

ICOMOS and the World Heritage Convention¹

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ICOMOS and the World Heritage Convention – this topic would normally require a closer look at the long preceding events of the Convention which have a lot to do with ICOMOS and its precursor organisations: not only the Hague Convention, the case of Abu Simbel, also the famous Venice Charter (1964) as foundation document of ICOMOS, which like the Convention aims to preserve values such as monuments and historic sites. In addition, there is the Athens Charter (1931) as well as the Voeux du Congrès de Paris of 1889, rediscovered by our Swiss colleague Georg Germann. In article VI of these Voeux the idea was phrased, later on also fundamental for the Convention, that monuments of art and architecture should belong to everyone. For the first volume of the new series MONUMENTA, published by ICOMOS Austria, Germany, Luxemburg, and Switzerland, a considerable number of international principles and guidelines of conservation was translated into German.

The tremendous success of the World Heritage Convention as global strategy (190 states that have adopted the Convention; so far 1007 World Heritage sites, of which 779 are cultural heritage, 197 natural heritage, and 31 “mixed sites”; in Germany, there are 39 World Heritage sites) has by all means strongly influenced the theory and practice of monument conservation and opened up new perspectives for our work (I can only go into this very briefly). One of the major tasks of ICOMOS in the context of the World Heritage Convention is its work as advisory body to the World Heritage Committee and to UNESCO in matters concerning the World Cultural Heritage, especially the evaluation of monuments and historic sites already on the World Heritage List or considered for this list. The mandate and the responsibility of the advisory bodies ICOMOS, IUCN and ICCROM are defined in articles 8, 13 and 14 of the World Heritage Convention as well as in paragraphs 30 and 31 of the Operational Guidelines for the Implementation of the World Heritage Convention. The role of ICOMOS is described in paragraph 35: “The specific role of ICOMOS in relation to the Convention includes: evaluation of properties nominated for inscription on the World Heritage List, monitoring the state of conservation of World Heritage cultural properties, reviewing requests for International Assistance submitted by States Parties, and providing input and support for capacity-building activities.”

During my time as President of ICOMOS International between 1999 and 2008 ICOMOS’ scope of duties increased substantially. At first, in the World Heritage Committee I sat next to the unforgettable Henry Cleere, who as the only “World Heritage coordinator” would present the proposals of ICOMOS concerning the nominations for the World Heritage List. In the following years, the team work was considerably improved. Since 2005, there has been a special World Heritage Working Group preparing the work of the World Heritage Panel, the latter being a group of ICOMOS experts. In addition, there are the state of conservation reports for the already inscribed World Heritage sites, which take up more and more space, as well as the very successful results of small working groups concerning such fundamental investigations as the so-called Gap Report or the OUV Report.

In the past decade, the serious threats to our cultural and natural heritage, already mentioned in the preamble of the Convention of 1972, have not decreased – if we only think of the reports in the *Heritage at Risk* series first published in 2000 and also available on the internet.

¹ Slightly abridged and updated translation of: M. Petzet, ICOMOS und die Welterbekonvention. In: *UNESCO-Welterbe in Deutschland und Mitteleuropa. Bilanz und Perspektiven* (ICOMOS – Journals of the German National Committee LVII), München 2013, pp. 18–21.

In view of the current disasters affecting World Heritage sites in Syria or in Timbuktu it is our duty to defend as well as possible this threatened heritage of monuments, ensembles and historic sites, or at least to save what can be saved. Of course, this is not just the responsibility of ICOMOS. Instead, according to articles 4 and 5 of the Convention the States Parties are obligated to protect the entire cultural and natural heritage in their territory, which means they need to maintain conservation departments, make inventories of their cultural goods, etc. There is in fact a UNESCO Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage, adopted at the same time as the World Heritage Convention, but nowadays somewhat forgotten.

Another important aspect in this context, which has been discussed since 1994 as part of the so-called global strategy of the World Heritage Committee, is the question of a representative, balanced and credible World Heritage List. With the so-called Gap Report ICOMOS tried to answer this question: it was an attempt to categorise the existing inscriptions as well as the perspectives of the tentative lists on the basis of a typological, chronological-regional and a thematic framework. It is not about a balance between regions and countries worldwide; or even about a balance between the various federal states in Germany competing for the highest number of World Heritage sites. Instead, the question is how the cultural heritage of outstanding universal value, not being evenly distributed, is represented on the List. By request of the World Heritage Committee ICOMOS also prepared a comprehensive study on the Outstanding Universal Value (OUV), published in 2008. It was based on a concept developed in Munich at an expert meeting (“Definitions and Application of the Outstanding Universal Value for Nominations for the World Heritage List”) that was organised by ICOMOS Germany. The criteria for the OUV – masterpiece (I), interchange of human values (II), unique or at least exceptional testimony (III), etc – date back to a proposal made by ICOMOS in 1976. Even after quite a few discussions and revisions these criteria have stood the test of time astonishingly well, because they refer to the “classic” monument values defined in the Convention. Historic value, aesthetic value, remembrance value, scientific value can also be found in most of the monument protection laws worldwide.

I would also like to talk about the aspects of integrity and authenticity, indispensable for the inscription as World Heritage: in recent years, the *visual integrity* has played an important role in cases of possible defacements in the surroundings of World Heritage sites, while *authenticity* was redefined for the World Heritage Convention at the Nara conference in 1994. In Nara, I was allowed to chair a section. Furthermore, with my lecture on a pluralistic approach of a new “monument cult” I gave up for good the conventional path of monument conservation based exclusively on authentic substance. Since the Nara Document, one of the most crucial international doctrinal texts that we owe most of all to the two rapporteurs Herb Stovel and the former ICOMOS President Raymond Lemaire, we have not concerned ourselves with form and material only. Instead, authentic use and function, authentic place and authentic surroundings, authentic manufacturing technology, even authentic spirit and authentic feeling, are equally important.

Finally, some remarks on the central topic of our conference, the monitoring of the World Cultural Heritage. In the same way that the World Heritage Convention binds the states parties to take care of the protection and maintenance of the entire cultural and natural heritage in their territories, therefore not just the individual World Heritage sites, the national committees of ICOMOS – in accordance with article 4 of the ICOMOS Statutes – have a special responsibility for the monuments and historic sites in their country, of course in cooperation with all institutions dealing with the protection and care of monuments. Under these circumstances and due to different experiences, individual national committees have

developed special initiatives to monitor the state of conservation of World Heritage sites in their country. All in all, this is a programme that can be called Proactive Monitoring or Preventive Monitoring. Since 2008, my successor as President of ICOMOS International, Gustavo Araoz, has further developed it in the context of the Global Monitoring Initiative. Incidentally, the responsibility of Preventive Monitoring does not only concern individual World Heritage sites, but rather – in correspondence with articles 4 and 5 of the World Heritage Convention – the entire cultural heritage. ICOMOS with its more than 9,000 members worldwide should by all means monitor the state of conservation of monuments and historic sites and report on their condition. This should be done not least for the *Heritage at Risk* series now looked after by our colleague Christoph Machat.

In its continuous monitoring the so-called *preventive monitoring* differs from the *periodic reporting* described in the guidelines to the World Heritage Convention as well as from the so-called *reactive monitoring*. The obligation of the states parties to carry out periodic reporting can be found in article 29 of the World Heritage Convention. Independently of the periodic reporting the World Heritage Centre is to be informed as part of the reactive monitoring about problematic circumstances or works “which may have an effect on the state of conservation of the property” (Operational Guidelines IV.A, 169). Reactive monitoring includes actions initiated by reports of the states parties or by information about measures carried out at or in the vicinity of World Heritage sites that could threaten the outstanding universal value. In every case, the World Heritage Centre can consult the advisory bodies and ask them for their evaluation. Practice has shown, however, that handling the monitoring work in connection with reactive monitoring can be very time-consuming, especially in acutely problematic cases – if we think of the quite exceptional case of Dresden or of the bridge project near the Loreley. At every World Heritage site, minor or major problems and threats can occur which are not given enough attention. All in all, there is a whole range of possible threats to the historic fabric, and in most cases these problems are not even mentioned in the course of the periodic monitoring. Furthermore, they can’t be solved on time within the scope of the reactive monitoring. Particularly when it comes to large-scale World Heritage sites such as town ensembles, cultural landscapes, or cultural routes values defining the World Heritage can be affected by an enormous number of plans and projects. For this reason, in this broad field of conservation problems a continuous, clear-sighted monitoring has to take place, i.e. the already mentioned preventive monitoring taking the more general conservation concerns and the special criteria of the World Heritage into consideration. As far as the World Cultural Heritage is concerned, this task can only be managed by the advisory body ICOMOS and its worldwide net of members organised in more than 150 national and international committees. The corresponding mandate can be deduced from the above-mentioned articles of the World Heritage Convention, together with the mandate in the Operational Guidelines “to monitor the state of conservation of World Heritage properties”.

The monitoring group of ICOMOS Germany, set up in 1997, has played an important role in making the concept of preventive monitoring known worldwide. This concept was confirmed by a resolution of the ICOMOS General Assembly in Quebec in 2008: *Noting the valuable initiatives, activities and experiences of many National Committees to monitor World Heritage sites and other aspects of conservation practice in their country (...) the 16th General Assembly acknowledge and stress the importance of preventive actions and monitoring as keys to successful protection and conservation of heritage.* This working group of ICOMOS Germany taking care exclusively of the state of conservation of the German World Heritage sites consists at present of c. 50 experts, incl. ICOMOS experts from Austria, Switzerland, Luxemburg and the Czech Republic. This working group, now chaired by Prof. Berthold Burkhardt, was first led by Prof. Hartwig Schmidt, then by Dipl.-Ing. Giulio

Marano. With his profound experience in practical conservation Giulio Marano will hopefully continue to work for the monitoring group in the years to come. I would like to sincerely thank both Hartwig Schmidt and Giulio Marano for their exceptional commitment.

The task of the monitoring group is to get an overview of the state of conservation and possible changes to the World Heritage sites they are in charge of. This should be done based on on-site visits, meetings with people responsible locally and with experts, and by studying current plans. The group follows up information about measures that might harm the outstanding universal value and the integrity and authenticity of the World Heritage sites. According to the principles of the monitoring group some of the most important aims are to “help avoid or at least reduce conflicts by giving advice at an early stage”. In particularly problematic cases the president of the national committee can notify the International Secretariat of ICOMOS in Paris of the situation. The Secretariat will investigate the case and, if necessary, inform the World Heritage Centre of UNESCO if a reactive monitoring seems appropriate.

In contrast to the institutions with their authorities responsible within the scope of the building laws and the monument protection laws of the German *Länder*, ICOMOS Germany as a non-governmental organisation does not grant “approvals”. Instead, it considers its advisory activity, which respects the special general conditions of the World Heritage Convention, only as an addition to the traditional structure in Germany of state conservation authorities, with different monument protection laws in the various federal states. The close cooperation and exchange of experience between the Association of Federal Conservationists in Germany and the German National Committee of ICOMOS seems a matter of course, because also on an international level the colleagues working in the relevant national institutions are well represented as members of ICOMOS. Furthermore, many of the more than 100 national committees are chaired by people working for the authorities that look after the protection and maintenance of monuments. The German cultural monuments inscribed on the World Heritage List are protected on the basis of the usual legal instruments (monument protection legislation, building legislation, regional planning, municipal statutes, etc). They are professionally looked after by the monument authorities of the German federal states (state monument offices, state archaeological offices, building departments, palace and castle administrations, monument offices of the churches). In all conservation matters, the monument authorities in charge are therefore the first to be contacted. Within the framework of these competences, the monument conservation departments of the federal states, which are joined together in the Association of Federal Conservationists in Germany or in the Association of Federal Archaeologists, are responsible for a professional care.

Under these circumstances, in order to improve the cooperation in monitoring the World Heritage sites in Germany, the German national committee of ICOMOS and the Association of Federal Conservationists in Germany settled a special agreement this year. (...) In order to improve the communication process for the World Heritage sites this agreement stipulates regular meetings to which all parties are invited. The improvement of the communication process also helps to cope with conflicts. On the whole, such conflicts are based on economic or political interests rather than on professional dissent. Furthermore, ICOMOS Germany and the German UNESCO Commission prepared and in 2013 adopted an agreement on cooperating in World Heritage matters. In any case, preventive monitoring will remain an important task for all ICOMOS national committees. I look forward to continuing the cooperation and I hope our conference will be successful.