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CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

Bureau of the World Heritage Committee
Sixteenth Ordinary Session

UNESCO Headquarters, 6-10 July 1992
Room XVI

**Item 12 of the Provisional Agenda : Examination of the Draft report
on the evaluation of implementation of the World Heritage
Convention**

At its fourteenth session held in Banff, Canada in December 1990, the Committee wished that the twentieth anniversary of the World Heritage Convention would be the opportunity for an evaluation of the implementation of the Convention which would lead to a strategy for the future.

Attached for the information of the Bureau members is a draft evaluation report prepared in 1991 by Mr. Beschaouch and which served as a basis for discussions at an expert meeting on strategic planning for the World Heritage Convention (see Item 13 of the provisional agenda, document CLT-92/CON.003/10). This evaluation has also been given to all Committee members for their comments.

The Bureau members will recall that the Secretariat also requested the State Parties, by circular letter of 16 November 1991, to carry out an evaluation on the implementation of the World Heritage Convention. A reminder was sent last January and so far the Secretariat has received five evaluation reports. These responses will be integrated into the final version of the evaluation which will be presented at the sixteenth session of the World Heritage Committee at Santa Fé, New Mexico next December.

CONVENTION CONCERNING THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

AN EVALUATION OF THE IMPLEMENTATION
OF THE CONVENTION

(adopted on 16 November 1972, entered into force in 1975
and became operational in 1978)

Comprehensive Report

December 1991

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1. SUMMARY OF EVENTS

1.1 Introduced into the programme of activities foreseen in the frame of the commemoration of the 20th anniversary of the adoption of the Convention (16 November 1972), the evaluation was not undertaken as a straightforward report to reveal the positive and negative aspects of the functioning of the Convention. In conformity with the directives of the World Heritage Committee, it should define the basis for a new strategy for the future. To this end, it is foreseen that:

- * this reflection will not be limited to the practical aspects inherent in the implementation of the Convention (Secretariat action; measures taken by States Parties; activities of ONGs; modalities for international assistance, etc.), but that it should cover philosophical and ethical aspects linked to the objectives of the Convention and its impact;
- * the conclusions of the report should include the proposals and orientations to be submitted to the World Heritage Committee, in respect of the formulation of a new strategy.

1.2 In order to make an outline for a report on the functioning of the Convention, which came into force in January 1975, the documentation regarding its implementation from the first to the fifteenth sessions of the Bureau and the Committee have been analysed, e.g.:

- * the Bureau and Committee reports,
- * the "Guidelines" and their successive revisions,
- * the activities undertaken each year by the Secretariat:
 - operational activities
 - promotional activities,
- * the situation of the World Heritage Fund and annual budget,
- * the General Assembly reports of States Parties to the Convention,
- * the recommendations of various "working groups".

1.3 In compliance with the instructions of the World Heritage Committee and in liaison with the Secretariat, four meetings were held during 1991 for analysis, reflection and examination of the perspectives of the Convention.

- a) two meetings at UNESCO Headquarters with the active participation of people who, in various capacities and over a number of years, were associated with the implementation of the World Heritage Convention;

- b) a meeting at ICCROM Headquarters (Rome), with Mr. Jukka Jokilehto, Deputy Director of ICCROM, and with Mr. Herb Stovel, Secretary General of ICOMOS;
- c) a final meeting, at IUCN Headquarters (Gland), with Mr. James W. Thorsell, IUCN Executive Officer.

1.4 Due to their wide experience, a certain number of members of the World Heritage Committee were also consulted.

1.5 The evaluator benefitted from the active collaboration of the Secretariat (Division of Ecological Sciences and Division of Physical Heritage) and, in particular, with the assistance of Dr. Bernd von Droste, Director, SC/ECO Division and that of Ms Mireille Jardin, responsible for promotional activities.

1.6 The present comprehensive report is completed by statistical information and comparative tables. It takes account of the three reports received from the States Parties who reacted to the request of the Secretariat (Egypt, Lebanon and Switzerland). It will be revised in the light of comments made by the participants of the Washington Strategic Planning Meeting. A final version will be submitted to the World Heritage Bureau in July 1992.

2. THE CONVENTION AND ITS OBJECTIVES

2.1 The importance of certain observations and conclusions experienced by UNESCO, and a certain number of States Parties and world heritage experts during the international campaign for the safeguarding of the Nubian Monuments, led to the idea of a "world heritage" concept and they explain the considerations to be found in the preamble of the "World Heritage Convention".

One is also aware of the role played by ecology in the origin of the concept of "world heritage", as well as that of IUCN and, in this perspective, the impact of the Ramsar Convention (1971) and especially the Stockholm Conference (1972). (See Annex 1 : History - Origins of the World Heritage Convention).

2.2 It should be noted that, in the spirit of this Convention, the essential is, and must always remain, centred on the following points:

- a) culture and nature are two components of a same heritage (see Annex 2: Origins of the World Heritage Convention);
- b) the World Heritage properties have an exceptional and universal value;
- c) the contemporary evolution of the social and economic

life increases the threats of destruction or alteration of these properties;

- d) it is the task of the entire international community to participate in the protection of these properties;
- e) it is necessary to resort to scientific methods and advanced technology in order to ensure the safeguard of World Heritage properties; hence the importance of international co-operation and assistance.

2.3 Since then, the objectives of the Convention were, at the start, based on four categories:

- a) scientific:
 - identification of properties
 - analysis of the evolution, over the years, of sites or properties
 - presentation of the specific scientific value of sites or properties and their interpretation
 - description of actual state of properties
- b) technique:
 - maintenance of their specific values
 - reinforcement of national and/or local conservation structures
 - setting-up of mechanisms and means of intervention with a view to ensuring a permanent and efficient protection.
- c) social:
 - integration of heritage into the development process
 - implementation of educational programmes relating to heritage
 - diffusion of information relating to the values of sites and properties
 - a broader perspective of the world
 - launch a message for the future.
- d) political:
 - development of international co-operation
 - setting-up of a system of international solidarity for conservation
 - solidarity between generations to be taken into account
 - strengthening of the role of NGOs and specialized organizations in the field of nature protection and safeguarding of cultural heritage.

2.4 The fifth objective is of an ethical nature:

- taking cognizance of the interdependence between culture and nature
- absolute necessity to consider the protection and illustration of the memory of humanity as an integral part of future thought and action.

The addition of this objective was rendered necessary for the true functioning of the Convention, with the strengthening of activities of the World Heritage Committee and the Secretariat.

2.5 In conclusion, two decades after the adoption of the Convention and action to safeguard and promote heritage in the world has resulted in imposing a new philosophy of heritage, inherent to the Convention.

This situation will have much influence on future action (see, in the Conclusion, the Guidelines for the Future).

3. IMPLEMENTATION OF THE CONVENTION : Global assessment

3.1 In the spirit of UNESCO's Constitution and in conformity with the wishes of its authors, the Convention tends, more and more, towards universality - across time perspective and biogeographical distribution - and is based on the principle of diversity.

3.2 To better appreciate these factors of universality and diversity and to allow the Committee to work more efficiently and encourage sufficient inscription of properties, a global study - oft requested and programmed - is needed. Not only would this study furnish an international indicative list, but also assist with regard to cultural properties,

- * to draw attention to civilizations, cultural areas or under-represented regions (and, even perhaps to those which will be over-represented on the World Heritage List)
- * to emphasize the deficiencies or imbalances within the same region or amongst the monuments or sites representing a same culture.

It will and should, at its outset, oblige reflection about a revision of methods and procedures regarding the inscription of properties.

One of the objectives of the Convention being to achieve, in the long term, the establishment of a universally representative "world heritage list", the Committee was concerned with the concerted preparation, based on a consensus of experts (historians, archaeologists, art and architectural historians, prehistorians and anthropologists), a global list of cultural sites having "an

exceptional universal value" and which constitute "the thread of civilizations in the world throughout the ages".

In this perspective, the difficulties to be faced are, first and foremost, inherent to the World Heritage Convention itself:

- * many States are not yet party to the Convention. How to presuppose the choice of properties situated on their territories, even for indicative purposes, and, somehow, prefigure not only their future indicative lists but especially the selection to be established?
- * It is "on the basis of inventories submitted by the States Parties" that the Committee establishes the "World Heritage List". As there are many States which have not yet provided inventories, these gaps will have to be filled. In which way should this be done, and how to have these inventories confirmed by the States concerned?

In other respects, the Secretariat, which is responsible for the preparation of global studies came up against methodological difficulties as follows:

- the question as to whether these studies should be based on chronology, geography or on the history-of-art was raised.
- Following long discussions, the Committee finished by adopting a mixed approach: temporal, cultural and thematic.
- In spite of this choice, the debate continued and certain countries (for example, in Scandanavia) recently requested (in June 1991) if a socio-cultural approach was not preferable to an history-of-art approach.

In practice, a major contribution to the global studies was made by two Greek experts, kindly placed at the disposal of the Secretariat by their Government. They have elaborated a general framework for this study and prepared basic documentation briefs. Furthermore, specific analyses or part-studies were either:

- * prepared: "Slave Properties of the Postbyzantine period"
- * or announced: "Gothic Architecture"; "Hitite Properties"; Musulman Art"; "Roman Art"; "Scandanavian Properties and Monuments"; Art Nouveau Style Architecture"...

Finally, other contributions to the global studies are envisaged, in particular, on Buddhist Art or concerning Latin American.

In the light of what has already been carried out, a consensus on the following points was forthcoming:

- * the elaboration of a global study is an arduous task, complex and necessarily pluridisciplinary,
- * the global study should not result in the compilation of a world encyclopaedia of the history of art and architecture, which is fixed and normative work;
- * it implies the evaluation of the "World Heritage List" and thus necessitates comparative studies which highlight the gaps and redundancies,
- * it necessitates the study of cultural heritage of states which are not yet party to the Convention and therefore implies a preliminary external evaluation of this heritage,
- * but more specifically, being the fruit of reflection and analysis, this global study cannot ignore the present and past evolution of ideas and mentalities, and should not in any event, become a restrictive document. The global study, simply a **reference framework**, will essentially permit the Committee to better emphasize "the exceptional universal value" of properties proposed for inscription and better balance the "List". (See, in Conclusion, the Guidelines for the Future.)

3.3 With regard to a better balance of the "List", a formal remark is called for: following the fifteenth session of the World Heritage Committee (December 1991), 358 properties were inscribed:

- 260 cultural properties
- 84 natural properties
- 14 mixed properties

which are located in 79 states Parties. That is to say, taking into account the number of states Parties in December 1991: viz. 123, about two-thirds (see Annex 3: Analytical Approach).

It clearly appears that, to date, 44 States Parties have not make any proposal for inscription of properties, an important element for the future, in the perspective of strengthening the universality of the "List". Furthermore, the analysis shows clearly that:

- * 45 States Parties have inscribed 88 properties
 (18 States : 1 property each
 12 States : 2 properties each
 15 States : 3 properties each)
- * whereas 4 States Parties have inscribed between them 79 properties
 (2 States : 19 properties each)

2 States : 17 properties each).

In other respects, if States Parties make up three-quarters of the Members States of the United Nations, account should be taken in the future of the realities of this analysis, viz:

of the 44 States Parties which have not submitted a proposal of for inscription, and approximately forty States Parties which have not yet ratified the Convention or have not adhered, the World Heritage List "is only geographically representative for about half of the States of the world".

Thus, a list of inscribed properties, under different natural or cultural references as well as geographical areas, reveals certain gaps (see Annex 4: Analytical Conclusions),

- in **Asia** : Japan, Cambodia, Laos, Vietnam, the ex-Soviet States of Musulman culture;
- in **Central Africa** : Nigeria, Kenya, Chad;
- in the **Arab Region** : Saudi Arabia, Sudan
- in **Europe** :
 - * west - Denmark, Netherlands, Belgium
 - * central - Austria, Czechoslovakia
 - * east - Baltic countries
- **Latin America** : Chile, Venezuela

In any event, the quantitative aspect and geographical distribution should not be the only criteria for evaluation. Furthermore, the adhesion to the Convention is not necessarily followed by an inscription of a property.

3.4 The Convention already has a history. Reflections carried out at various intervals by the Secretariat or by working groups constituted at the request of the Committee, have led to the positive evolution of approaches, as reflected in the successive revisions of the "Guidelines for the Implementation of the Convention", or the recent efforts to elaborate a new criterion applicable to cultural landscapes.

3.5 A global assessment should also include the different activities undertaken by the Secretariat in applying the decisions taken by the Committee or its Chairperson, concerning:

- * preparatory assistance
- * emergency assistance
- * technical co-operation
- * programme support

To this end, we have at our disposal, thanks to the diligence of the Division of Ecological Sciences and the Division of Physical Heritage, country-by-country analytical and recapitulatory records.

They emphasize the importance of assistance and co-operation in the programmes executed by the Secretariat in the developing countries. It also reveals another fact:

In these countries, the programmes mostly concern technical equipment, expert or consultant missions, training, conservation work. It can be noted that the domain of heritage management, legal protection of properties, national organization, (see text), regional or local conservation structures, and promotional activities are not envisaged.

It also appears that the States Parties, although we know from other sources that they require assistance, have not made any requests to this end. Efforts must be made in the future to change this.

3.6 The global assessment will finally envisage promotional activities and their impact.

After analysis of successive Committee sessions, the following remark can be made: if, in the past, the major concern was to make the Convention better known in order to increase ratifications and encourage the States Parties to propose properties for inscription on the List, more recently the orientation taken (geographic maps, thematic publications or property monographs, summary cards, audio-visual documentation, diffusion of World Heritage stickers) tends towards a wider opening to the non-specialized public, a better participation of the private sector in the promotion of World Heritage, and a stronger co-operation between the Secretariat and the States Parties in the field of promotion.

Many positive results are achieved, in spite of the difficulties which are now better understood:

- a) how can a World Heritage property be promoted, without ipso facto exposing it to high tourist pressure?
- b) the "vulgarization" of World Heritage and the involvement of public opinion in the process of the protection of properties is a priority task; but the specialized public must not be neglected. How to find the human resources and financial means to satisfy these two demands.
- c) The role of associations (a study case, such as the Association for the Safeguarding of the Median, in Tunis, is an excellent example) is essential for protection and

combatting threats (cf. in Tunis, the development project - dead and buried thanks to the A.S.M. - of the Medina). How to encourage the creation of associations, particularly in the countries where the associative phenomenon - due to more recent democratic rule - is not common?

- d) Efforts have been made to ensure the promotion in languages other than those practised in the Organization. But how to find the means for the promotion of heritage in the language of those who live in the zone where the inscribed properties, or properties to be inscribed are located? How, also, can the rural communities be involved? How to proceed when the cultural-municipal structure, cultural decentralization network, schools... do not exist?

4. THE IMPLEMENTATION OF THE CONVENTION. Methodology for Intervention

4.1 It is evidence itself to state that the Convention would have remained a dead letter if four essential activities had not been implemented:

- a) periodic meetings of the World Heritage Bureau and the Committee;
- b) evaluation by the NGOs of sites or properties proposed for inscription on the List;
- c) establishment of monitoring reports on the state of conservation of properties inscribed on the List;
- d) programming of international assistance and co-operation through the management of the World Heritage Fund.

The activities are tributary to:

- World Heritage Committee
- Secretariat (Division of Physical Culture and Ecological Sciences)
- ICOMOS (evaluation and monitoring of cultural and mixed properties)
- IUCN (evaluation and monitoring of natural and mixed properties)
- ICCROM (training and technical expertise).

4.2 The implementation of the Convention also concerns other

parties/intervenors. First of all, the States Parties, for which occasionally there are insufficiencies (in management structures and monitoring or resources) prejudicial to the conservation of cultural properties and/or protection of natural sites. The study of certain cases shows that oversights have occurred due to an erroneous or incomplete interpretation of the objectives of the Convention. Because of the sovereignty of States, these situations make the task of the Committee and the Secretariat very difficult.

4.3 It must be noted that the role of representatives of ICOMOS in certain developing countries is not as efficient as the International Council itself would wish. Just as the presence of specialists, lacking means and resources, at certain sites should not create a false illusion: in certain cases monitoring reports are made which only reflect a bureaucratic reality.....

5. IMPLEMENTATION OF THE CONVENTION: Critical assessment

5.1 The assessment proved to be largely positive for both the functioning and the implementation of the Convention.

Many think that the Convention, because of its popularity with the States and public opinion, has given UNESCO a "fresh impetus" and improved its credibility.

5.2 With regard to universality, this Convention is the best known in the framework of international conventions. To date it groups, other than the United Kingdom and the United States of America, three-quarters of UNESCO's Member States.

5.3 On the intellectual level, major progress has been achieved:

- * the idea of heritage has gained ground: it is not only in advanced European countries that cultural properties relate to heritage. Henceforth, many developing countries consider that cultural properties should not only be based on archaeological concepts but that it constitutes the thread of national heritage.
- * Also, it is now accepted that the natural sites depend on a system of the environment.

5.4 With regard to activities, the positive aspects cover the three major domains of the Convention:

- * conservation of properties
- * international co-operation
- * public information

5.5 Meanwhile, the evaluation has also highlighted certain inadequacies. These are, first of all, of a structural nature.

a) STATES PARTIES

For the most part, human resources and financial support are lacking or are insufficient, account being taken of the number and/or variety of properties to protect. But, more especially, case studies show that the mechanisms foreseen by the Convention are sadly wanting.

Therefore, for this or that State Party, the insufficiency does not only concern qualified technical or scientific personnel. In general, the budget is not of a kind to permit a global safeguarding policy nor programmed interventions or emergency action.

Furthermore, factor even more common, there are very few public action support associations for heritage conservation and the promotional activities are either inexistent or insignificant.

Finally, amongst other insufficiencies, the most serious in the present state of safeguarding policies is the absence of specific legislation capable of protecting heritage against abuse by private individuals, promoters and even municipalities.

b) THE COMMITTEE

If, with time, the Committee has become more exacting, it is still lacking a continuous control system at all levels of intervention. But, in particular, the Committee does not dispose of a means to ensure the efficient monitoring of the state of conservation of properties, with up-to-date periodic provision of information and objectives.

Moreover, the establishment of its agenda should be reviewed: to date, it does not allow sufficient time for reflection on the methodological plan?? and for in-depth discussions, whenever necessary.

c) SECRETARIAT

The responsibilities of the Secretariat are ever-increasing. In spite of the efforts made by the Director-General of UNESCO and the Committee, (which allocates to the Secretariat credits from the World Heritage Fund), it is obviously clear that the personnel - the qualifications and devotion of whom is not in question - cannot cope with all the aspects of the Convention.

Persons who have been consulted think:

- * some feel that in each of the two Divisions concerned, the World Heritage sector should become a separate section, with specialized personnel and additional financial support, and with agents depending upon the implementation needs of the Convention;
- * others feel that it would be better, taking into account the development of activities linked with the Convention and the interdependence between the two sectors of culture and nature, to constitute a single Secretariat, and to reinforce it in human resources and financial support. (See Conclusions.)

d) ICOMOS

To assume its mission in all circumstances and with maximum rapidity, this Council is called upon to act throughout the world to attain universality. Furthermore, its attention is drawn to the disparities which arise as regards the interventions and competence between the different national committees of ICOMOS.

Finally, as regards evaluation and monitoring, ICOMOS continually draws attention to the inadequacy between the vast tasks to be undertaken and the insufficient means at its disposal to do so.

Certain experts think that, in this regard, reflection should be carried out with a view to associating foundations, international or national associations, patronage, towards the financing of activities of ICOMOS. More than simple credits, ICOMOS needs partners, it is felt.

e) IUCN

This organization has less financial and technical difficulties than ICOMOS. It has strong and multiple links with national and international organisms responsible for the protection of natural properties. It is largely represented throughout the world. But, in the domain of monitoring, it would be appreciated if IUCN developed its action, particularly in developing countries. Also, it is strongly advised that IUCN gives more attention to management plans, their updating prior to the inscription of a property on the List, and their implementation once the inscription acquired.

f) WORLD HERITAGE FUND

The example of Latin America or certain Maghreb countries shows that well-conceived and well-presented programmes can bring forth/encourage/draw complementary credits, particularly from UNDP

or The World Bank.

Nevertheless, the question is based on a general problem: that of financing culture. In this respect, expert opinions differ. Until now, the possibilities for obtaining financial assistance are mainly linked to utility, commercial, or embellishment functions affecting heritage properties. Therefore, there is much prompting for in-depth reflection regarding private financing circuits, in the framework of a new approach to "heritage economy".

For this, the question of financing is not the first problem to be broached, but rather the preparation of adequate and incisive programmes and in general, the redefinition of the dimension of heritage.

5.6 There is stronger criticism regarding the functioning of the Convention. It may be noted, in fact, that for its implementation, the major part of the work is the responsibility of a limited number of intervenors.

- * experts representing their respective countries within the Committee
- * Secretariat (few)
- * specialists (NGO and ICCROM)

This is why, once again, it is strongly recommended that States Parties are represented at the Committee by experts and that that representation can be (as far as is possible) stable.

5.7 Regret is continually expressed as regards the fact that there is not yet for many countries a general management policy for World Heritage on a national plan.

5.8 A serious inadequacy of an intellectual nature is revealed:

- a) the research dimension is not yet extended to all the States Parties:
- b) the "physical heritage" concept remains, more often than not, foreign to that of the "environment system" in its global sense. Evidently, because of this, there is a risk of rendering the culture/nature concept antinomic/paradoxical and aggravating the disequilibrium in the functioning of the Convention.
- c) although more and more is spoken about a "heritage policy", there is not yet a clear awareness of what should be a "heritage ethic".

5.9 Finally, a fundamental question still remains which, in reality, involves the future of the Convention. If this Convention has contributed, largely, towards making preservation of heritage,

in each country and internationally, a priority, its implementation process still comes up against (runs into) the results of development efforts. Despite the fact that several countries have declared their commitment to conservation of their heritage, and in defiance of engagements undertaken in the framework of the World Heritage Convention, certain countries, at the crucial moment, tip the balance in favour of:

- * industrialization
- * public works
- or * tourist development

5.10 However, it is frequently possible to have recourse to development methods or management plans which reconcile both necessities for conservation and development, without threatening the integrity of the sites and properties inscribed on the World Heritage List.

States Parties and the Committee are invited to give in-depth reflection to this crucial question, with a view to establishing an efficient policy in this domain which will be applicable by all.

CONCLUSION

Difficulties to overcome and future orientations

THE CONVENTION

Stipulating in its article 12 that

"The fact that a property belonging to the cultural and natural heritage has not been included in either of the two lists mentioned in paragraphs 2 [World Heritage list] and 4 [List of World Heritage in Danger] of article 11 shall in no way be construed to mean that it does not have an outstanding universal value for purposes other than those resulting from the inclusion on these lists";

The text of the Convention more specifically emphasizes the basis for all of its dispositions, i.e. the identification of cultural and natural World Heritage properties and their inclusion in one or the other of the two lists are related to the protection, conservation, enhancement and transmission to future generations of these properties.

The intention of the Convention is therefore that the act of including a property on the list also aim at preservation; therefore:

*The measures to be taken in order to ensure this preservation are a duty of the States Parties who submit a proposal for inscription;

*and the cooperation of the international community in the preservation of the listed properties is a duty.

Admittedly, inclusion on the "World Heritage List" has become a valorizing act, sought for its own worth and often leading to strong or extended discussions. Additionally, measures taken for the preservation of these properties have frequently proved to be less efficient and less effective than planned. However, these difficulties cannot be attributed to the text of the Convention.

This is the reason why many experts consider that the text of the Convention is not to be amended, and that action must instead be taken at the level of the case-law developed by the committee, i.e. of the "guidelines for the implementation of the Convention". In the light of the experience acquired, and on the basis of expert opinions, it will be possible if necessary to amend the "guidelines". Moreover, a recent instance has confirmed the appropriateness of this form of action: Following a debate on the subject of the inclusion of a cultural property on the "List of World Heritage in Danger", the Committee has decided to review the "guidelines".

THE WORLD HERITAGE CONVENTION AND THE OTHER CONVENTIONS

The success of the World Heritage Convention (which largely contributes to enhancing the esteem of the UNESCO's action throughout the world) can be explained both by structural reasons and its functioning mode:

-As a foundation, a convention -reflecting a consensus on the legal, technical and ethical levels- and as an implementation instrument, the guidelines reflecting the capacity for change and the possibilities for interpretation. All in all, a healthy and constant following of the procedure is backed up by a continuous effort for reflection and adaptation;

-From the action perspective, a clear distribution of tasks and responsibilities between:

*An intergovernmental structure for decision-making and initiatives: the COMMITTEE;

*A nongovernmental structure for autonomous evaluation, with freedom of judgment and opinion: ICOMOS and the IUCN;

*A neutral international structure for execution and impulse : the SECRETARIAT.

Though in fact complementarities and forms of cooperation have been established between the World Heritage Convention and the implementation modes of the other conventions (eg the "Ramsar" Convention), the links have yet to be codified, and a reflexion must be carried out on the ways and means to develop the legal protection of the properties and the strengthening of international cooperation in case of a preservation or conservation operation.

On one crucial point, that of properties endangered by armed conflicts, a consensus has emerged: it is necessary, in the near future, to establish clear and efficient linkages, in the implementation process, between the World Heritage Convention and the Convention of The Hague. Indeed, it appears that the World Heritage Convention assumes a permanent state of peace in the world...

However, the complexity of the problems faced, the possibility of facing political interference, the absence of case-law concerning the right of intervention for humanitarian reasons (or indeed, of cultural intervention) all lead to undertake a deep, objective and multilateral effort of reflection, leaving no aspect of the problem unnoticed, and basing its conclusions to the extent possible on case studies.

THE COMMITTEE

Due to the appropriate state of operation of the World Heritage Committee and to the active participation of the observers of the States Parties to the Bureau and Committee's work, the number of member states in the Committee set at 21 by the Convention (art.8) when it came into effect for 40 countries seems satisfactory from an efficiency standpoint and has often contributed to maintaining a consensus.

The effort to be accomplished in the future is the fulfilment of two duties outlined by the convention:

a) The members of the Committee are elected by the States Parties convened in a General Assembly and this election "shall ensure an equitable representation of the different regions and cultures of the world" (art. 8, Par.2) THIS IS NOT IN ART. 8-IS IT PERHAPS IN THE GUIDELINES?

The difficulties to be overcome originate in two facts:

a) As to an equitable representation, how can the legitimate strive for geographic universality (regions of the world) be reconciled with the priority often given to the cultural criterion?

b) As to the choice of representatives, the Committee is often limited by state sovereignty. Must a measure therefore be taken to make qualification in the field of heritage compulsory?

THE SECRETARIAT

It is obvious that the structure and functioning modes of the Secretariat are within the decision power of the Director-General of the UNESCO who, in accordance with the text of art.14, par.2 of the Convention "shall prepare the documentation of the committee's documentation and the agenda of its meetings, and shall have the responsibility for the implementation of its decisions."

However, a large number of members of the Committee and objective experts have noticed imbalances, delays and anomalies in the functioning of the Secretariat, especially since the increase in the number of properties included in the World Heritage list (totaling 358 at the end of December 1991), caused by its dual leadership. This raised the possibility of a divergence of methodologies in the implementation of the Convention. It was even noted that in selected fields (especially those of promotion and information) the activities of the culture and nature divisions were parallel instead of complementary. More importantly, the human resources and financial means of the Convention's Secretariat are increasingly insufficient. In spite of the assistance granted by the World Heritage to the Secretariat, initially (and still nominally) as as a temporary assistance in 1977, which has become, from 1978 to 1992,

permanent and annual. The Secretariat's tasks have increased and it cannot face all of its obligations.

In the future, it is recommended to:

- *increase the Secretariat's means and personnel
- *counter to the extent possible the inconvenience caused by dual leadership

Concerning the latter point, the following solutions are recommended:

- a) either the designation of a coordinator for all activities linked to the implementation of the World Heritage Convention
- b) or the creation of a Division of Cultural and Natural Heritage, a single, homogeneous administrative and executive structure, covering all aspects of the Convention.

THE WORLD HERITAGE FUND

Many cultural World Heritage properties are the object of international preservation campaigns and thereby benefit from a number of financial sources (UNESCO program, the UNDP, other public and/or private contributions); and a number of natural World Heritage properties receive funds granted, for instance, by the World Wildlife Fund, as a part of the implementation of the "Ramsar" Convention, or collected by the international community.

Yet whatever the success registered so far in the field of fundraising, (great wall of China, Tassili National park in Algeria, Venice etc...), the general opinion, perceiving clearly that clearly the World Heritage Fund is insufficient, is that the World Heritage must both:

- a) mobilize more resources in the future for a methodical, pointed and multiform promotion action;
- b) remain the initiator of all large projects and, as such, direct the preparatory or technical assistance towards the recognized priorities (eg training for management or follow-up on a national basis).

It appears specifically that, in this field, the Convention's potential is not fully utilized. Until now, the lack of adequate investment (in personnel and promotion) and lack of specific initiatives has put the financing of cultural goods at a disadvantage. This gives the false impression that the promotion of culture is not as valued as the preservation of nature. Instead of asking questions about methodology and logistics, the existence of a state of mind, if not a policy, unfavorable to culture is assumed.

THE WORLD HERITAGE LIST

One essential remark must be made: the quantitative approach to the assessment of the World Heritage List is not only insufficient; it can also lead to false conclusions.

Firstly, due to the vastly different character of cultural and natural properties, one must not conclude the existence of an imbalance merely by comparing the number of properties. In the natural field, the properties most frequently cover large areas and tremendous ecosystems; it is normal for their number to be limited. Moreover, the impact of universal history is considerable: for instance, it is hardly surprising that Italy should have a large number of cultural properties on the list whereas Australia (a fairly recently discovered continent) cannot present any. Similarly, because the mediterranean sea was for thousands of years the cradle of civilizations and crossroads of History, the List includes a large number of mediterranean properties. On the other hand, most natural properties are located in countries whose history is more recent: the United States, Canada, Australia, New-Zealand.

One must additionally note that the quantitative analysis points to the fact that some advanced countries have a continuous evaluation process, and were able to mobilize the expertise to submit the applications. Others, on the other hand, were not able to take advantage of the full potential of the Convention. The imbalance between the two groups is therefore temporary, and can lead to confusion. In no way does it reflect an imbalance between cultural areas or "ideological assumptions".

More generally, the equilibrium to be sought is not to be established in terms of countries, in global terms. The aim is not to represent all States Parties in the List, but to include the properties representative of civilization on a universal level.

Another necessary equilibrium must be taken into account: that between the countries joining to cooperate and demonstrate their solidarity, to share their resources and expertise, and those joining to benefit from the training and information and to protect their properties. The equilibrium here must be measured in terms of the collective responsibility of humanity.

MONITORING

Whatever the different or diverging opinions or evaluations of the implementation of the World Heritage Convention, one conclusion is unanimously shared: for the Convention to in the future attain a maximum efficiency and for the perennity of its action to be ensured, the follow-up conditions must be improved.

The aim one must never lose sight of is the conservation of the integrity of the properties on the World Heritage List, so

that they may durably correspond to the criteria having justified their inclusion.

It is therefore advisable to set up evaluation mechanisms for the properties, covering the entire process, from the proposal for inclusion to the stage consecutive to the inclusion of the properties. For this purpose, a methodology and continuity is necessary in order to avoid "pottering" and the harmful effects both of random information and the impact of current events, especially when the inclusion of a property can involve elements linked to the illustration of the cultural identity of a country or to the improvement of its economic development potential.

Consequently, the following recommendations are made for the future:

a) Listing phase

The property to be included on the list must be subject to a current evaluation as well as a prospective one, firstly to avoid the inclusion of a property which may be "losing ground", and secondly to define from the start the points or fields which must be subjected to specific monitoring or special recommendations (safeguard perimeter, buffer zone, daily management, complements to the protection regulations, potential threats, etc..)

In this respect, the recommendations formulated at the time of inscription of a property must not remain mere moral obligations. They should be legally binding, their implementation being periodically verified.

b) Post-listing phase

a) Motivated monitoring

Each request for technical cooperation should from now on be attached to an updated report on the state of the property for which the intervention of the World Heritage is requested. *this report would contain both a report on the follow-up of the recommendations and an expert report on the actual state of protection and conservation of the property. The annual report supplied by the authorities concerned by the property must also be considered an essential element of the application for technical cooperation.

b) Permanent monitoring

The most important element, which should be decided upon unanimously by the Committee, is the establishment of a permanent monitoring structure, whose role would be an international inspectorship of the properties, giving a sampling of the state of conservation of the World Heritage in the light of the periodical organized visits (outside the expertise and NGO circuit). The World Heritage inspectors would communicate with the authorities in charge of the sites and properties and help them to improve the management

structures before taking the step of drawing the Committee's attention on the threats and difficulties. They should be placed under the auspices of a top-level (from an intellectual and operational standpoint) international scientific committee.

ANNEX 1
Background
(The origins of the World Heritage Convention)

The World Heritage Convention was born from the convergence, at the international level, of two movements.

1 - CULTURE

In the sixties, with the construction of the "High Dam" of Assouan, the waters of the Nile threatened to submerge the Nubian Monuments, witness of Antique Egyptian civilizations (Pharaonic, Koushite and Christian).

On 8 March 1960 - an important event in the records of world heritage - René Maheu, Director-General of UNESCO, launched an appeal to the international community drawing their urgent attention to the fact that the submergence of such monuments would constitute an irreparable loss not only for Egypt and the Sudan, but for the whole of humanity.

Beyond the general emotion (strengthened by well-founded information, aimed at the mass media), the following facts were understood:

- the urgency of the safeguarding work
- the necessity to provide considerable resources
- the obligation to call upon international financial support (the resources of Egypt and Sudan being insufficient).

With that "International Safeguarding Campaign" two fundamental ideas were concretised which foresaw a promising future:

- a) the concept of common heritage of humanity,
- b) the feeling of common responsibility of humanity towards this heritage, implying the necessity to promote international solidarity.

2 - NATURE

It was also in the sixties that the movement in favour of the defence of the environment and protection of natural areas was borne. The ecology wave, the ever-increasing influence of which to this date has even assumed political importance, made an important step, in 1968, with the holding of the Conference on the Biosphere and in 1971, with the adoption of the Ramsar Convention, relating to the conservation of wetlands. It lead, in 1972 - the same year

of the World Heritage Convention - to the World Conference of Stockholm on the Environment, and a year later, to the adoption of the Washington Convention, "CITES".

Essentially, apart from an ever-increasing recognition of the situation, two equally fundamental ideas emerged:

- a) natural properties constitute a heritage
- b) the protection of this heritage is absolutely necessary, for the entire humanity, both because it is closely linked to its history and it influences its future.

However, it was two Conventions, one for the conservation of the natural heritage, the other for the protection of monuments and sites, that were originally envisaged. But several factors made it necessary to establish one single Convention. First of all the idea emerged (in the United States of America in 1965, during a meeting of the White House on international co-operation) of a "trust" for world heritage. This "trust" was conceived to be "responsible in the eyes of the international community for stimulating international co-operation to identify, develop and administrate IMPORTANT NATURAL and HISTORIC sites of the world, in respect of the actual and future interest of all the citizens of the world". Following this, this objective was integrated into the programme and activities of both UNESCO and IUCN. In consequence,

* UNESCO prepared a draft of a "Convention for the international protection of monuments, ensembles, buildings and sites of universal value",

* and IUCN assembled elements for a "Convention for the conservation of world heritage", destined to ensure more particularly the safeguard of (the wealth of) nature's wealth.

Finally, a group of UNESCO experts and the United Nations Committee of Human Environment attempted to improve these drafts and to integrate them into one Convention, as it was clear that the undeniable links between the two heritages, natural and cultural, made it necessary to renounce the idea of two separate Conventions.

ANNEX 2

ORIGINS of the World Heritage Convention

As it has been recalled¹ at the outset, two Conventions were envisaged, one for the conservation of natural heritage, and the other for the protection of cultural properties.

At this time, 16 November 1972, when adopting the "Convention concerning the protection of the World Cultural and Natural Heritage", UNESCO was a pioneer in this field, and this Convention was of an innovative and original character. In fact, nature and culture were from then onwards two poles of the same heritage; a symbiosis was established between the art and history point of view and that of natural beauty and science; the wealth to be protected belongs both to the archaeologic domain, historical or artistic, and to the palaeolithic, biological or ecological domain. In short, the memory of the world can no longer be understood by a reference to human history, because its thread is also constituted by diverse aspects of the process of the earth's evolution.

However, the innovative character of the Convention was not only limited to the union of cultural and natural aspects. Its originality also resided in its approach, founded on globality.

1. Natural heritage

This Convention is the second in line to conventions, on a world-wide basis, concerning the protection of the wealth of nature. In fact, it was adopted one year after the Convention concerning the wetlands, viz. Ramsar Convention (1971). If both Conventions have the objective of conserving biological diversity through the conservation of natural areas, a fundamental difference exists between them:

* the Ramsar Convention is specialized and has limited scope: it only applies to one category of natural areas, wetlands;

* the World Heritage Convention has a larger scope and introduces the notion of universal and exceptional value: it concerns natural monuments, geological and physiographical formations and natural sites.

2. Cultural heritage

¹ See Annex 1: Background

This Convention is also the third of conventions, on a world-wide basis, concerning the protection of cultural properties. In fact, it was adopted after:

- a) The Convention for the Protection of Cultural Properties in the Event of Armed Conflict, viz. the Hague Convention (1954);
- b) the Convention concerning the measures to be undertaken for the interdiction and prevention of importation, exportation and transfer of illicit cultural goods (1970).

The three Conventions are based on the idea that it is important to ensure international protection for cultural heritage because interference with the cultural heritage of a people constitutes interference with the cultural heritage of entire humanity.

Nevertheless, although there are clashes (and, certainly, fields of complementarity that must be defined for a better management and more global protection of World Heritage), these Conventions fall into two groups:

- 1) Those of 1954 and 1970 are specific and clearly specialized, even if the cultural heritage concerned covers a wide field. Furthermore, the action envisaged is almost entirely defensive, based on a juridicial approach, of a repressive or dissuasive nature.

- 2) The World Heritage Convention has a wider scope and introduces the notion of exceptional and universal value. Certainly, it does not only apply to monuments, ensembles and sites; because of its dynamic character and the privileged place it accords to educational and promotional programmes, the action undertaken periodically is based on the necessity to retain the socio-cultural approach.

ANNEX 3

WORLD HERITAGE LIST (Analytical approach)

No. of sites inscribed on the World Heritage List	No. of States Parties	States Parties having submitted a nomination in accordance with the Convention
20	-	-
19	2	France, India
18	-	-
17	2	Spain, United States of America
16	-	-
15	-	-
14	1	United Kingdom
13	-	-
12	1	Greece
11	-	-
10	2	Canada, Germany
9	4	Australia, Bulgaria, Mexico, ex- Federation of Yugoslavia
8	2	Brazil, Peru
7	6	China, Ethiopia, Italy, Sri Lanka, Tunisia, Turkey
6	2	Algeria, Portugal
5	5	Egypt, Libyan Arab

		J a m a h i r i y a , Pakistan, Poland, Tanzania
4	7	Indonesia, Lebanon, Norway, Syria, Russian Federation, Zaire, Zimbabwe
3	15	Argentina, Bolivia, Côte d'Ivoire, Ecuador, Guatemala, Iran, Jordan, Mali, Malta, Morocco, Nepal, Panama, S e n e g a l , S w i t z e r l a n d , Thailand
2	12	Bangladesh, Cyprus, Cuba, Finland, Ghana, Honduras, Hungry, New Zealand, Oman, Holy Sée, Seychelles, Yemen
1	18	Benin, Cameroon, Central African Republic, Colombia, C o s t a R i c a , Dominican Republic, Guinea, Haïti, Iraq, Madagascar, Malawi, M a u r i t a n i a , Mozambique, Niger, Romania, Sweden, Ukraine, Zambia
0	44	44 States Parties have not submitted nominations for inscription

NB 6 sites were joint nominations: Argentina/Brazil;
Canada/United States of America; Costa Rica/Panama;
Guinea/Côte d'Ivoire; Italy/Holy see; Zambia/Zimbabwe.

ANNEX 4

WORLD HERITAGE LIST (Analytical Conclusion)

At the end of 1991, the number of properties inscribed on the "List" is 358. They are located in 79 States Parties and are as follows:

- a) ASIA
(58 properties, 10 States)
- * Zone of Buddhist culture (38 properties, 5 States): China, India, Nepal, Sri-Lanka, Thailand.
 - * Zone of Islamic culture (20 properties, 5 States): Bangladesh, Indonesia, Iran, Pakistan, Turkey.
- b) SUBSAHARIAN AFRICA
(42 properties, 18 States)
- * Francophone Zone (21 properties, 11 States): Benin, Cameroon, Central African Republic, Côte d'Ivoire, Guinea, Madagascar, Mali, Niger, Senegal, Seychelles, Zaire.
 - * Anglophone Zone (13 properties, 5 States): Ghana, Malawi, Tanzania, Zambia, Zimbabwe.
 - * Lusophone Zone (1 property, 1 State): Mozambique.
 - * Amharic cultural zone (7 properties, 1 State): Ethiopia.
- c) ARAB REGION
(43 properties, 12 states)
- * Maghreb (22 properties, 5 States): Algeria, Mauritania, Morocco, Libyan Jamahiriya, Tunisia.
 - * Near and Middle-East (21 properties, 7 States): Egypt, Iraq, Jordan, Lebanon, Oman,

Syria, Yemen.

- d) EUROPE
(133 properties, 21 States)
- *EEC Countries (85 properties, 7 States): France, Germany, Greece, Italy, Portugal, Spain, United Kingdom.
 - *Scandinavia (7 properties, 3 States): Finland, Norway, Sweden.
 - *Switzerland (3 properties, 1 State).
 - *Central and West Europe (31 properties):
 - Slav culture (28 properties: Bulgaria, Poland, ex-USSR, Ukraine, ex-Federation of Yugoslavia;
 - Latin culture (1 property): Romania; Hungary (2 properties);
 - *Mediterranean islands (5 properties, 2 States):
 - Cyprus (2 properties)
 - Malta (3 properties)
 - *Holy See (2 properties, 1 State).
- e) NORTH AMERICA
(27 properties, 2 States)
- *Canada
 - *United States of America
- f) LATIN AMERICA
(48 properties, 14 States)
- *Spanish culture (39 properties, 12 States): Argentina, Bolivia, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru.
 - *Portuguese culture (8 properties, 1 State): Brazil.
 - *Francophone culture (1 property, 1 State): Haiti.
- g) PACIFIC
(11 properties, 2 States)
- *European culture:
 - Australia (9 properties)
 - New Zealand (2 properties).

NB. In the total number of properties, account must be taken of mixed properties inscribed by two States Parties, the number of which is as follows:

Argentina/Brazil
Canada/United States of America
Costa Rica/Panama
Guinea/Côte d'Ivoire
Italy/Holy See
Zambia/Zimbabwe

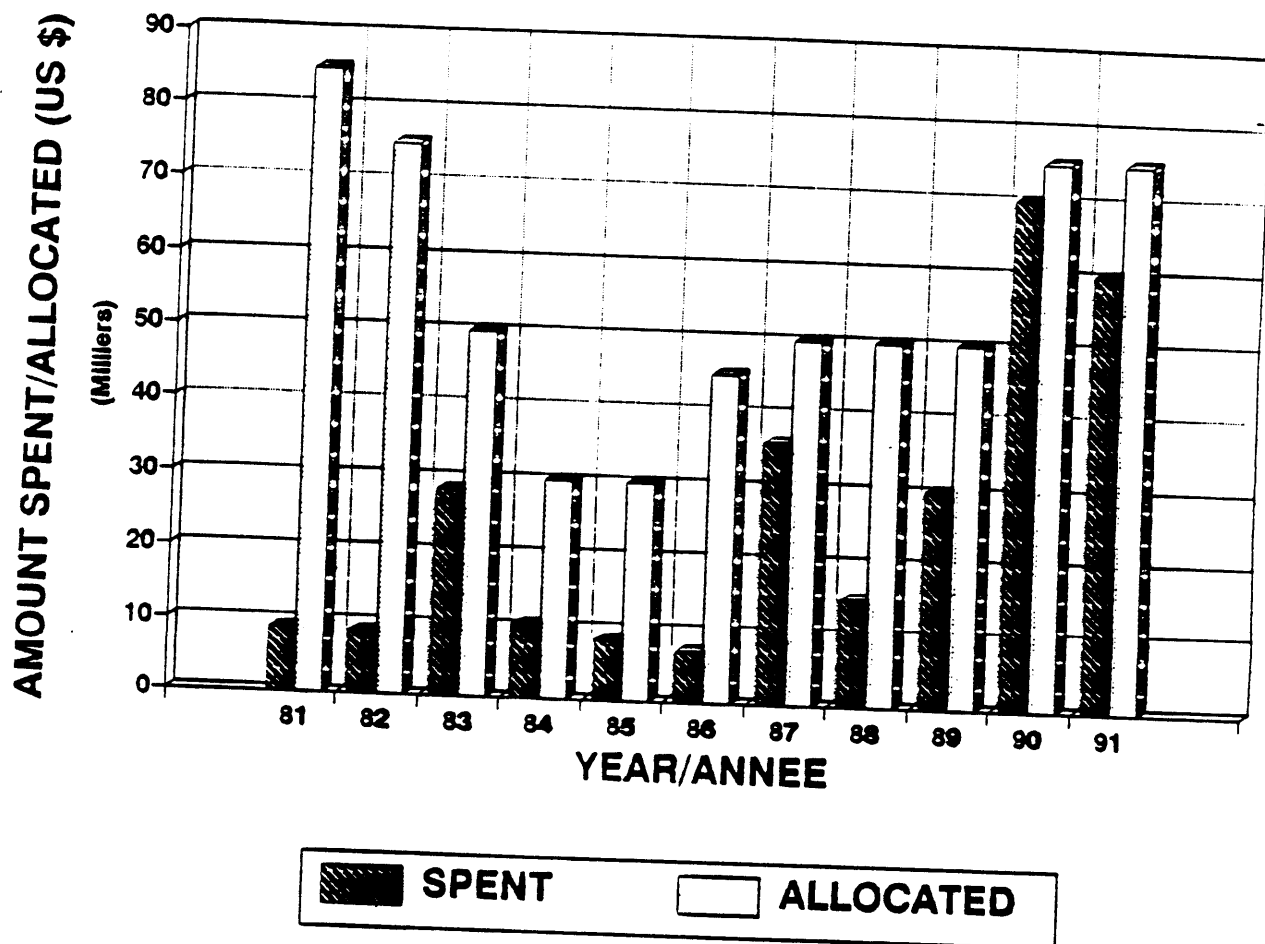
(e.g. there are 362 properties - 6 = 356 properties)

In the same total and in order to obtain the 358 properties inscribed, it must be noted that two properties although inscribed individually, are now been integrated into one single property.

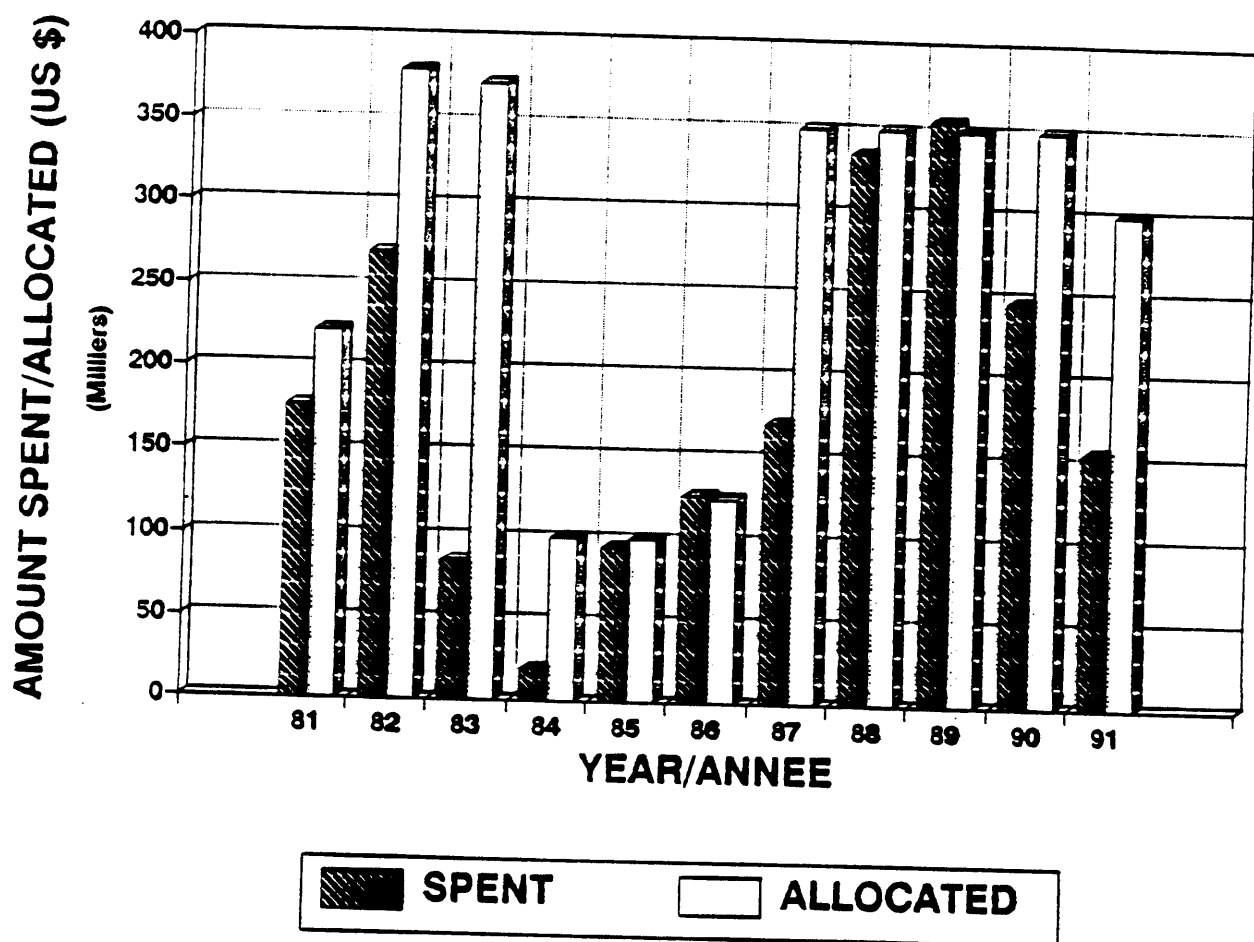
- a) the Burgess Shale (Canada) property which in the List is part of the Canadian Rocky Mountains Park;
- b) the properties of the Westland National Park and Mount Cook and of the Fiordland National Park (New Zealand) now are part of the Te Wahipounamu - South West New Zealand.

(e.g. there are 356 properties + 2 = 358 properties)

PREP. ASSISTANCE/ASS.PREPARATOIRE

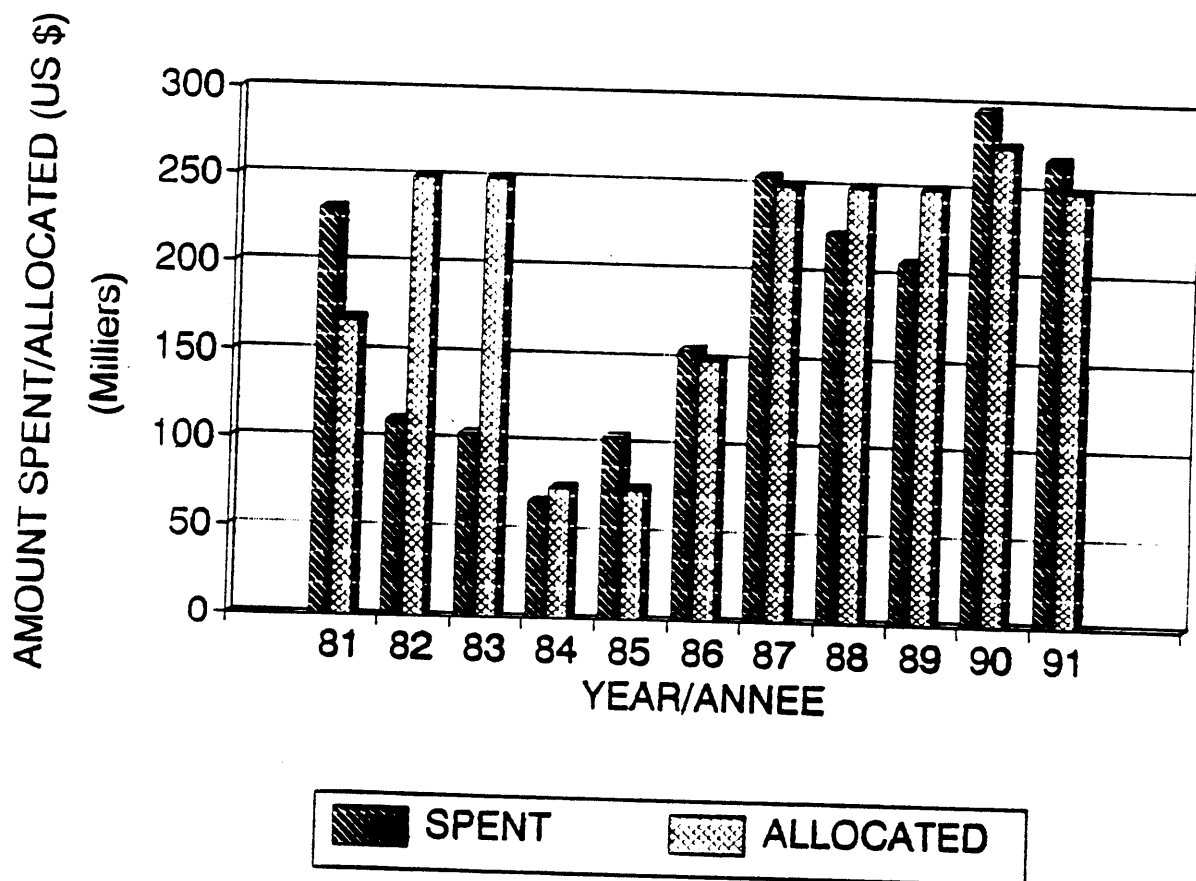


TECHNICAL CO-OP./COOPERATION TECHNIQUE



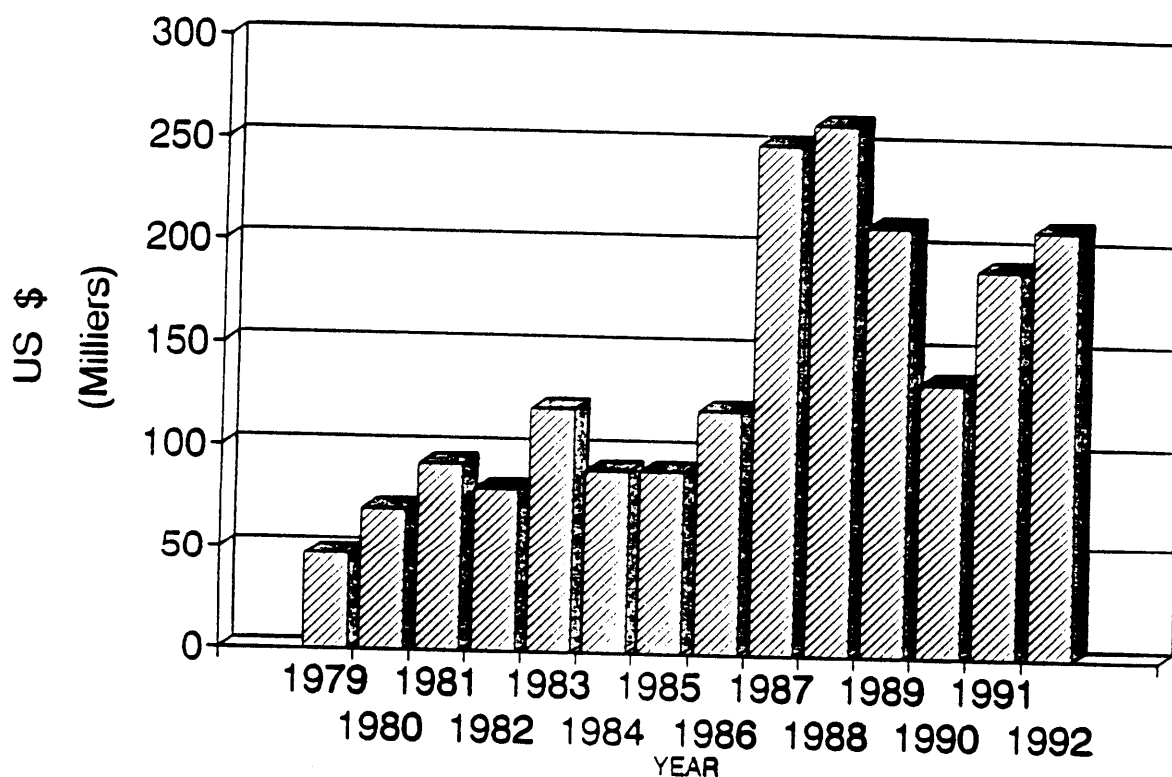
TRAINING/FORMATION

(Individual and group projects.)

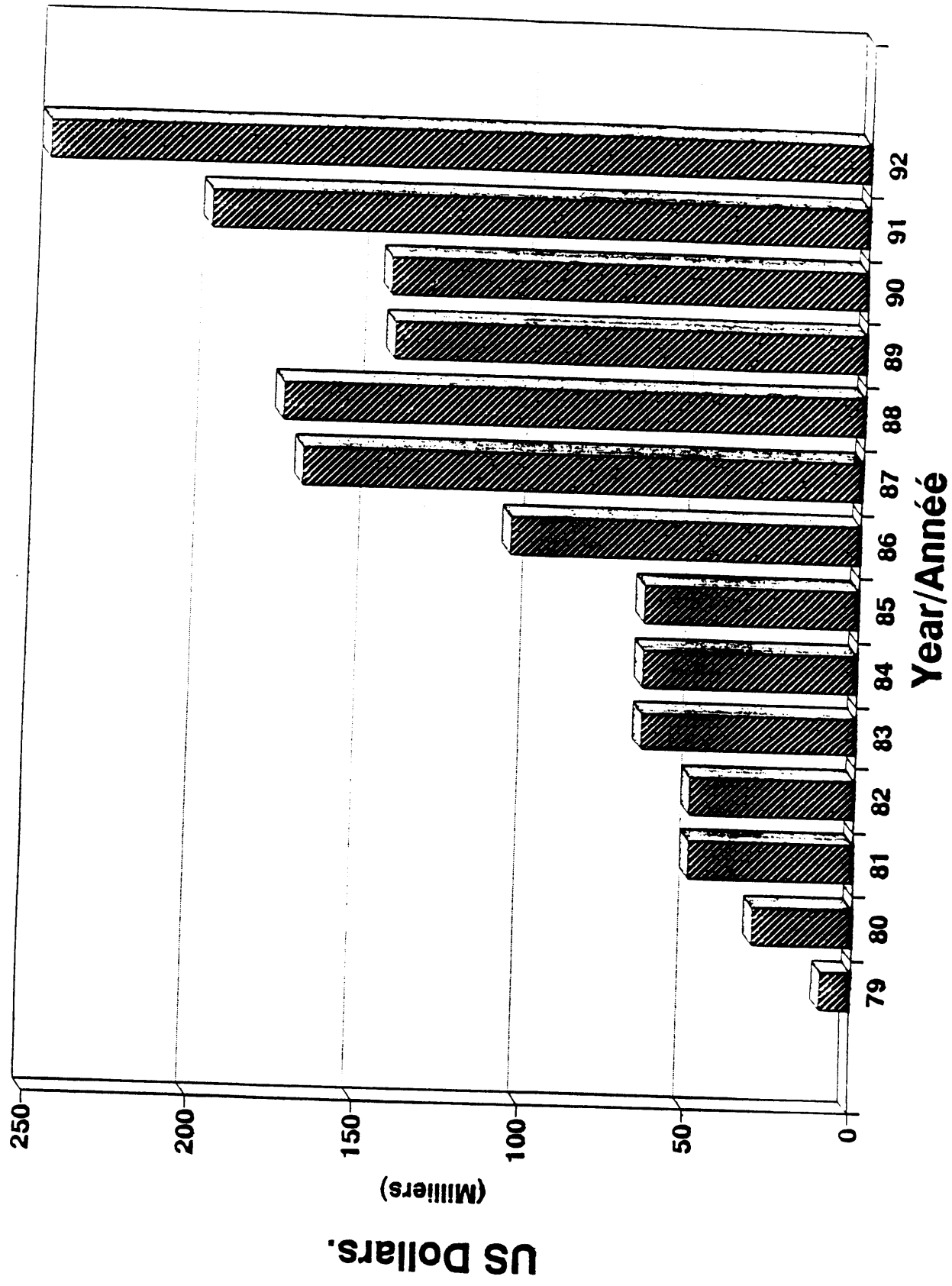


WORLD HERITAGE FUND

TEMPORARY ASSISTANCE TO THE SECRETARIAT



ICOMOS.



NB:

Sauf une légère régression en 1989 et 1990 (12ème et 13ème sessions) progression continue de la donation

Engagement très net du Comité en faveur du soutien de l'action de l'ICOMOS

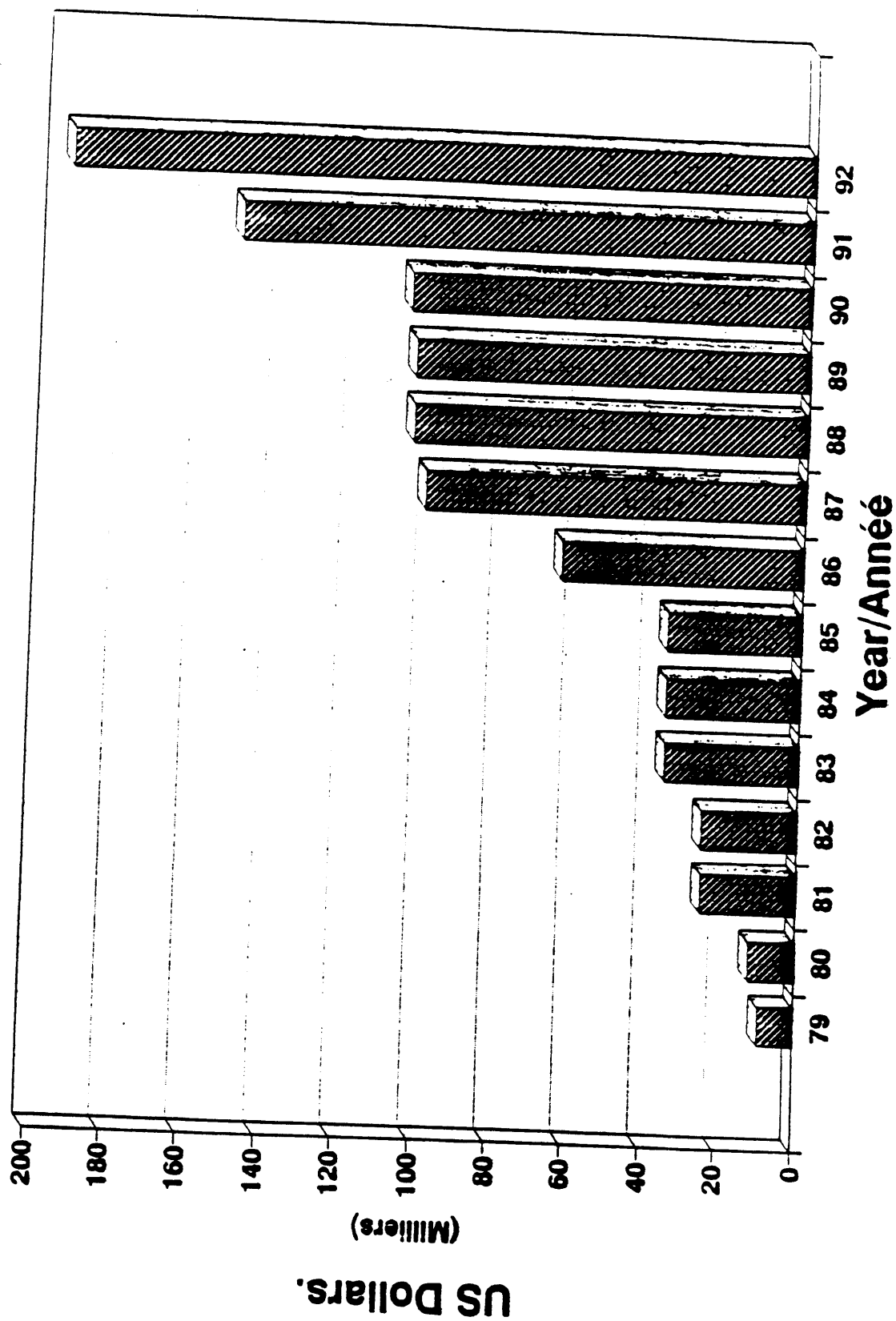
Pour les 2 dernières années, augmentation très nette (30% puis 25%)

Apart from a small repression in 1989 and 1990 (12th and 13th sessions) continuous increase in the allocation

Clear commitment of the Committee to support ICOMOS action

Substantial increase over the last two years (30% and 25%)

UICN
IUCN.



NB: Progression continue

Engagement très net du Comité en faveur du soutien à l'action de l'IUCN
Pour les 2 dernières années, augmentation très nette (circa 50% chaque
année).

Continuous increase

Clear cut undertaking of the Committee to support IUCN action
Evident increase for the last two years (circa 50% every year)