be well informed about

- pending or approved development proposals located in the nominated property, the proposed buffer zones, or in the immediate wider setting of the nominated component parts.
- It would therefore be appreciated if a concise list of current and proposed development projects in these areas could be provided.

An indication of whether Heritage Impact Assessment has been conducted for each of these would also be useful.

Response:

There are no Planned development projects at this stage. AS indicated above the State Party has legislative tools that guides the development within its protected Areas i.e whether they are compatible or not through the Environmental Impact Assessment (EIA) and Heritage Impact Assessment (HIA) processes. Furthermore, should there be any development to be undertaken, the state party will inform the WHC of such development as required in terms of paragraph 172 of the Operational Guidelines for the implementation of the 1972 World Heritage Convention.

8. Legal protection

Question:

The nomination dossier states that all the nominated component parts are protected or in the process of being declared as National Heritage Sites, and that it was anticipated that the designation processes would be completed by 2019 (p. 176). ICOMOS would appreciate an update on the status of legal protection for each of the nominated component parts

Response

As indicated throughout the Nomination Dossier all the component parts have been declared National Heritage Site. Gazzette notices to these effect were also shared as an Annexure to the Nomination Dossier.

9. Stakeholder matters:

Question:

- ICOMOS notes that a stakeholder report and strategy has been provided as part of the nomination dossier (Annexes 8 and 9), and also notes that such information is considered to be a key part of the Guiding Principles For The Preparation Of Nominations Concerning Sites Of

Memory Associated With Recent Conflicts adopted by the World Heritage Committee at its 18th extraordinary session.

- Most of the consultations occurred in 2019 (but some were conducted in the period earlier). ICOMOS notes that 'Stage 2' of the Stakeholder Involvement Plan includes stakeholder engagement in the period between the submission of the nomination dossier to UNESCO and the potential moment of inscription on the World Heritage List. ICOMOS would appreciate updates on these processes (if any).

Response:

- Meetings in preparation for the technical evaluation mission were held between June – September 2022 followed by engagement with stakeholder again in May to June 2023
- Social media platform is also used to raise awareness amongst the public on this nomination
- Inter-Departmental stakeholders are ongoing (Department of Communication, TOURISM, South African National Chapter implementing the ALPH: RLHR Programme)
- At Union Building there is a book that is placed at the entrance of the building informing the public about the proposed nomination as a whole (with 10 component parts) and further requesting visitors to provide their comments.

Question:

- ICOMOS notes that the Stakeholder Involvement Plan for each of the nominated sites is oriented toward government stakeholders, NGOs and community organisations. Additional information on how individuals with interests in these sites that might not be part of any of these entities are able to participate in the Stakeholder Involvement Plan would be appreciated.

Response: management authorities are encouraged to involve their stakeholders and it is part of their Site Management Plans. The Department has implemented a programme called “ People and Parks” across all protected areas which promotes integrated approach and involvement of communities in the management of the site.

Question:

- Recommendation 2 in the report presented in Annex 8 suggests that once the nomination dossier was submitted, a Stakeholder Involvement Strategy and Action Plan would be developed. ICOMOS would be very pleased if additional information could be provided on whether this work has commenced and its current progress and/or outcomes.

Response: The development of stakeholder involvement strategy has not commenced.

THE END

**STATE PARTY RESPONSE TO ADDITIONAL INFORMATION REQUESTED BY ICOMOS IN ITS
INTERIM REPORT DATED 20 DECEMBER 2023**

**FOR THE HUMAN RIGHTS, LIBERATION STRUGGLE AND RECONCILIATION: NELSON
MANDELA LEGACY SITE WORLD HERITAGE NOMINATION**

FEBRUARY 2024



GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

1. 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.

Response:

The state party acknowledges this point with thanks and appreciation. The state party agrees that the principles do not apply to this particular nomination for evaluation purposes, even though it believes that the *Guiding Principles* have been used.

2. 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

Response:

a) The relationship between the nominated sites and the larger history needs further elaboration.

The current nomination represents one aspect of the broader liberation struggle. It is never possible to represent the entire struggle in a single nomination. The selected properties present an optimal representation of the values for which they are being nominated.

South Africa's heritage of resistance and liberation program is part of Africa's Roads to Independence Heritage initiative. The broader history of the liberation struggle in South Africa is very well researched; in many internationally significant literary works; numerous dissertations; trial records; SA History Initiative; multi-volume Truth and Reconciliation Commission report; it is also captured in the authoritative 10 volume Road to Democracy Series researched and published by South African Democratic Education Trust.

The state party has previously submitted a list of most of the Apartheid Legislation as a way to assist in understanding the broader context. Pages 91 to 122 of the dossier should be considered in conjunction with this supplementary explanation. A choice was made not to use a timeline approach, to take account of the re-iterative elements that relate to some of the key elements of the liberation struggle heritage.

The Apartheid system which constituted the dominant apex policy of the minority government that ruled South Africa, has generally been analysed as Petty Apartheid and Grand Apartheid. Petty apartheid tended to relate to segregating individuals and cause individual humiliations. Grand Apartheid on the other hand tended to focus on structural, systemic, spatial and economic segregation, maintaining long term foundations for minority privilege and majority disadvantage.

A central part of the denial of citizenship for the majority was the denial of the right to vote. Globally and throughout modern history, attainment of the right to vote has been a key indicator of citizenship, and a key indicator of freedom to choose – a nation's own government by the people for the people. This has lain at the heart of the global idea of democratic human rights.

Ohlange, in this case, apart from its association to the start of the modern struggle for human rights and freedom that is underpinned by human rights; it has come to represent the achievement of the universal struggle for the human right to vote; for a universal franchise. It also connects to the many ways in which Africans engaged with what should happen about their future in the then emerging Union of South Africa. It is a site where nationalist leaders started to use the technology of the newspaper and of school education system. In asserting the attainment of the franchise, President Mandela came to vote at this school, that was founded by the founding president of the modern liberation movement. President Mandela used the opportunity to symbolically and spiritually say, "I am pleased to report, Mr President Dube, that the country is finally freed and we can vote." This he did at a time when there was major violence in the country and in the province where this site is located. In this way he was once more arguing for significant reconciliation.

Union Buildings and Waaihoek connect to the transition from the colonial period to the vision of a single united South Africa and the search for whether and how inclusive the United South Africa is. The formation of a modern nationalist movement in the town where the main ruling group that pursued Apartheid was also formed. Union Buildings were the site where the government that represented unity of the previously fighting Afrikaners and English South Africans was set up, excluding the vast majority of South Africans. This

remained so until 1994, when a government of national unity was put in place after the democratic elections, that resulted in the inauguration of Nelson Mandela – who used that platform and the landslide majority vote he had obtained to call for reconciliation and unity. Waaihoek is closely related to the story of Union Buildings, it is the place where, when the majority was excluded from the union government and when deputations to England the colonising power did not yield positive results, representatives of the excluded majority came together in unison and called for an inclusive union government. At Waaihoek they articulated a vision of a united and inclusive South Africa, a vision that only got realised in 1994 at Union Buildings, with the inauguration of a democratic government. The meeting that was taking place at Waaihoek, set up an alternative unity, a unity that was happening in spite of past efforts to promote division along linguistic and tribal lines, and along lines of educated and un-educated.

Constitution Hill after many years as a place of torture, repression and imprisonment, became a home of the Constitution. The constitution is underpinned by the values of human rights and reconciliation. The preamble sets out very clearly the duties “[to remember, to heal and to build.]” This constitution is the supreme law of the land, against which all laws, policies and actions were to be tested for validity. This happens as a direct antithesis of the previous system, where colour, race and might were determining factors for the correctness or otherwise of a public policy or action. Diverse political groups of different struggles and racial classifications, throughout the history of South Africa were detained at Constitution Hill from time to time. Its use as a place of memory and a place of the constitution is a major turnaround. Constitutional Hill’s layers of heritage and history connect to as varied elements of the South African struggle as: Treason Trial; Anti-Pass Struggle; Torture and Horrors of Apartheid; Detentions without Trial; Constitutionalism and a Reconciled Nation.

University of Fort Hare is connected to the formation of different layers that informed the emergence of a changed South Africa; the dialogue and reconciliation of outlooks and ideas that were in conflict in the past; the promotion of an approach that places emphasis on engagement. The University is located on a site in close proximity to one of the many forts that were used during the colonial incursions. It is in an area that transformed from a site of frontier wars to, a renaissance area of the bloom of early modern intellectuals, who were bringing together indigenous ideas and western ideas, for collective common benefit. Fort Hare became a university where diverse political schools of thought flourished on campus, and the art of hearing the other side was polished. This became a very important pillar of the liberation struggle for the longest time.

Sharpeville is connected to the enormous struggle against not only pass laws; but also against the physical violence of apartheid; the search for human rights and is one of the many sites that express the diversity of perspectives that shaped the liberation struggle. Sharpeville also connects to the international solidarity struggle. The Sharpeville massacre, the subsequent bans on political organisations, arrests of thousands of people, alerted the global community to take urgent actions and to pass strong resolutions at the United Nations. In the years after freedom Sharpeville is the site where the democratic, human rights based, reconciliatory constitution was signed.

ZK Matthews House and Walter Sisulu Square even though geographically apart, conceptually they connect to the story of the freedom charter; the need for the struggling people to define the future of the struggle; to define the kind of democratic South Africa that should be in place, in the future. The freedom charter embraces international human rights ideas, develops and domesticates them. Any discussion of the freedom charter is connectable to the massive debates in South Africa about the non-racial character of the liberation struggle; roles of different racial groups in the struggle and in the future South Africa. The freedom charter connectable as it is to the American Declaration of Independence; to the Magna Carta; to the UN Declarations; to South Africa's own African Claims – was a heavily contested document. It was one of the causes of the split within the African National Congress and formation of the Pan Africanist Congress. The freedom charter was for the longest time the testament of what future the majority forces within the liberation movement sought to attain. It also happens to strongly influence the democratic constitution.

The great Place at Mqhekezweni connects to the transition from the resistance period to the liberation struggle period. Tembuland, where Mqhekezweni is located is one of the regions that adopted d'entente as a way of engaging with the colonial problem. It is one of the areas where their inclusion into the colony was mostly by annexation, rather than by military conquest. Mqhekezweni was not only instrumental in developing leaders for the future, it also contributed to the 1912 meeting in Waaihoek that established the new liberation movement. It was in Mqhekezweni where the notion was overtly stated that some traditional leaders who will assist the future king must go all the way to university, to be able to participate well in the governance of the affairs of their people. This was at a time, when there was massive suspicion and sometimes rejection of the ideas that came with western education. The methods of settling disputes in Mqhekezweni, were underpinned by restorative justice, ensuring that the other side is fully heard.

The June 1976 streets of Soweto connect to the 1976 student uprisings and much more. Language and Culture were one of the vehicles of domination and exclusion, used by the apartheid minority government. Introduction of Bantu Education in 1953, following many years of segregationist human resource approaches was a very decisive moment in systematically destroying the future of African Generations. The attempt to introduce Afrikaans as a language of instruction and assessment to African's for whom it was not only a first or second language, but also to whom it symbolised the domination of the minority Afrikaners was a very provocative and delicate step. This was coming 15 years after the deadly Sharpeville Massacre and banning of political organisations, exile of many leaders, and dominance of silence among the oppressed people. The 1976 student uprising, spread throughout the country and re-ignited forces and groups that had seemed dormant. This time around there was even a degree of fighting back at the apartheid forces, as seen in the destruction of official buildings, the use of stones and petrol bombs, it was not passive resistance of the 1950s. Even though the youth were outgunned, 1976 marked a new phase in the liberation struggle.

Lieliessleaf, located as it was in a "white" area, at the time peri-urban agricultural – harnessed the apartheid rationale of Africans must work for the "White" people, to a point where African leaders pretended to be

gardeners on the site. It also was a place that brought together black and white freedom fighters united in the common goal that, if doors of other struggle were closed, there had to be a disciplined armed struggle. These are people who were taking actions that exposed them to danger of death – either in combat or on the hangman's noose after a trial for terrorism. The political geography of Lieliesleaf contrasts with the political geography of the villages Mqhekezweni and Ohlange and the townships known as Sharpeville and Soweto – and affords the reader a fleeting understanding of the fact that settlement in apartheid South Africa was geographically segregated. “Europeans” lived in Towns, Suburbs and Farms; Africans lived in villages, townships, locations and shanty areas. Any entry into towns, farms and suburbs was controlled through the pass laws and influx control laws to give effect to the idea that Africans exist to serve the “Europeans.” The pass laws were at the centre of the violent attack against the peaceful march at Sharpeville, Langa and other places in South Africa. Pass laws were a pernicious part of the humiliation of the African majority.

It can be seen from the brief summary above that the sites selected do connect to the broader liberation struggle and history of the country. But at the same time, they do not represent all of it and are not intended to. They are selected because they optimally represent the interaction of human rights, liberation struggle and reconciliation.

- b) **Provide more information on the diversity of the organisations within the larger movement aside from the African National Congress (ANC), which is well explained**
- c) **Provide more information on the multiple leaders who contributed to the liberation struggle.**

Response:

It is important to clearly indicate that, this Nomination is not meant to celebrate or embrace the Liberation movement nor the leaders who contributed towards the history of South Africa's Liberation Struggle but to reflect on the three themes that underpins the Outstanding Universal Value of this site namely; Human Rights, Liberation and Reconciliation hence they were excluded in this Nomination Dossier.

3. 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).

Response:

Reconciliation is very important to this nomination. Many peoples and nations throughout the world fought against human rights violations, through liberation or other struggles. But in many of those processes, the conclusion was either a retributive system or significantly unfinished business. There has not always been a vision of reconciliation from the beginning and followed through all the way to the end, in as consistently documented a way as is in this nomination – according to research available to the drafters and to the state party. The South African truth and reconciliation commission recognised symbolic reparations, education and memorials that discourage the repeat of the evils of the past as a contribution to reconciliation.

Sites in the nomination relate to reconciliation in three main but interconnected ways:

1. Places where the struggle developed, incubated a vision of a reconciled nation – where there is no more hostility between black and white and between black and black

Mqekwezweni, Waaihoek, Fort Hare, ZK Matthews House, Ohlange, Lieliesleaf carried foundational seeds of reconciliation, a vision of a reconciled nation, a demonstration that contesting ideas and people can coexist without destroying each other. These places are the seedbeds of reconciliation, in bringing together sometimes contested and sometimes synthesising opposing world views into a common outlook. These sites allowed for poly-epistemic equity rather than hegemony of some epistemologies. These sites are important in the reconciliation of world views, not just in post violence reconciliation. They demonstrated how people with opposing views, how ideas that are divergent, how justice can be restorative, how a consensus approach can be important in a society.

2. Places where reconciliation reflected a positive coming together after terrible actions have taken place in particular areas or places

Places like **Sharpeville, June 1976 Streets of Soweto, Constitution Hill, Union Buildings** have seen a strong share of the violence and negativity of apartheid, the heavy costs of opposing apartheid, the violations of human rights, and yet came to be valuable resources for the protection, promotion and development of reconciliation. They became symbols of reconciliation.

3. Places where reconciliation is developed, valorised, remembered and celebrated

Constitution Hill, Sharpeville, Union Buildings, June 1976 Streets of Soweto regularly hold activities that valorise, remember, reinforce human rights and reconciliation. South Africa's emphasis on reconciliation is premised on the "Never Again" notion. This future looking idea is only made possible by looking back at some atrocities and using them to show how possible it is to move from evil to reconciliation and human rights inclusive of all. Many of the sites are markers and pointers to the different elements of reconciliation

This nomination argues that there was a particular tradition in the liberation struggle – which from the beginning envisaged a single nationhood, with all the diverse people co-existing equally in every respect, and that the human rights – systemic approach is a key way to arrive at this destination. This vision was followed through, in the conduct of the struggle and in the shaping of the democratic dispensation. The nomination demonstrates that this vision was inspired by the foundations of Ubuntu, which a place like Mqokezweni offers a continuity between Ubuntu of old and Ubuntu of today.

Reconciliation as seen in the recommendations of South Africa's truth and reconciliation commission is an ongoing process that is assisted by symbolic reparations, by building a constitutional order that values human rights, that recognises injustices of the past, that honours those who sacrificed for freedom, that seeks to heal divisions of the past, that ensures restitutive and restorative actions and opens up opportunities for a better life for all. The South African constitution preamble is very clear on "[recognising the injustices of the past, honouring those who sacrificed, respecting those who worked together, and ensuring the healing of the divisions of the past and building a society]"

Based on the understanding of reconciliation explained above, reconciliation is demonstrably relevant in all of the components that are proposed for inclusion in the serial nomination. Each of the components makes a contribution to the values for which the series is proposed. The exact weight may not be the same. Referring to paragraph 13 iii of the Guiding Principles, which ICOMOS has confirmed not to have used, as sites of memory, these sites "represent a place of reconciliation, remembrance, peaceful reflection, and must play an educational role to promote culture of peace and dialogue".

The nomination is not intended to only reflect sites that are of active memorialisation. It is meant to convey the interaction of Human Rights, Liberation Struggle and Reconciliation and tangible association with internationally significant ideas, events and literary works as discussed in other sections above.

The state party respectfully invites ICOMOS to reconsider this view in light of the explanation given above. Some sites are strong on the vision of reconciliation; others are strong on the doing of reconciliation; others are strong on remembering representing and promoting reconciliation.

4. Buffer zones

Comments	State Party's Response
<p>On page 34, it is indicated that all the nominated component parts have buffer zones except component part 008.</p>	<p>The state party confirms that all the nominated component parts have buffer zones except the June 1976 Streets of Soweto which are protected by the buffering mechanism of the town planning regulations. The recommendation of ICOMOS, for the state party to interact with the local authorities and community stakeholders about ensuring compatible uses is accepted.</p> <p>Errors in the text are hereby rescinded.</p>
<p>However, the area figures provided on pages 36-37 indicate an area for the buffer zone of all the component parts.</p>	<p>Page 36 provides for Zero (0) hectares in respect of the June 1976 streets</p>
<p>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.</p>	<p>Component 4 – Sharpeville memorial has a buffer zone shown in the green colour. But the police old police station is considered protected adequately by its perimeter, as a former security establishment. The key attributes of the police station are indoors.</p>
<p>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</p>	<p>The state party confirms that Liliesleaf does have a buffer zone as outlined by the green line. The buffer zone coincides with the perimeter of the side of the Liliesleaf property that has the protected structures.</p> <p>the use of the term “extended buffer zone is removed.”</p>
<p>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.</p>	<p>There is a buffer zone for the property, it is constituted by the perimeter of the property.</p>

<p>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.</p> <p>ICOMOS would appreciate if additional information clarifying these terms could be provided.</p>	<p>The state party agrees with ICOMOS about the potential impact of the use of this term, and removes and rescinds the reference to “extended buffer zone.”</p>
<p>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.</p>	<p>The opportunity to correct and clarify this aspect is welcomed. In this regard South Africa puts forward that, in addition to a buffer zone, South Africa has developed a buffering mechanisms policy to afford other forms of protection through policy measures, decision making measures, and related activities. This is based on recognising that spatial mechanisms are not always the best way to protect from every situation.</p> <p>Over and above the buffer zones, and buffering mechanisms, all the sites are protected in terms of national legislation. This being the case triggers that when local authorities consider development applications, they are guided by the duty to protect these protected areas and to sustain the attributes that convey the OUV.</p> <p>The South African law domesticating world heritage, along with the Protected Areas Act, 2003 (Act No. 57 of 2003) as amended, the municipal planning regulations, and the National Heritage Resources Act, 1999 (Act No. 25 of 1999) afford adequate protection for protected areas and their buffer zones from any proposed development.</p>

	<p>The state party agrees with ICOMOS to engage with the local authorities and the communities to ensure that activities that take place in the area are complementary to the significance of the areas.</p>
<p>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.</p>	<p>Notwithstanding the urban location, the nature of the attributes that are tangibly associated with the international ideas, events and literary works do not require a wider context in the case of the present nomination. None of the components depend on the visual wider spatial context for the conveyance of their attributes. Instead, the wider conceptual context is provided in the narrative of the dossier and in the interpretation at the different sites.</p> <p>The interpretive processes will provide narrative of the wider context that connects the components to broader society.</p>

5. 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. 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.

Response:

The present nomination uses the streets to represent the movement of the students who were marching for human rights in 1976s and as the authentic spaces where the drastic events of the day took place. The houses do not affect the narrative of the nomination.

Additionally, the protection of the streets is sustained by the status of the streets as National Heritage Sites and by the force of Municipal Zoning and Building Regulations. South Africa agree with ICOMOS's proposal that local government and communities be encouraged to pursue compatible activities and avoid incompatible activities.

Currently majority of the uses around these streets compliment the significance articulated here including amongst others, hospitality, tourism and educational services. There is no likelihood of industrial or agricultural or such activities.

6. 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?

Response:

The state party undertakes condition assessments from time to time. This has informed the development of action plans and resource mobilisation efforts to improve the conditions of the properties until there is reasonable parity. This action plan is monitored by South Africa's Heritage Resources Agency. In addition, Capacity Building of Management Authorities will be a priority for the State Party.

This work is ongoing and the protective interventions are part of the efforts to ensure that it is worthwhile to invest resources required to improve and maintain the condition of all the properties. Management Authorities and the Local Municipal Authorities – where applicable are interacted with to ensure accelerated attention to these matters.

The capacity building process will include prioritisation of resources; Integration of site management plans to their respective strategic plans; Identification and specific support to low resource components and the Joint Management Authority will have a resource mobilisation function.

The South African World Heritage Convention Act, 1999 (Act No. 49 of 1999) makes provision for the appointment of a management authority post inscription of the site in the UNESCO World Heritage List, the legislation places obligations on those authorities to ensure long term conservation, to report to the focal point on a periodic basis, and there is a robust monitoring and support system in place.

7. 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.

Response:

This nomination is part of a larger national initiative known as the Resistance and Liberation Heritage Initiative; it receives oversight from close to 10 National Departments at Ministerial level. The joint management authority will include a mandate for co-ordination of interpretation. The involvement of tourism and education authorities supplements these efforts.

Materials that promote and present the serial property will be developed. Site guides will have a platform for communication with each other and from time-to-time and joint workshops will be done. A dedicated interpretation strategy and plan will be commissioned in consultation with the relevant stakeholders.

8. 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 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.

Response:

The government of South Africa together with the governing Party, has concerted decision to use the name of Nelson Mandela as a symbol of Freedom. Mr Mandela is not just a name but it instead represents something far greater for the entire Country particularly for humanity. By adding the name to the nomination, it is a representation of the world fight against apartheid as a crime against humanity as clearly embedded in this nomination.

9. 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).

Response:

South Africa notes, welcomes and appreciates the recommendation and further invite ICOMOS to reconsider this matter in light of the additional information provided above and below:.

- a) **Mqkekezweni, Ohlange, Fort Hare, ZK Matthews, Walter Sisulu Square – Provides** Incubation and visioning of a human rights based, reconciled South Africa, coming together of different perspectives.
- b) **Walter Sisulu Square and ZK Matthews House** - Home of the freedom charter that summarised at the invitation of ZK Matthews – what kind of future South Africa should have; and that informed the current constitution. Text of the freedom charter asserts that: “South Africa belongs to all who live in it black and white.” This flies in the absolute face of the segregationist apartheid.
- c) **Ohlange - The** attainment of the right to adult franchise, as symbolised in Mandela voting here – is an absolutely key moment given the many years and division that was suffered on the future of the African vote. This site as the foundation of one of the African Language newspapers and as the burial place of the first president of the liberation movement that articulated the vision of a human rights and reconciliation based future.
- d) **The great place at Mqkekezweni** - Link to the past period of resistance, to the transition to political modernity, seedbed of reconciliation, restorative approaches, multiple perspectives, and the duty to create a new future.
- e) **Waihoek** - Foundation Site of the modern type of liberation struggle; acceptance of the framework of the Union of South Africa albeit an inclusive one.
- f) **Univ. of Fort Hare** - Build on the ruins of a fort uses in the wars of resistance; built to ensure a compliant African middle class; brings together young Africans from different parts of Southern Africa, they examine global ideas of human rights and liberation; search for ways to reconcile them with the lived realities of their people; becomes the foremost producer of African Nationalists; who shape the journey of the regional roads to freedom for many years.

.....The End.....