Protecting World Cultural and Natural Heritage in Danger. A pathway between International Law, European Law and Sustainable Development

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1874 – 1946
Protection of cultural property in International Humanitarian Law

International Declaration concerning the Laws and Customs of War. Brussels, 27 August 1874

Article 17

Art. 17. In such cases all necessary steps must be taken to spare, as far as possible, buildings dedicated to art, science, or charitable purposes, hospitals, and places where the sick and wounded are collected provided they are not being used at the time for military purposes.

It is the duty of the besieged to indicate the presence of such buildings by distinctive and visible signs to be communicated to the enemy beforehand

1874 – 1946
Protection of cultural property in International Humanitarian Law

Regulations concerning the Laws and Customs of War on Land. The Hague, 29 July 1899

Regulations concerning the Laws and Customs of War on Land. The Hague, 18 Oct 1907

Art. 27. In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

Art. 56. The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings.

The Foundation of the United Nations Educational, Scientific and Cultural Organization (UNESCO)

1945 the Constitution of UNESCO was signed

1946 it entered into force on November 4

Membership: 194 State Parties

«That since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed;»

Article 1(2)(c) Maintain, increase and diffuse knowledge:

<By assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;>

1954 *Hague Convention for the Protection of Cultural Property in the Event of an Armed Conflict*

State Parties: 136

First international Convention using the terminology ***cultural property***

Article 1 - Definition of cultural property

For the purposes of the present Convention, the term "cultural property" shall cover, irrespective of origin or ownership:
(a) movable or immovable property of great importance to the cultural heritage of every people […]
(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property. […]
(c) centers containing a large amount of cultural property […]

1954 *Hague Convention for the Protection of Cultural Property in the Event of an Armed Conflict*

The protective framework is based on clauses of Respect and Safeguard (art 2):

Respect (art. 4)

Applicable in the event of an armed conflict

«1.The High Contracting Parties undertake to respect cultural property situated within their own territory as well as within the territory of other High Contracting Parties by refraining from any use of the property and its immediate surroundings or of the appliances in use for its protection for purposes which are likely to expose it to destruction or damage in the event of armed conflict; and by refraining from any act of hostility, directed against such property.»

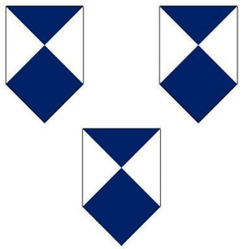
2.An imperative military necessity can justify a waiver for Art. 4(1).

Safeguard (art.3)

Applicable outside an armed conflict,
in “times of peace”

General Protection (arts. 2-7)

Special Protection (arts. 8-11)



1954 *Hague Convention for the Protection of Cultural Property in the Event of an Armed Conflict*

1954 Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict

State Parties: 112

Article 1: Introduces the obligation to prohibit the unlawful transfer of cultural property from an occupied territory.

Article 2: Obligation to to take into custody cultural property imported into its territory either directly or indirectly from any occupied territory.

Article 3: Obligation to return, at the end of hostilities, cultural property unlawfully exported from the previously occupied territory.

1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict

State Parties: 88

- It expands the scope of application in case of non-international conflicts
- It replaces the Special Protection with the Reinforced Protection (arts. 10-14)

The 60s: new threats endangering heritage

1962 *Recommendation concerning the safeguarding of the beauty and character of landscapes and sites*

Considering that by the cultivation of virgin land, the sometimes ill-regulated development of urban centers, the carrying out of extensive works and vast plans for industrial and commercial development and equipment. modern civilizations have accelerated this trend whose progress was relatively slow up to the last century,

Considering that this phenomenon affects the aesthetic value of landscapes and sites, natural or man-made, and the cultural and scientific importance of wild life,

1968 *Recommendation concerning the preservation of cultural property endangered by public or private works*

Considering, however, that the prehistoric, protohistoric and historic monuments and remains, as well as numerous recent structures having artistic, historic or scientific importance are increasingly threatened by public and private works resulting from industrial development and urbanization,

Considering in consequence that it is urgent to harmonize the preservation of the cultural heritage with the changes which follow from social and economic development, making serious efforts to meet both requirements in a broad spirit of understanding, and with reference to appropriate planning,

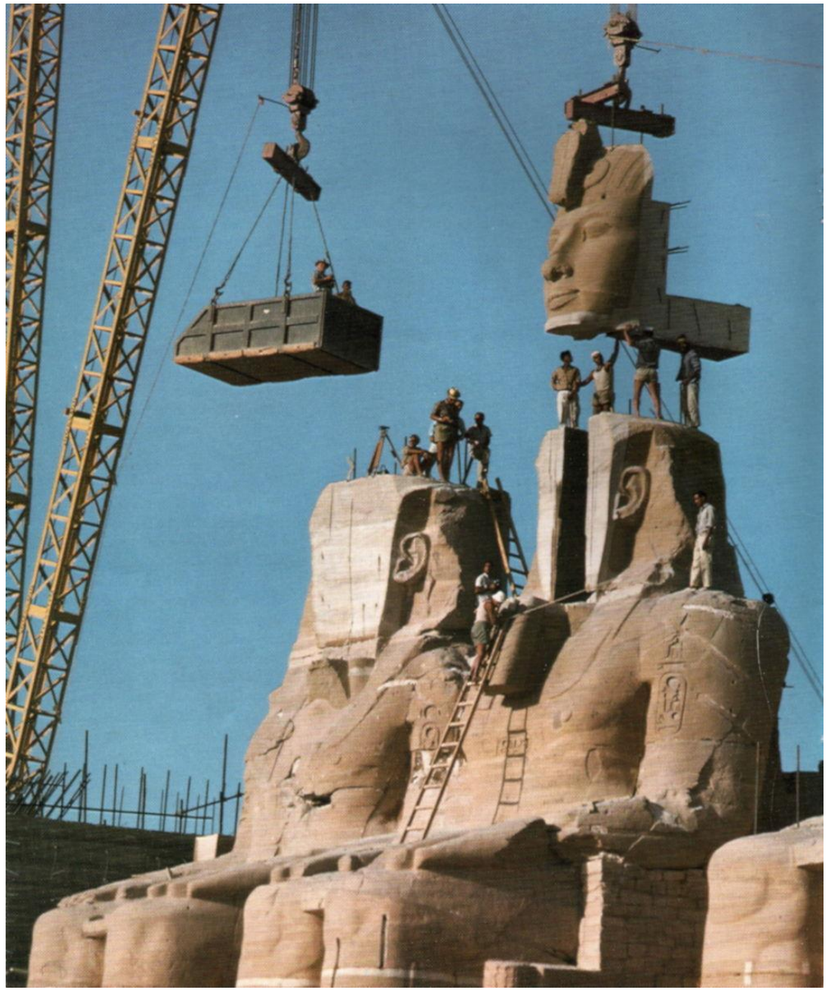
UNESCO Campaigns for saving endangered heritage

EGYPT: Archaeological site of Abu Simbel and the temple of Philae

INDONESIA: Borobudur temples in the Java island

ITALY: Florence and Venice

UNESCO Campaigns for saving endangered heritage



The project of the Aswan Dam on the Nile River would have increased the water level up to 60 meters, that would have ultimately resulted in the submersion of the Abu Simbel and Philae temple.

The project of the Aswan Dam was not abandoned, but a major dismantlement of the sites took place, to save the archaeological treasures of the site. The campaigned launched by UNESCO received the cooperation and financial contribution of 50 States.

UNESCO Campaigns for saving endangered heritage

The heavy tropical rainfalls damaged the basement of the temple.

UNESCO put in place a multilateral action, to which also Japan and the Federal Republic of Germany, among others, took part to.

The restauration project costed in total 700 million dollars and it consolidated the foundations and to restored1460 ornamental panels of the site.

UNESCO Campaigns for saving endangered heritage

Venice and Florence

In 1966 the cities of Florence and Venice were hit by extreme floodings.

In this situation, again, UNESCO triggered a multilateral operation.

The 1972 Convention concerning the protection of world cultural and natural heritage

Adopted on November 16, 1972, in Paris.

1. State Parties: 196. The Convention enjoys almost universal participation
2. It is the first international convention carrying the word heritage in the title (official translations available in Arabic, English, French, Russian and Spanish), contributing to the shift from the use of “cultural property” to “cultural heritage”.
3. It is the only Convention dealing with both cultural heritage and natural heritage.

What is world heritage

Article 1

For the purpose of this Convention, the following shall be considered as "cultural heritage":

monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.

Article 2

For the purposes of this Convention, the following shall be considered as "natural heritage":

natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;

natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.

Operational Guidelines 2023

Outstanding Universal Value

49. Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. The Committee defines the criteria for the inscription of properties on the World Heritage List.

II.D Criteria for the assessment of Outstanding Universal Value

77. The Committee considers a property as having Outstanding Universal Value (see paragraphs 49-53) if the property meets one or more of the following criteria. Nominated properties shall therefore:

...

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Main obligations

Article 3

It is for each State Party to this Convention to identify and delineate the different properties situated on its territory mentioned in Articles 1 and 2 above.

Article 4

Each State Party to this Convention recognizes that the duty of ensuring the **identification, protection, conservation, presentation and transmission** to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Article 5

To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each State Party to this Convention shall endeavor, in so far as possible, and as appropriate for each country:

(a) to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;

(b) to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;

(c) to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;

(d) to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and

(e) to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

Main obligations

Article 6

1. Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is situated, and without prejudice to property right provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.
2. The States Parties undertake, in accordance with the provisions of this Convention, to give their help in the identification, protection, conservation and presentation of the cultural and natural heritage referred to in paragraphs 2 and 4 of Article 11 if the States on whose territory it is situated so request.

3. Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention.

Article 7

For the purpose of this Convention, international protection of the world cultural and natural heritage shall be understood to mean the establishment of a system of international co-operation and assistance designed to support States Parties to the Convention in their efforts to conserve and identify that heritage.

COMMENTARY

6(1): The **heart notion** is **solidarity.** By virtue of the universal value of cultural and natural heritage, State parties are called to cooperate.

6(2): State parties provide their assistance in the fulfilment of other State parties of the obligations in article 4.

6(3): This article prevent actions emanating from the territory of State parties that could damage world heritage.

7: it highlights a fundamental aspect of the protective regime that the Convention strive to put in place: International cooperation.

The WHLs (art. 11)

1.Every State Party to this Convention shall, in so far as possible, submit to the World Heritage Committee **an inventory of property forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion in the list** provided for in paragraph 2 of this Article. This inventory, which shall not be considered exhaustive, shall include documentation about the location of the property in question and its significance.

2. On the basis of the inventories submitted by States in accordance with paragraph 1, the Committee shall establish**, keep up to date** and **publish**, under the title of "World Heritage List," a list of properties forming part of the cultural heritage and natural heritage, as defined in Articles 1 and 2 of this Convention, which it considers as having outstanding universal value in terms of such criteria as it shall have established. An updated list shall be distributed at least every two years.

3. The inclusion of a property in the World Heritage List **requires the consent of the State concerned**. The inclusion of a property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State shall in no way prejudice the rights of the parties to the dispute.

COMMENTARY

1. Tentative List

2. The World Heritage Intergovernmental Committee (article 8) is responsible for updating the World Heritage List

3. Inscription on the WHL requires the consent of the territorial State.

The WHLs (art. 11)

4. The Committee shall establish, keep up to date and publish, whenever circumstances shall so require, under the title of "list of World Heritage in Danger", a list of the property appearing in the World Heritage List for the conservation of which major operations are necessary and for which assistance has been requested under this Convention. This list shall contain an estimate of the cost of such operations. The list may include only such property forming part of the cultural and natural heritage as is threatened by serious and specific dangers, **such as the […]** The Committee may at any time, in case of urgent need, make a new entry in the List of World Heritage in Danger and publicize such entry immediately.

5. The Committee shall define the **criteria** on the basis of which a property belonging to the cultural or natural heritage may be included in either of the lists mentioned in paragraphs 2 and 4 of this article.

6. Before refusing a request for inclusion in one of the two lists mentioned in paragraphs 2 and 4 of this article, the Committee shall consult the State Party in whose territory the cultural or natural property in question is situated.

COMMENTARY

4. Requirements to be inscribed on the WHLD
- There exist a threat
- Conservation requires “major operations”
- The International Assistance (art.13) has been requested

The article provide a non-exhaustive list of threats: conflict, urban development, natural disasters and others.

5. The World Heritage Committee defines the criteria for inscription in both lists.

6. Possible outcomes of the nomination process:
- Inscription
- Request for more information
- Referral: Revision of the nomination by the State party
- Non-inscription

Article 12

COMMENTARY

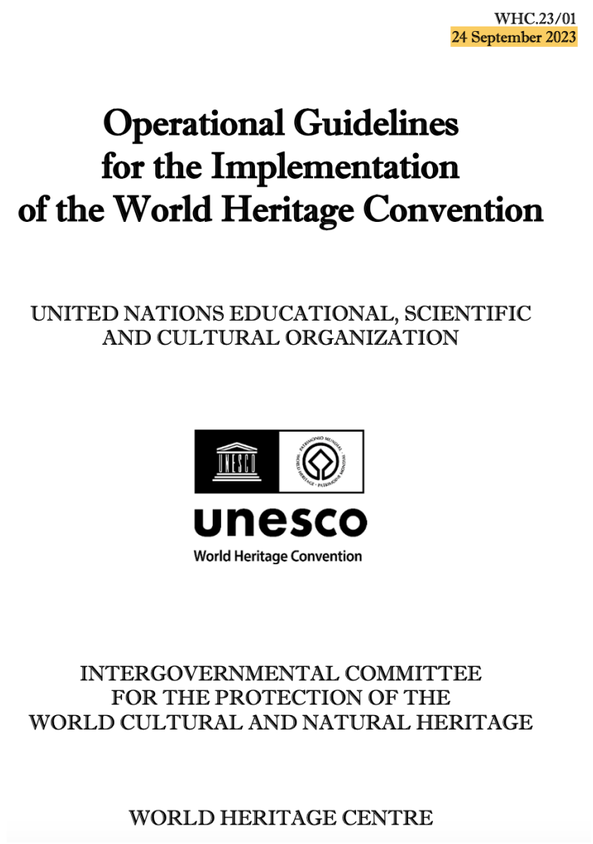
Article 12

The fact that a property belonging to the cultural or natural heritage has not been included in either of the two lists mentioned in paragraphs 2 and 4 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 inclusion in these lists.

The obligations set out in the Convention ought to be complied with, with respect to all cultural and natural heritage of outstanding universal value.
The implications derived from article 12:

1. the fact that a property is not inscribed on any of the two lists contemplated by Article 11 does not mean that it does not have outstanding universal value → the inscription of a property on the WHL is a **declaratory** element and not a constitutive one.
2. a cultural or natural property of outstanding universal value deserves protection even if it is not inscribed on any of the two lists of Article 11.
3. not all cultural or natural properties of outstanding universal value have to be inscribed on the World Heritage List, they enjoy the protective measures provided by the Convention regardless inscription in the WHL.

The dynamic interpretation of the WHC - the concept of heritage


WHC.23/01
24 September 2023

Operational Guidelines
for the Implementation
of the World Heritage Convention

UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION

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World Heritage Convention

INTERGOVERNMENTAL COMMITTEE
FOR THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE CENTRE

List of all Op.G. adopted since 1977
https://whc.unesco.org/en/guidelines/

Definition of cultural and natural heritage (Article 1 and 2)

Paragraph 47 of the Operational Guidelines:

«Cultural landscapes inscribed on the World Heritage List are cultural properties and represent the "combined works of nature and of man" designated in Article 1 of the Convention. They are illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal. […]

Cultural landscapes often reflect specific techniques of sustainable land use, considering the characteristics and limits of the natural environment they are established in, and may reflect a specific spiritual relationship to nature.»

Paragraph 47bis:

(i) landscape designed and created intentionally by people.

(ii) organically evolved landscape (a relict or a continuining landscape)

(iii) associative cultural landscape.

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The dynamic interpretation of the WHC – Monitoring/Compliance

WHC.23/01
24 September 2023

Operational Guidelines for the Implementation of the World Heritage Convention

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World Heritage Convention

INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE CENTRE

Article 29

1. The States Parties to this Convention shall, in the reports which they submit to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

2. These reports shall be brought to the attention of the World Heritage Committee.

3. The Committee shall submit a report on its activities at each of the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization.

V PERIODIC REPORTING ON THE IMPLEMENTATION OF THE *WORLD HERITAGE CONVENTION*

IV.A Reactive Monitoring..... 169-176

Decision 31 COM 5.2

Reinforced Monitoring

RE-GLOBE

The dynamic interpretation of the WHC – Criteria

1977

B. Criteria for the inclusion of cultural properties in the World Heritage List

7. Outstanding universal value will be recognized when a monument, group of buildings or site - as defined in Article 1 of the Convention - submitted for inclusion in the World Heritage List is found to meet one or more of the following criteria. Therefore, each property nominated should:

(i) represent a unique artistic or aesthetic achievement, a masterpiece of the creative genius; or

(ii) have exerted considerable influence, over a span of time or within a cultural area of the world, on subsequent developments in architecture, monumental sculpture, garden and landscape design, related arts, or human settlements; or

(iii) be unique, extremely rare, or of great antiquity; or

(iv) be among the most characteristic examples of a type of structure, the type representing an important cultural, social, artistic, scientific, technological or industrial development; or

(v) be a characteristic example of a significant, traditional style of architecture, method of construction, or human settlement, that is fragile by nature or has become vulnerable under the impact of irreversible socio-cultural or economic change; or

(vi) be most importantly associated with ideas or beliefs, with events or with persons, of outstanding historical importance or significance.

2023

(i) represent a masterpiece of human creative genius;
(ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
(iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
(iv) be an outstanding example of a type of building, architectural or technological ensemble
(v) or landscape which illustrates (a) significant stage(s) in human history;
be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;
(vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);
(vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
(viii) be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
(ix) be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;
(x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of Outstanding Universal Value from the point of view of science or conservation.

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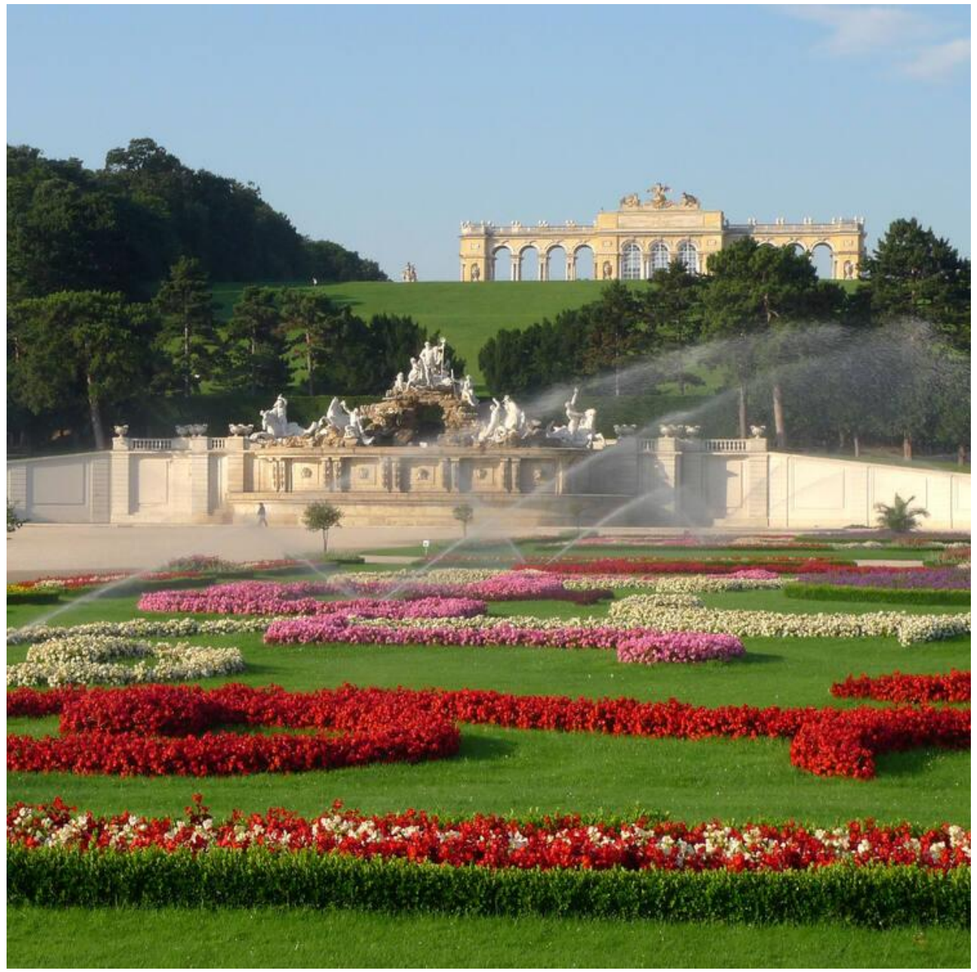


Palace and Gardens of Schönbrunn

Austria

Date of Inscription: 1996
Criteria: (i)(iv)

(i) represent a masterpiece of human creative genius;

(iv) be an outstanding example of a type of building, architectural or technological ensemble

The Persian Caravanserai

Iran (Islamic Republic of)

Date of Inscription: 2023
Criteria: (ii)(iii)

(ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;

(iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;

RE-GLOBE

Le Morne Cultural Landscape

Mauritius

Date of Inscription: 2008
Minor boundary modification inscribed year:
2011
Criteria: (iii)(vi)

(iii) area of the world, on developments in architecture or technology, monumental arts, town-

planning or landscape design; bear a unique or at least exceptional testimony to a cultural tradition

or to a civilization which is living or which has disappeared;

(vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);

Jesuit Missions of the Guaranis: San Ignacio Mini, Santa Ana, Nuestra Señora de Loreto and Santa Maria Mayor (Argentina), Ruins of Sao Miguel das Missoes (Brazil)

Argentina Brazil

Date of Inscription: 1983
Significant modifications to the boundaries : 1984
Criteria: (iv)

(iv) be an outstanding example of a type of building, architectural or technological ensemble

Auschwitz Birkenau

Poland

Date of Inscription: 1979
Criteria: (vi)

(vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);

Iguazu National Park

Argentina

Date of Inscription: 1984
Criteria: (vii)(x)

(vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic

importance;

(x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of Outstanding Universal Value from the point of view of science or conservation.

The Flow Country

United Kingdom of Great Britain and Northern Ireland

Date of Inscription: 2024
Criteria: (ix)

(ix) be outstanding examples representing significant on-going ecological and biological pro-

cesses in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;

Maintaining the OUV

1. **Periodic reporting** (Section V of the Op. G.): “a self-reporting process on the legislative and administrative provisions they have adopted and other actions which they have taken for the application of the *Convention*, including the state of conservation of the World Heritage properties located on their territories».

2. **Reactive Monitoring**, for properties under threat, inscribed or non-inscribed in the WHLD

3. **Reinforced Monitoring,** ‘in exceptional situations when the normal mechanisms of the Convention are not sufficient, urgent action is required that cannot wait for a decision by the [WHC], and there is a critical danger of the property losing its [outstanding universal value] between sessions’

4. **World Heritage List in Danger** (art.11(4) and Section IV.B of the Op. G.)

i. Non-exhaustive list of possible threats in art.11(4), they may include: deterioration, private or public works, abandonment/neglect, conflicts, natural disasters.

ii. Inscription on the WHLD (with or without the consent of the territorial State)

    i. Sanctioning function

    ii. Fire alarm

iii. International Assistance

iv. Multilevel cooperation

In three cases, the Intergovernmental Committee decided that an inscribed site had LOST its OUV.

Article 13

1. The World Heritage Committee shall receive and study requests for international assistance formulated by States Parties to this Convention with respect to property forming part of the cultural or natural heritage, situated in their territories, and included or potentially suitable for inclusion in the lists mentioned referred to in paragraphs 2 and 4 of Article 11. **The purpose of such requests** may be to secure the **protection, conservation, presentation or rehabilitation of such property**.

2. Requests for international assistance under paragraph 1 of this article may **also be concerned with identification** of cultural or natural property defined in Articles 1 and 2, when preliminary investigations have shown that further inquiries would be justified.

3. **The Committee shall decide** on the action to be taken with regard to these requests, determine where appropriate, the nature and extent of its assistance, and authorize the conclusion, on its behalf, of the necessary arrangements with the government concerned.

4. The Committee shall determine an **order of priorities** for its operations. It shall in so doing bear in mind the respective importance for the world cultural and natural heritage of the property requiring protection, the need to give international assistance to the property most representative of a natural environment or of the genius and the history of the peoples of the world, the urgency of the work to be done, the resources available to the States on whose territory the threatened property is situated and in particular the extent to which they are able to safeguard such property by their own means.

International Assistance art.13 and 19-26

The International Assistance provided by the Convention is considered one of the reasons of its success in terms of membership.

IA is accessible for properties inscribed in the WHL and for non-inscribed properties that have been pre-identified, i.e. for supporting State parties in the identification stage and in the submission of the nomination for inscription on the WHL.

Paragraph 239 of the Operational Guidelines.

International Assistance art.13 and 19-26

Article 13

5. The Committee shall draw up, keep up to date and publicize a list of property for which international assistance has been granted.

6. The Committee shall decide on the use of the resources of the Fund established under Article 15 of this Convention. It shall seek ways of increasing these resources and shall take all useful steps to this end.

7. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of this Convention. For the implementation of its programmes and projects, the Committee may call on such organizations, particularly the International Centre for the Study of the Preservation and Restoration of Cultural Property (the Rome Centre), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN), as well as on public and private bodies and individuals.

8. Decisions of the Committee shall be taken by a majority of two-thirds of its members present and voting. A majority of the members of the Committee shall constitute a quorum.

COMMENTARY

5. Find it here

6. The resources for the International Assistance come from the World Heritage Fund (article 15).

7. The Advisory Bodies are also concerned for the allocation of resources in the framework of the IA.

8. Rules of Procedure.

OMAN

~~Arabian Oryx Sanctuary~~ Delisted 2007

Oman

Delisted Date: 2007
Date of Inscription: 1994
Criteria: (x)

The Omani Sultanate failed in implementing the requests of the WHC to strengthen the management plan.

Through the periodic reporting, wildlife was reportedly decreasing.

In 2007, the State party significantly reduced the boundaries (90%), in order to allow explorations for oil and minerals.

The WHC reacted, but the Omani Sultanate answered by requesting the deletion of the site from the Lists.

GERMANY

~~Dresden Elbe Valley~~ Delisted 2009

Germany

Delisted Date: 2009
Date of Inscription: 2004
Criteria: (ii)(iii)(iv)(v)

The project of a four-lane bridge threatened the visual integrity of the cultural landscape.

The project was approved with a referendum. Although for some time the German authorities were keen on considering other solutions as recommended by the WHC, in the end the project re-started, and the cultural landscape was deleted from the WHLD (2007) in 2009.

UNITED KINGDOM

~~Liverpool – Maritime Mercantile City~~ Delisted 2021

United Kingdom of Great Britain and Northern Ireland

Delisted Date: 2021
Date of Inscription: 2004
Criteria: (ii)(iii)(iv)

The City of Liverpool, with the support of the British Government, approved a massive real estate project encroaching the Historic Centre of Liverpool.

The Committee therefore inscribed the site on the WHLD and threatened to delist it.

Based on the needs to regenerate the urban area, the project did not stop and went ahead.

Isole Eolie (Aeolian Islands)

Italy

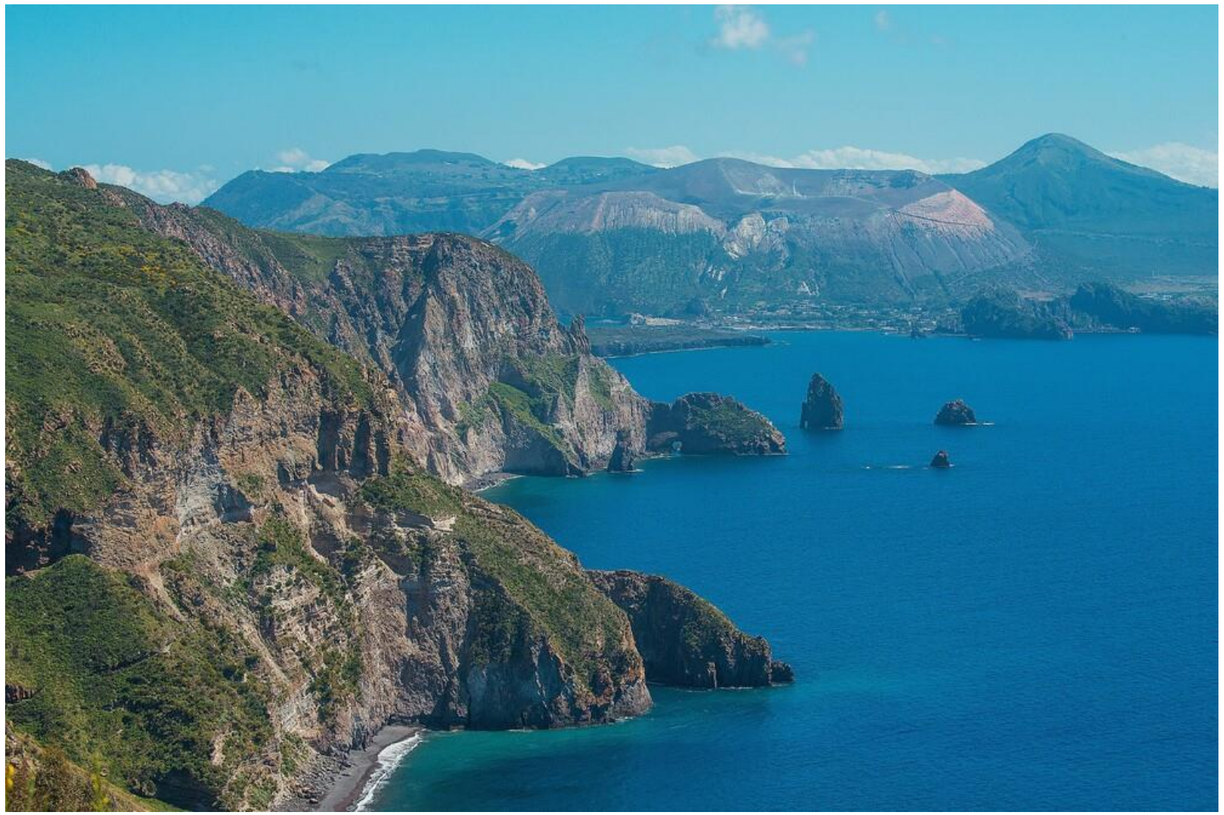
Date of Inscription: 2000
Criteria: (viii)

In the nomination dossier, the Committee acknowledged the territorial and landscape plan of the local administrative authorities which prohibited mineral extractions on the site.

However, IUCN informed the WHC that on 25% of the territories activities of pumice extraction were ongoing.

The WHC reacted by requesting the State party to interrupt such activities and monitoring the natural site.

In 2008 all mineral excavations were interrupted.



Ichkeul National Park

Tunisia

Date of Inscription: 1980
Criteria: (x)

The construction of three dams around the Lake for agricultural uses and human consumption increased the salinity of the Lake and marshes. Resulting into a decrease in the population of local birds.

The WHC inscribed the Park in the WHLD.

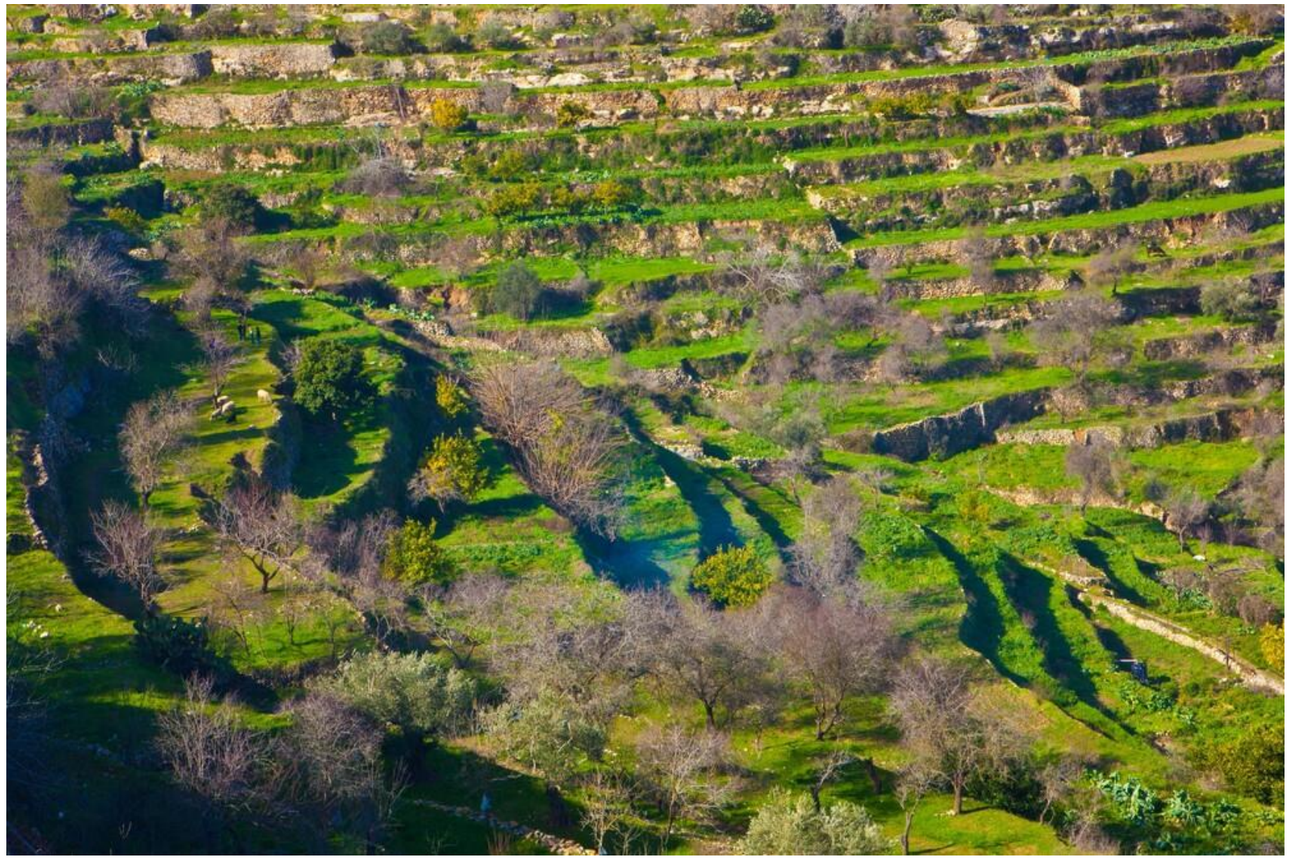
Afterwards, Tunisia adopted a new Management Plan to reconcile the WHC's requests and its needs of economic development.

As a result, the WHC deleted it from the WHLD.

Palestine: Land of Olives and Vines – Cultural Landscape of Southern Jerusalem, Battir

State of Palestine

Date of Inscription: 2014
Criteria: (iv)(v)



Inscribed with the emergency procedure in 2014.

From the Advisory Body Evaluation (ICOMOS): “A plan to start the construction of a separation Wall could cut off farmers from fields they have cultivated for centuries.»

For more: Success stories

Protection of World Heritage outside the WHLs
The Garisenda Tower in Bologna

The Guardian

Eur

Leaning tower in Bologna to be saved as city announces €4m repair project

Work to be carried out on Garisenda tower in new year after area around it was cordoned off due to collapse fears

The Garisenda tower (left) in Bologna has been sealed off for repairs. Photograph: Michele Nucci/AP

Some basic facts:

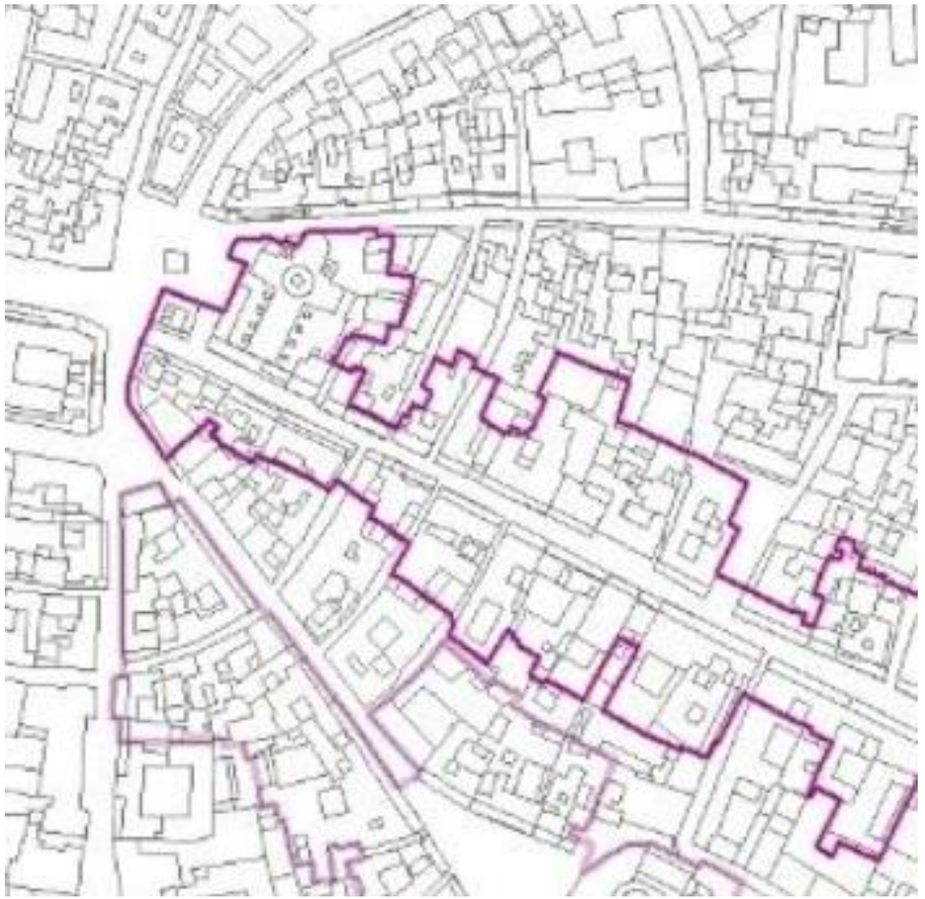
- Probably built at the beginning of the 12th century for defence purposes.
- Cause of the inclination: land subsidence (Engineer Franceschini, 19th century).
- Originally of 60 meters height, in 1350 it was lowered of 12 meters to avoid risks of collapse.
- Donated to the Municipality of Bologna in 1904.

RE-GLOBE

The UNESCO site “I Portici di Bologna”

First proposal (2021)

Boundaries of the property inscribed



The UNESCO site “I Portici di Bologna”

UNESCO, *Recommendation on the Historic Urban Landscape* 2011

3. Urban heritage, including its tangible and intangible components, constitutes a key resource in enhancing the liveability of urban areas, and fosters economic development and social cohesion in a changing global environment. As the future of humanity hinges on the effective planning and management of resources, conservation has become a strategy to achieve a balance between urban growth and quality of life on a sustainable basis.

5. This Recommendation addresses the need to better integrate and frame urban heritage conservation strategies within the larger goals of overall sustainable development, in order to support public and private actions aimed at preserving and enhancing the quality of the human environment. **It suggests a landscape approach for identifying, conserving and managing historic areas within their broader urban contexts,** by considering the interrelationships of their physical forms, their spatial organization and connection, their natural features and settings, and their social, cultural and economic values.

12. The historic urban landscape approach considers cultural diversity and creativity as key assets for human, social and economic development, and provides tools to manage physical and social transformations and **to ensure that contemporary interventions are harmoniously integrated with heritage in a historic setting** and take into account regional contexts.

22. **Conservation of the urban heritage should be integrated into general policy planning and practices and those related to the broader urban context.** Policies should provide mechanisms for balancing conservation and sustainability in the short and long terms. Special emphasis should be placed on the harmonious, integration of contemporary interventions into the historic urban fabric .

The UNESCO site “I Portici di Bologna”

The Garisenda Tower in Bologna

To benefit from the International Assistance:

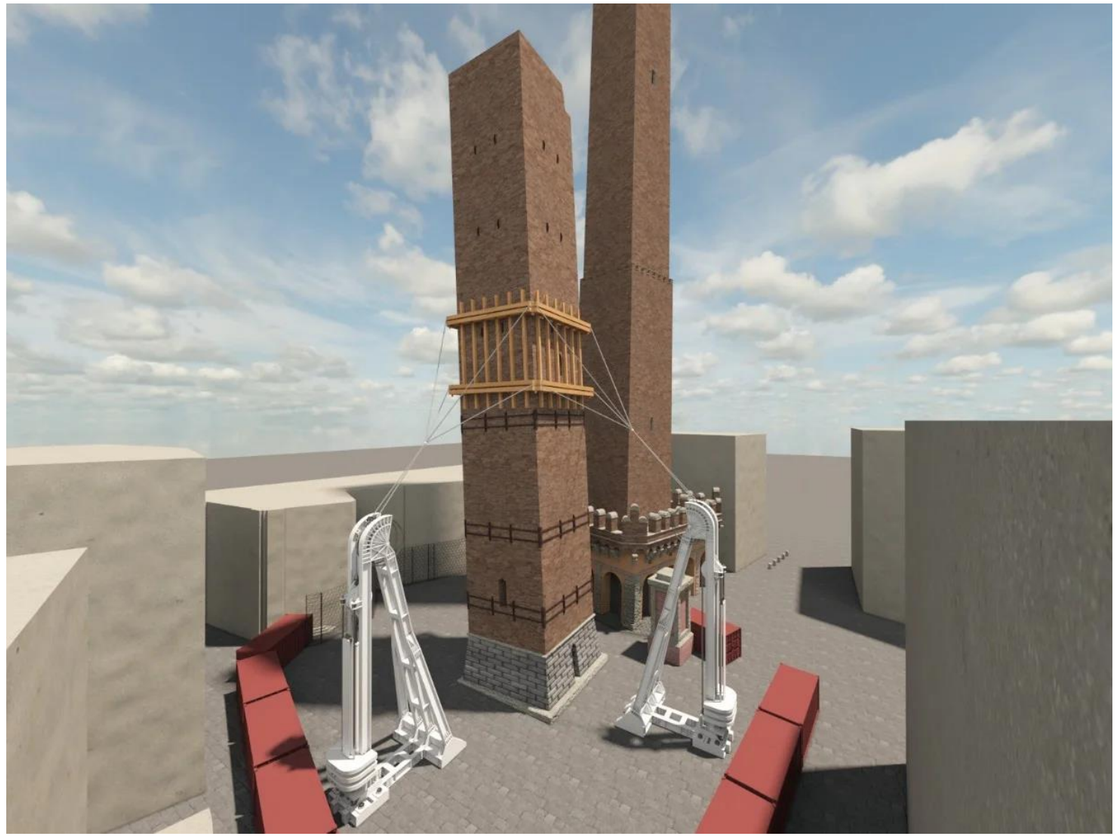
1. Inscribe the property through the emergency inscription
2. Include the tower in the Tentative List of Italy and start the nomination process
3. Request a minor boundary modification: «A minor modification is one which does not have a significant impact on the extent of the property nor affects its Outstanding Universal Value».

REPORT of the Joint World Heritage Centre/ICOMOS Advisory mission to The Porticoes of Bologna (Italy)

Recommendation 1: *To **re-assess the boundaries of all component parts** based on the parameters established and identify if further revisions – other than those mentioned in the Committee's decision – should be envisaged. An explanation of how the parameters were used for each component part, and any adaptations made to consider their distinct characteristics, should be clearly articulated and submitted with the future minor boundary modification request.*

Recommendation 2: *In addition to the efforts already undertaken, **to examine further the possibility of better reflecting the functional links between the porticoes** (especially the ways in which people use the porticoes to move around the city), while considering the limitations derived from the identification of the component parts.*

The Garisenda Tower in Bologna
The way forward



• **PHASE A**: Two counter towers will act as passive support to ensure safe operations at the base of the tower.

• **PHASE B**: increase in strength will be achieved through traditional consolidation methods. An example of such methods includes injecting a mixture of hydraulic lime mortar compatible with the existing materials.

• **PHASE C**: This phase involves tightening the cables of the counter towers. The goal is to improve the safety of the Garisenda Tower by reducing the stress at the base of the most critical area.

Other Cultural Heritage Conventions

Convention on the Protection of Underwater Cultural Heritage, 2001

Convention for the Safeguarding of Intangible Cultural Heritage, 2003

Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005

The European Union

TEU

Article 3 (3)

The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance. It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child. It shall promote economic, social and territorial cohesion, and solidarity among Member States**. It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.**

TFEU

Article 167 – Culture

2. Action by the Union shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:

— **conservation and safeguarding of cultural heritage** of European significance.

Alternative fundings for Cultural Heritage Preservation
The European Investment Bank

European Investment Bank

Article 308 (TFEU)

The European Investment Bank shall have legal personality.

The members of the European Investment Bank shall be the Member States.

The Statute of the European Investment Bank is laid down in a Protocol annexed to the Treaties. The Council acting unanimously in accordance with a special legislative procedure, at the request of the European Investment Bank and after consulting the European Parliament and the Commission, or on a proposal from the Commission and after consulting the European Parliament and the European Investment Bank, may amend the Statute of the Bank.

Article 309 (TFEU)

The task of the European Investment Bank shall be **to contribute**, by having recourse to the capital market and utilising its own resources**, to the balanced and steady development of the internal market in the interest of the Union**. For this purpose the Bank shall, operating on a non-profit-making basis, grant loans and give guarantees which facilitate the financing of the following projects in all sectors of the economy:

(a) projects for developing less-developed regions;

(b) projects for modernising or converting undertakings or for developing fresh activities called for by the establishment or functioning of the internal market, where these projects are of such a size or nature that they cannot be entirely financed by the various means available in the individual Member States;

(c) projects of common interest to several Member States which are of such a size or nature that they cannot be entirely financed by the various means available in the individual Member States.

In carrying out its task, the Bank shall facilitate the financing of investment programmes in conjunction with assistance from the Structural Funds and other Union Financial Instruments.

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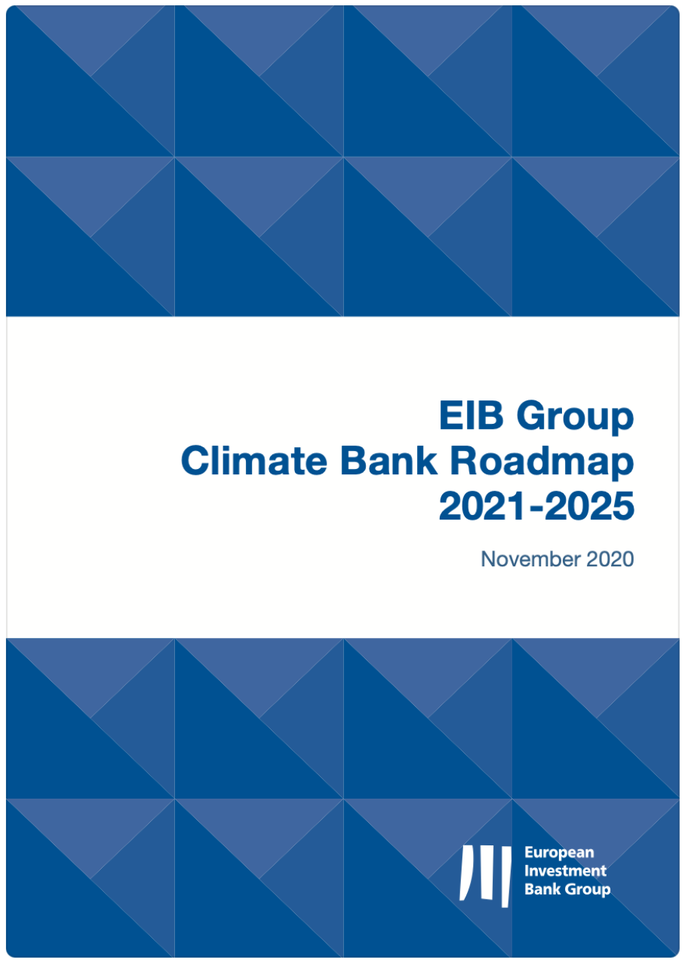
EU Climate Bank



"The decision of the EIB Board has **two broad elements**.

1. Firstly, the EIB will **increase its level of support to climate action and environmental sustainability to exceed 50%** of its overall lending activity **by 2025** and beyond, and thus help to leverage **€1 trillion of investment** by the EIB Group over the critical decade ahead. This new level of commitment is designed to accelerate the transition to a climate-neutral, climate-resilient and sustainable economy. Importantly, this includes a commitment for a proposal regarding **a just transition**.
2. The second core dimension of the EIB Board decision is to ensure that **"all financing activities are aligned to the goals and principles of the Paris Agreement by the end of 2020"**.

Urban Development Sector – Lending areas

Historical and Cultural Public Buildings are eligible projects, whether within larger investment programmes, area-based urban regeneration plans or single investment loans

Integrated urban renewal and development	Housing	Urban regeneration of deprived areas
• City multi-sector and multi-component investment programmes • Public building construction, restoration and/or renewal • Area-bases site urban regeneration	• Social and affordable housing • Refugee accommodation • Student residences • Senior homes	• Remediation and development of degraded sites • Regeneration of deprived areas • Upgrade of informal settlements and slums

RE-GLOBE

Project example 1

AMBIENTE URBANO BOLOGNA V

Sector: Urban development

Consolidamento statico risanamento conservativo of:

Portici Via De’ Coubertin e Via della Certosa: EIB Framework Loan: 40 M€

Borrower: City of Bologna

Implementation period: 2012-2015

Find out more here

Project example 2

VILNIUS URBAN INFRASTRUCTURE

Sector: Urban development

EIB Framework Loan: circa 47M€

Museum of Wooden Architecture scheme: circa 1.2M€

Museum exhibition space, event and temporary exhibition space, multifunctional education space, cafe, consultation centre with database

Borrower: City of Vilnius

Implementation period: 2016-2020

Find out more here

ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA

RE-GLOBE

Thank you!

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